Planning

Growth & Development

Delegated officer report for planning application

Application no.	140371/FO/2024
Date registered valid:	24 June 2024
Proposal:	Erection of four houses (two pairs of 5 bed semi detached houses) including landscaping and parking
Address:	Land At Waterloo Road, Manchester
Ward(s):	Cheetham Ward
Applicant:	Shah Property Ltd
Agent (if any):	David Ormesher, Holborow And Ormesher
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	30 January 2025

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Standard consultations:
Printed: 3 July 2024 Expired: 24 July 2024

Neighbour notifications
Printed: 8 November 2024 Expired: 15 November 2024

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: Not applicable

Tree Preservation Order: Not applicable

The application site relates to a largely rectangular piece of open grassland. It is bound by Waterloo Road to the west and Abercarn Close to the north, with a large communal car park to the east and residential properties to the south. The site lies in an area that is largely residential, although there is more of a mixture of uses along Waterloo Road.

There was a recent application for the erection of 4 dwellinghouses, on the site, with associated parking, landscaping and boundary treatment (134492/FO/2022). This was refused, on 22 April 2024, for the following reason:

1. The applicant has failed to provide sufficient details to fully assess the proposal. The proposal includes three parking spaces at the rear of the properties via Abercarn Close, which are currently used as a parking area by existing residents. These parking spaces (approximately nine spaces) will be lost with the development of the new property's driveways.
The application has failed to provide details relating to the impact on current parking provision available to residents. This is contrary to policies T1, SP1 and DM1 of the Manchester Core Strategy.

Planning permission is now again sought for the erection of 4 Class C3 dwellinghouses on the site, with associated parking, landscaping and boundary treatment

The proposed houses would be constructed as two pairs of two-storey semi-detached properties, with accommodation in the roofspace, creating 5 bedrooms. The properties would have a dual pitched roof with rooflights. The houses would all face onto Waterloo Road, with a

rear gated vehicular access from Abercarn Close, for one property, and from the communal parking area, for the other 3 properties.

The houses would be of a brick construction with a tiled pitched roof including roof windows on both the front and rear elevations

Consultations & Notification Responses

Local residents - One objection has been received, for the following reasons:

- The new houses will have a direct view into their rear yard, significantly impacting the privacy that they currently enjoy. The proposed development therefore threatens to compromise this important aspect of their home life.
- The new houses may impact upon access to a gate/dropped kerb to their property

A response to the resident was sent, as follows:

It is assumed that the 8 feet wide element that you refer to is at the rear of your property, and lies outside the development site. Also, where your property adjoins the application site, H bar markings are proposed, which would prevent parking in this location. In order to advise you on your proposed gate it is suggested that a plan is submitted, which clearly indicates the proposed location and height of the gate and further advice can be provided.

No further comments were received from the resident.

There was then a further general neighbour notification and no comments were received.

Highway Services - Made the following initial comments:

TRIP GENERATION AND JUNCTION CAPACITY
Given that the proposed development is resultant in 4 additional residential dwellings, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns. It is anticipated that the vehicular trips will not be great, however Highways have noted that there will be vehicular build up in this location. This is due to the loss of parking spaces (approximately nine) in the existing parking area at the rear of the proposed site. It is noted that the plan suggests that 5 of the parking spaces will be retained, however it is unlikely that these can safely be utilised due to the driveway accesses and required manoeuvrability and visibility. A brief analysis of the most recent accident data, 5-year period, has been undertaken. There were three recorded accidents at Abercarn Close / Waterloo Road / Levenhurst Road Junction. A road safety audit is required to support this application.

SITE ACCESSIBILITY
The site is well accessed by sustainable modes. Regular bus services and Metrolink services are available within walking distance of the site.

PARKING AND ACCESS
There are 4 car parking spaces located within the site's curtilage (one per dwelling), thus equating to a provision of 100%. It should be noted that all individual driveway parking spaces should be a minimum of 3.0m x 6.0m to ensure that vehicles / pedestrians do not impact on the adopted highway. Access to three of these parking spaces will be via Abercarn Close, which is currently used as a parking area by existing residents in adjacent properties to the development site. These parking spaces (approximately nine spaces) will be lost with the development of the new properties and driveways. Highways have some concerns about the loss of these spaces

and the impact this will have on Abercarn Close. The fourth will be accessed via Abercarn Close. It is acknowledged that the proposed driveway on Abercarn Close is located within 10m of a junction. Typically, Highways do not accept driveways within 10m of an access. Highways would accept this arrangement in this location. The plan confirms that a H-Bar will be in place at the dropped kerb to ensure that the driveway does not get blocked by on-street parking. The boundary treatment to the north of the driveway should also ensure that pedestrian can see a vehicle accessing/egressing the driveway. Should the proposed development impinge upon the actual position of the bus stop then the applicant will need to liaise with colleagues in the Shelters team at shelters@tfgm.com before carrying out any works and that any relocation and associated costs would need to be wholly funded by the applicant.

EV CHARGING
It is required, in line with MCC Residential Guidelines, that the provision of an Electrical Vehicle charging point (minimum 7kW) is made available. The plan confirms that EV Charging will be available for each driveway space. This is acceptable to Highways.

OFF-SITE HIGHWAYS WORKS
Should the planning application be approved, the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Abercarn Close and Waterloo Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense. H-Bar protection will be required at the Waterloo Road and Abercarn Close driveways. Plans confirms that H-Bars will be in place at each driveway. This is acceptable to Highways. This should be agreed in a TRO within the Section 278 Agreement. It is also recommended that the applicant liaises with MCCs Street Lighting Team regarding the potential requirement to relocate an existing street lighting column located on the Abercarn Close footway at the rear of the site. It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place.

CYCLE PARKING
In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of 1-per-unit. The application form states that 4 cycle spaces (1 per property) will be available, however these are not shown on the drawings. It is requested that information on the location of the cycle storage be submitted for comment.

BOUNDARY TREATMENTS
It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

REFUSE AND SERVICING
Designated refuse storage has been accommodated for each individual dwelling at the rear of the property. Bins will be taken to/from the bin store by residents via the driveway to the collection point on Abercarn Close. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway. Swept Path analysis has been

undertaken for an HGV and shows that an HGV can safety access and egress the junction in forward gear and manoeuvre safely.

CONSTRUCTION MANAGEMENT
A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

in response, the applicant provided a revised plan indicating the layout of existing and proposed car parking at the site, and made the following comments:

An overnight car parking survey was undertaken and showed that 3 cars were parked in Albercarn Close overnight. The layouts of this area show that Albercarn Close can accommodate 17 vehicles parked perpendicularly and the proposed drive way access points would reduce the available capacity by three spaces

Cycle parking provision in the gardens of each property will be provided and it is requested that this matter be covered by a condition.

Revised boundary treatments are proposed so that they are set back so as not to impact the view of pedestrian in the area and are kept to a height of 1 metre.

The request of a stage 1 Road Safety report is requested. This is considered to be an onerous request especially as the Highways Authority have accepted the position that the four dwellings would not have a significant or severe impact on the highway in terms of trip generation and that the visibility splays at the Abercarn Close / Waterloo Road / Levenhurst Road Junction are in excess of 2.4m x 120m in both directions, (i.e. greater than the 43m required).

Any accident is unfortunate however the addition of potentially four departure trips in the AM peak a four arrival trips in the PM peak will not increase the propensity for an accident to occur. It would be unusual for a stage 1 RSA to be undertaken when the development proposals are considered small and insignificant, in trip generation terms, and when no offsite improvements are being proposed and cannot be justified.

These points were considered by Highways Services, who commented as follows;

ACCESS PARKING STRATEGY:
The cul de sac provides 17 car parking spaces. It is noted that the eastern parking area will remain unaffected and provide 8 car parking spaces. The western area will be impacted by the proposals and plans suggest that c. 5 parking spaces will be available. In total there will be 14 car parking spaces available.

It is requested that the western most parking space and a space either side of the driveways are removed - this will provide a total of 3 parking spaces in this area. It is also recommended that the H-Bars are widened to ensure that enough space is provided to access / egress the driveways.

In light of the parking survey result Highways would accept the above arrangement in principle.

CYCLE PARKING:

It is noted that cycle parking will be provided in the garden of each property. This is acceptable to Highways.

BOUNDARY TREATMENT:
Confirmation has been provided that boundary treatment will be either set back so as to not impact the view of pedestrians or kept to an eight less than 1.05m.

The applicant provided a revised plan, to address these comments, and Highways confirmed that the
plan demonstrates that sufficient H-bar markings are provided to ensure safe access and egress from the proposed driveways and 3 parking spaces are retained along Abercarn Close. This arrangement is acceptable to Highways.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to construction management, acoustic insulation, external equipment, air quality, contaminated land and approval of the submitted waste management arrangements.

United Utilities - Recommends that a condition is attached, to any permission, requiring the submission/implementation of a sustainable surface water drainage scheme and a foul water drainage scheme

Issues

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) 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.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So to is effective engagement between applicants. Communities, local planning authorities and other interests throughout the process (paragraph 131).

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 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 SP1 identifies the City Council's Core Development Principles and states 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 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.

Policy H3 relates to sites in north Manchester and states that north Manchester, over the lifetime of the Core Strategy, 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 EN19 relates to waste and states that the Council will 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.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that 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 and 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.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC26.1 states that 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.
b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant in this case. At that time, Planning Policy Statement 3 'Housing' stated that to facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques.

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. This guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as

being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. The guidance also advises that buildings should relate well to each other and building heights should be carefully considered. In terms of ease of movement, cul-de-sacs are discouraged, the street network should contribute to the character of the area, safe routes for cyclists and pedestrians will be promoted, and public transport should be easy to use. Places with attractive and successful public areas are encouraged with open spaces reflecting and accommodating future uses with children and young people being considered in the design and location of open spaces. Neighbourhoods should contain a mix of housing, safety and security are vital elements of the urban area, the impact of parking areas should be minimised and new developments should maximise access for disabled people.

Point 10.9 relates to external space and states that 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
- An increased amount of planting which enhances the quality of the natural environment
- The space to provide home grown food which benefits the health of the local community.

Manchester Residential Quality Guidance 2016 sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses. In relation to five bedroom, seven person, units the minimum standard of accommodation is set at 115 square metres for two-storey units and for one three-storey units, the standard is 121 square metres.

Places for Everyone - The approved Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for 9 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.

Relevant policies of PfE in this instance are:
JP-S1: Sustainable development
JP-C8: Transport Requirements of New Development
JP-P1: Sustainable Places

Principle of development - The site lies in an area with some mixed uses, including a number of residential properties in the immediate vicinity of the site. Given this, and the overarching policy context, it is considered that the general principle of the proposed use would be acceptable in this location. This is subject toother considerations, such as design, amenity, servicing and car parking

Siting/layout - The site is generally surrounded by two-storey houses, with some buildings, of an additional height, along Waterloo Road. The submitted layout indicates that the 4 houses proposed would each have a good sized garden area with space for refuse and cycle storage, and an in-curtilage car parking spaces would be provided for each property, along with an EV charging point to each property. Additional parking is also available in the adjoining communal parking area.

The properties respond to the main site frontage, of Waterloo Road, with all properties facing onto Waterloo Road with a building line that respects the adjoining properties. It is therefore considered that, in relation to site layout, the applicant has demonstrated that 4 properties can be accommodated on site, and it is considered that the proposal responds to the surrounding context and maximise frontages with the street scene and the relationship, of the development, with the surrounding environment. The proposed site layout is therefore considered to be satisfactory.

Scale/massing - At two storeys high, the proposal responds to the massing of the remainder of the properties on the street, and properties in the general surrounding area, with an eaves height and roof apex that responds to that of the adjoining properties, to give a relatively uniform appearance. It is therefore considered that the scale/massing, of the development, is an appropriate approach that is informed by its context.

Appearance/visual amenity - At present the site is open and provides some informal grassed open space. It is considered that the development presents a good quality façade to the adjoining street with properties of a traditional appearance. Roof lights are proposed with upper floor windows in the outer side elevations (i.e. the two middle properties, in the row of 4, would not have upper floor side windows). Full details of the boundary treatment are yet to be submitted, but it is indicated that 1 metre post and rail fencing will be provided around the site (final details to be covered by condition), It is considered that the simple and clean arrangements of the elevations along with the quality and use of materials, position of the building on the site and its scale, will be in keeping with its surroundings and enhance the setting of the site.

Residential space standards - The proposed development would deliver 5 x four bedroom residential units, each with a floorspace of approximately 135 square metres, which meets the Council's space standards. It is also considered that the proposed development would

contribute to sustainable growth in Manchester and thereby responds positively to the newly adopted Manchester Residential Quality Guidance (which reflects, in part, the national standards). The proposal would also secure design characteristics that would also positively contribute to the quality of the streetscene, and be effectively linked to its surroundings.

Residential amenity/privacy - The proposal is seeking to introduce 4 new two-storey residential properties on a currently vacant site, where there are a number of similar style two-storey properties, in the surrounding area. It is not considered that two additional residential properties, in this area, would have an adverse impact on nearby occupiers and would not result in overlooking of adjacent properties, or any adverse privacy implications, for existing or future occupiers and, overall, the proposals are not considered to have a detrimental impact on the residential amenity of existing residents in this area.

Impact on the highway/car and cycle parking -The previous application, on this site, was refused planning permission, as the applicant was unable to address issues raised by highways. In particular, the applicant failed to demonstrate whether the area, which is currently used as a parking area by existing residents in adjacent properties, would be effected by the proposal. The applicant has now demonstrated that the proposal would not adversely impact upon parking requirements for surrounding residents. In-curtilage dedicated car parking is provided as well as cycle storage for each property. An EV charging point is also proposed and other Highways Services comments have been satisfactorily addressed.

Security/boundary treatment - Good quality boundary treatment is proposed, around the site with the majority being 1 metre high post and rail fencing, with some 2 metre high timber fencing proposed, along the side boundaries of the site. The site is prominently located and whilst the proposed treatment is acceptable in principle, no formal details have been submitted. An appropriate condition is therefore proposed.

Air quality/Climate Change - The issues of air quality has been assessed as part of this application, although it is also noted that the site does not lie within an air quality management area. EV charging points are provided along with good sized garden areas and cycle and bin storage units. It is considered that the measures proposed as part of this application, would not significantly impact upon air quality in this location, but conditions are proposed relating to approval of final details.

Accompanied by a condition relating to design measures to minimise the environmental impact and energy use, of the houses, these arrangements are considered satisfactory and it is considered that the development would contribute to the Council's aim of securing developments that are adaptable to climate change.

Waste - The application is accompanied by a Waste Management Strategy and adequate bin storage facilities are provided within the curtilage of the house. The proposed measures are acceptable to Environmental Health.

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 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: Approve

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 negotiations took place in relation to the standard of accommodation and highways matters. The applicant has also been advised of a number of pre-development conditions which have been agreed.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

Waste Management Strategy
DTPC Transport Statement dated November 2018 (ref:L1013/TS)
Envirosmart Contaminated Land report dated November 2019 (ref:72491R1)
Site location plan
All stamped as received by the City Council, as Local Planning Authority on 24 June 2024.

Site access and car parking strategy dated 12 June 2024
Parking Survey dated June 2024 (ref:24MAY002
Drawing numbered 24 MAY/15/002
All stamped as received by the City Council, as Local Planning Authority on 24 July 2024.

Drawing numbered 24MAY/15/001 rev A, stamped as received by the City Council, as Local Planning Authority on 15 August 2024.

Design and Access Statement, stamped as received by the City Council, as Local Planning Authority on 27 September 2024.

Drawings numbered 2043/22/01 rev G and 2043/22/02, stamped as received by the City Council, as Local Planning Authority on 6 November 2024.

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) Notwithstanding any materials referenced within the application submission, prior to the erection of the above ground structure, samples and specifications of all materials to be used on all external elevations of the development should be submitted to and approved in writing by the City Council as local planning authority. The development shall then be constructed in accordance with the approved details.

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

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

- Display of an emergency contact number;
- Hours of working;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Phasing and quantification / classification of vehicular activity associated with planned construction, including commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routing both within the site and on the adjacent highway
- Routing strategy of construction vehicles;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.
- A dilapidation survey, including photographs and commentary, on the condition of carriageway/footways of construction vehicle routes surrounding the site.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy.

5) a) Prior to commencement of the development, an air quality impact assessment together with any mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: In the interests of the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant to policies SP1, EN16 and DM1 of the Manchester Core Strategy and Greater Manchester Air Quality action plan 2016.

6) a) Prior to commencement of the development, a scheme for electric vehicle charging and any other considerations, for example boiler emissions, shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: In the interests of the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant to policies SP1, EN16 and DM1 of the Manchester Core Strategy and Greater Manchester Air Quality action plan 2016.

7) Prior to the development commencing on site, full detailed designs (including specifications) of any necessary off site highways works, including any footpath reinstatement/resurfacing, the closure of any redundant crossings, dropped kerbs, provision of H-bars, review/installation of additional street lighting and the creation of new vehicle cross overs and pedestrian routes, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, prior to the proposed accommodation first being brought into use.

Reason - In the interests of highway safety due to the increased traffic flow generated from the development, pursuant to policies T1 of the Manchester Core Strategy.

8) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Waterloo Road and surrounding roads shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, 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.

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

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

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

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

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

10) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN14 and EN17 of the Manchester Core Strategy.

11) The development shall be carried out in accordance with the Waste Management Strategy stamped as received by the City Council, as Local Planning Authority on 24 June 2024, and indicated on drawing numbered 2043/22/01 rev G, stamped as received by the City Council, as Local Planning Authority on 6 November 2024. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

12) a) The development hereby approved shall be completed in accordance with the scheme for the provision of space for bin and bicycle storage as shown on drawing numbered 2043/22/01 rev G, stamped as received by the City Council, as Local Planning Authority on 6 November 2024.

b) Prior to the occupation of the dwellinghouses , finalised details of the type of secure and sheltered cycle parking, and bin storage units, to be installed shall be submitted to and approved in writing by the local planning authority. The approved space and facilities shall then be permanently retained.

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.

13) The car parking space indicated on the approved plans shall be surfaced and made available for use prior to the building hereby approved being occupied. The car parking space shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies DM1 and T2.6 of the Manchester Core Strategy.

14) No above ground works shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary shall be carried out in accordance with the approved details, prior to occupation of the residential units 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 in order to comply policies SP1 and DM1 of the Manchester Core Strategy.

15) Prior to any above ground works commencing on site an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning

Authority. The statement shall demonstrate measures to be incorporated into the development to achieve energy efficiency and approved measures shall be implemented in the construction of the approved development. Prior to occupation of any of the houses a post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of Manchester's Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

16) 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 openings, including windows and doors, shall be inserted within the elevations of the building, other than those shown on the approved drawings numbered 2043/22/01 rev G and 2043/22/02, stamped as received by the City Council, as Local Planning Authority on 6 November 2024.

Reason - In the interests of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

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

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

18) a) 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. Prior to commencement of the use hereby approved 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 scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken 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 have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason -To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1, of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

Informatives

1) The developer will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Abercarn Close and Waterloo Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

The submitted plans confirm that H-Bars will be in place at each driveway. This should be agreed in a TRO within the Section 278 Agreement. It is also recommended that the applicant liaises with MCCs Street Lighting Team regarding the potential requirement to relocate an existing street lighting column located on the Abercarn Close footway at the rear of the site. It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place

2) The developer is advised that any requirements for licensing, hoarding / scaffolding 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) Email -highwaylicences@manchester.gov.uk.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

328 Waterloo Road, Cheetham, Manchester, M8 0AX
1 - 3 Morrowfield Avenue, Manchester, M8 9AR
109 Brideoak Street, Manchester, M8 0AY
107 Brideoak Street, Manchester, M8 0AY
103 Brideoak Street, Manchester, M8 0AY
105 Brideoak Street, Manchester, M8 0AY
3 Abercarn Close, Manchester, M8 9AL
5 Abercarn Close, Manchester, M8 9AL
76C Brideoak Street, Manchester, M8 0AB
76B Brideoak Street, Manchester, M8 0AB
76A Brideoak Street, Manchester, M8 0AB
9 Abercarn Close, Manchester, M8 9AL
8 Morrowfield Avenue, Manchester, M8 9AR
5 Morrowfield Avenue, Manchester, M8 9AR
4 Morrowfield Avenue, Manchester, M8 9AR
28 Morrowfield Avenue, Manchester, M8 9AR
15 Lanbury Drive, Manchester, M8 9QS
9 Lanbury Drive, Manchester, M8 9QS
3 Lanbury Drive, Manchester, M8 9QS
5 Lenthall Walk, Manchester, M8 9QR
46 Abercarn Close, Manchester, M8 9AL
365 Waterloo Road, Cheetham, Manchester, M8 9SB
Hightown Post Office, 365 Waterloo Road, Cheetham, Manchester, M8 9SB
334 Waterloo Road, Cheetham, Manchester, M8 0AX
Collegiate Dental Practice, 76 Brideoak Street, Manchester, M8 0AB
Manchester North Letters Delivery Office, 365 Waterloo Road, Cheetham, Manchester, M8 9AA
332 Waterloo Road, Cheetham, Manchester, M8 0AX
330 Waterloo Road, Cheetham, Manchester, M8 0AX
80 Brideoak Street, Manchester, M8 0AB
7 Abercarn Close, Manchester, M8 9AL
32 Abercarn Close, Manchester, M8 9AL
30 Abercarn Close, Manchester, M8 9AL
28 Abercarn Close, Manchester, M8 9AL
26 Abercarn Close, Manchester, M8 9AL
24 Abercarn Close, Manchester, M8 9AL
22 Abercarn Close, Manchester, M8 9AL
20 Abercarn Close, Manchester, M8 9AL
18 Abercarn Close, Manchester, M8 9AL
13 Abercarn Close, Manchester, M8 9AL
11 Abercarn Close, Manchester, M8 9AL
9 Morrowfield Avenue, Manchester, M8 9AR
7 Morrowfield Avenue, Manchester, M8 9AR
6 Morrowfield Avenue, Manchester, M8 9AR
32 Morrowfield Avenue, Manchester, M8 9AR
30 Morrowfield Avenue, Manchester, M8 9AR
26 Morrowfield Avenue, Manchester, M8 9AR
24 Morrowfield Avenue, Manchester, M8 9AR
22 Morrowfield Avenue, Manchester, M8 9AR
20 Morrowfield Avenue, Manchester, M8 9AR

2 Morrowfield Avenue, Manchester, M8 9AR
18 Morrowfield Avenue, Manchester, M8 9AR
16 Morrowfield Avenue, Manchester, M8 9AR
14 Morrowfield Avenue, Manchester, M8 9AR
12 Morrowfield Avenue, Manchester, M8 9AR
10 Morrowfield Avenue, Manchester, M8 9AR
13 Lanbury Drive, Manchester, M8 9QS
11 Lanbury Drive, Manchester, M8 9QS
7 Lanbury Drive, Manchester, M8 9QS
5 Lanbury Drive, Manchester, M8 9QS
1 Lanbury Drive, Manchester, M8 9QS
9 Lenthall Walk, Manchester, M8 9QR
7 Lenthall Walk, Manchester, M8 9QR
3 Lenthall Walk, Manchester, M8 9QR
1 Lenthall Walk, Manchester, M8 9QR
86 Brideoak Street, Manchester, M8 0AB
84 Brideoak Street, Manchester, M8 0AB
82 Brideoak Street, Manchester, M8 0AB
78 Brideoak Street, Manchester, M8 0AB

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA