

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140785/FO/2024

Date registered valid: 4 October 2024

Proposal: Erection of a three storey end terrace building to form 6no. 1 bedroom studio flats to form short term holiday let accommodation

Address: 57 Grimshaw Lane, Manchester, M40 2AX

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Peter Hargreaves, LPLP Properties Ltd

Agent (if any): Mrs Robyne Marsden, Plans 2 Extend Ltd

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 28 November 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 8 November 2024

Standard consultations:

Printed: 18 October 2024 Expired: 8 November 2024

Neighbour notifications

Printed: 15 October 2024 Expired: 5 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: No

Tree Preservation Order: No

Description of area

The application site comprises of a parcel of land situated at the northern end of a terrace of four houses. The site adjoins 57 Grimshaw Lane. The site is predominantly cleared apart from a brick outbuilding sited adjacent to the eastern boundary. The site is situated on the east side of Grimshaw Lane and is adjoined to the north by a playground. Terraced housing is located to the east of the site. A vacant public house is located close to the site at the junction of Grimshaw Lane and Bower Street. Notwithstanding the above, the wider area has a number of commercial and industrial uses, including an industrial building located opposite the site on the western side of Grimshaw Lane. Neighbouring houses providing accommodation over two floors with roof space accommodation. The houses have brick elevations with slate roofs and front dormers and two storey outriggers projecting into enclosed rear yards.



Fig.1 – Views of the application site and adjoining residential terrace from Grimshaw Lane

Description of development

The proposed development involves

- i. The erection of a three storey house following the demolition of the outbuilding positioned adjacent to the eastern boundary of the site. The house would be sub-divided to form six short let apartments.
- ii. The house would follow the building line formed by the adjoining terrace. The proposed house would not incorporate a ground floor bay, which is a feature shared by the adjoining houses (the bay rises to two storeys to the end unit at No 63).
- iii. The house would be 4.46 metres wide and 16.1 metres deep. The side elevation of the house would be set back from the northern site boundary to allow the formation of a passageway linking the proposed shallow front garden and an enclosed rear yard.
- iv. The proposed house would follow the ridge line of the adjoining terrace. However, the eaves level would be lowered to accommodate a pitched roof extension to the principal roof plane (that is notably larger than the rood additions to the front of neighbouring houses. The size and arrangement of proposed windows would not correspond the detail of neighbouring houses.
- v. The rear a hipped pitched roof three storey extension would be formed with a partially staggered eastern elevation. It would be set below the main ridge line and adjoined to the side wall of an adjoining mono pitched rear outrigger. The ridge line to the extension would be positioned 2.9 metres below the ridge line of the main roof.

- vi. Windows would be incorporated into each elevation. The main entrance to the house would be located in the side elevation (serving apartments 1,3,4,5 and 6). A separate entrance would provide access to apartment 2.
- vii. Each apartment would include a bedroom, shower room and kitchen area.



Fig.2 – Proposed elevations

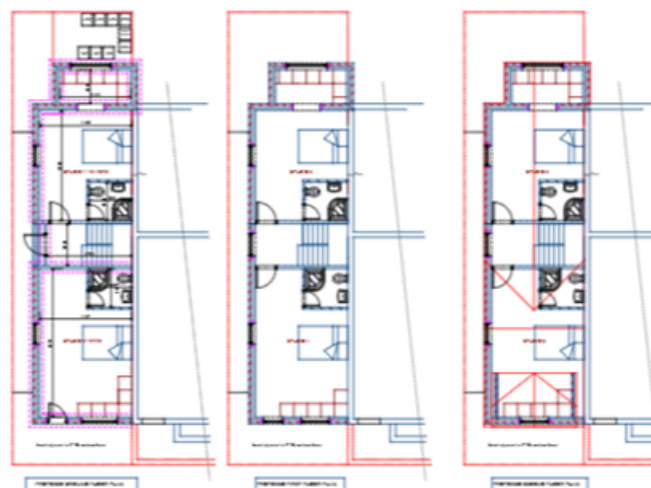


Fig.3 – Proposed layout

Consultations & Notification Responses

Local residents and businesses– No comments received

Environmental Health – The following comments have been received.

- i. The development should be supported with a comprehensive scheme for waste and recycling management.

- ii. The development should be conditioned to ensure the provision of an acoustic insulation and measures to manage overheating.
- iii. A condition is required to remediate potentially contaminated land within the site.

Highway Services - The following comments have been received.

- i. The application site is in a reasonably sustainable location in respect of access to public transport.
- ii. The development would not be supported with off-street car parking. Any car parking demand generated by the development would need to be accommodated on the highway thereby leading to additional demand for on-street car parking. There is concern that the potential parking demand associated the development may result in a significant increase in on-street parking within an area, which can already experience high levels of on-street parking demand. This is a particular issue along Grimshaw Lane which does not fall within the Eastlands Residents Parking Zone. It should be noted that guests would not have access to a Residents Parking Permit.
- iii. Secure cycle storage should be identified within the site.
- iv. The magnitude of development would not require a full travel plan. However, the provision of a travel pack should be conditioned to promote and encourage the adoption of sustainable modes of travel.
- v. Bin storage arrangements should be conditioned, if planning permission is granted.
- vi. The development should be related to a comprehensive construction management plan.
- vii. Requirements for licensing during construction should be agreed with the Council as local highways authority.

Flood Risk Management Team (FRMT) – Object to the proposal as the potential presence of a culverted watercourse beneath the site has not been investigated satisfactorily. If identified, measures to safeguard the culvert as part of the development would need to be submitted.

Greater Manchester Police Design for Security – Requested additional information regarding the proposed operation of the proposed short term holiday lets. There is concern that, if the operation of the development cannot be sustained, the proposed building may be used as an HMO or hostel. If not appropriately managed such accommodation can adversely impact upon the local community and lead to engagement with GM Police.

Greater Manchester Ecology Unit (GMEU) – Requested further information regarding the submitted bio-diversity net gain information. This information was forwarded to GMEU and no further comments have been received.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in December 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF are relevant to the consideration of the current application and are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are relevant.

Section 7: Ensuring the vitality of town centres – As the development relates to a use usually found within a town centres, section 7 is relevant. It states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.' The proposed use would be usually located in a town or district centre location. Although the site is out of centre, it is not considered that the magnitude of proposal would significantly impact upon the viable provision and operation of hotel accommodation in the city centre. In this case, the potential harm would primarily relate to the adverse impact on residential amenity.

Section 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. In this case, the development would produce a high intensity of transient occupation leading to increased noise, activity and disturbance. The development would thereby be harmful to the amenity and well-being of neighbouring residents. It is also considered that access and egress arrangements to the majority of the proposed apartments would undermine its security. The absence of on-site management would also potentially increase the risk of anti-social behaviour associated with the operational of the development. The development would thereby fail to accord with Section 8.

Section 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- i. The potential impact of development on transport networks can be addressed;
- ii. Provide opportunities for walking, cycling and public transport use.

The site is within walking distance of bus routes to and from the city centre (running along Oldham Road and Briscoe Lane. It is also in walking distance to the Etihad Campus and Co-op Live. However, the development would not be supported with off-street car parking and it is likely that the development would generates some demand for on-street car parking, particularly outside periods when the residents' only car parking scheme is in operation. The development and the extent of the footprint of the proposed building would prevent the delivery of cycle storage. Given these concerns, it is not considered that the development would fully accord with section 9.

Section 11: Making effective use of land - States the planning decisions should promote an effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It also encourages development that utilises brownfield land. In this

case, any benefits from the use of previously developed land would be off-set by the identified potential harm to residential amenity.

Section 12: Achieving well-designed and beautiful 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. It also states that development should function well in the long term and add to the overall quality of the area. Development should be visually attractive, in terms of the delivery of good architecture and layout and relationship to the surrounding context. Development should also maintain a strong sense of place and lead to the formation, places that are safe, inclusive and accessible and which promote health and well-being. This includes amenity for existing and future users and measures to ensure that the actual and perceived risk of crime and disorder does not undermine the quality of life or community cohesion and resilience. The development would thereby fail to accord with section 12.

Section 15: Conserving and enhancing the natural environment – Is relevant to the assessment of requirements for providing net gains for biodiversity. In this case, development would be exempt from a BNG contributions. Section 14 also requires consideration of ground conditions and pollution and is relevant to the proposals as the land has been subject to previous development. Given the magnitude of the development the remediation of land contamination.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. **Consultation and pre-decision matters** - The PPG reasserts that local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. All necessary local consultation has been undertaken.
- ii. **Design** - Good quality design is an integral part of sustainable development. It is considered that the development presents a contemporary building with a configuration that balances the functional requirements of the proposed mix of uses within a coherent design. The design of the development is not considered to be appropriate for the reasons set out in this report. The above objectives would not, therefore, be accorded with.
- iii. **Flood Risk Planning and Flood Risk** - The potential for increase flood risk has been appropriately assessed and necessary conditions attached to secure satisfactory drainage. There is concern that the submitted details have not addressed concerns regard a potential culvert running through the site and the relating impact on related infrastructure. These issues would need to be addressed as part of a more appropriate development proposal.
- iv. **Health and well-being** - States those local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in planning decision making. In this case, the operation of the development would not be appropriately related to its immediate residential context and the above objectives would not be accorded with.
- vi. **Land affected by contamination** - The risk of land contamination has been assessed by Environmental Health and it is considered that a comprehensive contaminated land remediation scheme could be delivered by condition.
- vii. **Noise** - Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. The development has not been related to a noise impact assessment and given the characteristics of the

development, there is potential for noise break from the proposed building and its external areas. These circumstances would be potentially harmful to residential amenity.

viii. Biodiversity net gain (BNG) – Sets out the mechanism for the delivering improvements to bio-diversity. For the reasons set out below to the development would be exempt from a BNG contributions

Places for Everyone - The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'. The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone. The first Council meetings to approve the plan will be Salford and Wigan (28 February). The plan was considered at the Full Council meeting in Manchester on 20 March 2024, and was subsequently approved on 21st March 2024. Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance. The following policies are relevant:

Policy JP-P6 - Health - States that development should maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development. It is considered that the development would result in an overly intensive use of the site. It would thereby generate levels of activity, noise and disturbance that would be harmful to the character and amenities of the area. Policy JP-P6 would not thereby be accorded with.

Policy JP-S1 - Sustainable development - States that, to address climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. The development would not achieve a quality of the accommodation that would encourage sustained future occupation. Policy JP-S1 would not, therefore, be accorded with.

Policy JP-S4 - Flood risk and the water environment - States that in locating and designing development to minimise the impacts of current and future flood risk. The site is in Flood Zone 1 as stated, clarification regarding the potential impact of the implementation of the development on below ground watercourses would need to be addressed should a more appropriate proposal be brought forward.

Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity – States that, through local planning and associated activities, a net enhancement of biodiversity resources will be sought. In this case, the development sites has no apparent bio-diversity value and would be exempt from a bio-diversity net gain (BNG) contribution.

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

Policy SP 1 Spatial Principles - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

The intensity of occupation associated with the proposed development result in levels of activity and disturbance that would be harmful to residential amenity and well-being and formation of a sustainable neighbourhood, characterised by houses predominantly occupied by families. The development would thereby be contrary to policy SP1.

Policy EN8 Adaptation to Climate Change - States that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In this case, details of the potential environmental performance of the building have not been received. However, it is anticipated that the development could secure appropriate carbon emissions through compliance with the current building regulations.

Policy EN 15 Biodiversity and Geological Conservation – States that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City. Developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity. In this case the site does not have a notable bio-diversity contribution and would be exempt from BNG.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

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

The proposed waste and recycling management measures do not fulfil Council requirements for relevant commercial storage and collection arrangements. Requirements for residential waste management appear to have been applied. Policy EN19 would therefore not be complied with.

Policy H 1 Overall Housing Provision – Details measures to ensure that the City's housing objectives are met, including the delivery of family housing.

Policy H4 East Manchester – Identifies the priorities for the delivery of housing in the area that includes the application site. This includes the delivery of family housing/

The development would prevent consideration of the application site, as a potentially suitable site for in-fill housing development subject to appropriate design and resolution of issues relating to ground conditions. The development would therefore fail to accord with the objective of policies H1 and H4.

Policy T1 (Sustainable transport) - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. Whilst the site is within walking distance of bus routes, given the nature of the development gusts may travel to

the site by car thereby increasing local demand for on-street car parking. The submission has not demonstrated that cycle storage would be provided. Policy T1 would not, therefore, be fully and appropriately responded to.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues, which are relevant to the consideration of the development:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas;
- o Effects on amenity;
- o Accessibility - In relation to inclusive access for guests and availability of sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

As discussed below, the development would not be appropriately related to its context due to the potential intensity of occupation and harm caused by related activity, noise and disturbance. Policy DM1 would not, therefore, be accorded with.

Unitary Development Plan (UDP) saved policies -The following saved UDP policy is relevant:

Policy 26: Development and noise

Policy DC26.1 – Seeks to manage the impact of noise associated with development through the consideration of:

- a. The effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Policy DC26.5 – States that the Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development.

The application has not demonstrated that noises generated by the development could be appropriately managed. The development would thereby fail to accord with policy DC26.

Positive and proactive engagement with the applicant – The application has been determined within the statutory timescale. In this instance the principle of the application proposals is contrary to the adopted development plan and would not improve the social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make the development acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Principle of the development - The proximity of neighbouring industrial units is acknowledged along with the significance of traffic movements along Grimshaw Lane. However, the introduction of a short term let in the proposed location would not be acceptable due to: the potential harm of the development on the amenity and well-being of residents occupying the adjoining terrace and people living in houses to the east of the site.

The applicants' submission includes a letter from a letting agent that discusses the local demand for short term holiday lets from visitors to local attractions, including the Etihad campuses. Given the nature of these attractions, it is likely that the proposed accommodation would attract people travelling as couples or in groups rather than individually. The proposed development would introduce a property characterised by its transient occupation by up to 12

people. Such circumstances would produce a disproportionate and high intensity of activity, including comings and goings, that exceed levels usually be associated with the occupation of a single household. The levels of potential activity would be particularly noticeable in the evening and nighttime periods when background noise levels would reduce. The impact of noise and disturbance would be most significant at these times.

Unlike a city or district centre locations, where the proposed use would be usually located, the development would not be related to or supported by a retail and commercial context with associated activity. By contrast, the adjoining and adjacent context comprises terraced houses with characteristic levels of occupation. The nature of proposed occupation would also undermine efforts to build sustained communities, which have levels of amenity that encourage residents to establish links within the locality and engage with the surrounding neighbourhood.

In the light of these concerns, the principle of the development would not be acceptable.

Residential amenity - The submitted application states that the development would respond to the accommodation needs of visitors to local tourist attractions, including music venues. Given the characteristics of these attractions, it is likely that activity, noise and disturbance (by up to 12 guests), may occur during the late evening and night-time periods when background noise levels are lower. In these circumstances, the harm and disturbance experienced by neighbouring residents would be potentially more significant and thereby unacceptable.

Noise – As stated, the application has not been accompanied with an acoustic report to demonstrate that noise outbreak from the house would not harm the adjoining properties. Although acoustic insulation of the property could be provided, the occurrence of noise outside the property and its outbreak from open windows would be more difficult to manage. The nearest substantial cash and carry warehouse (Prelude House) is currently involved in the distribution of greetings cards and has the following opening hours:

Monday to Wednesday:	07:30 - 17:00
Thursday:	07:30 - 19:30
Friday:	07:30 - 17:00
Saturday:	Closed
Sunday:	07:30 - 13:30

A car body repair business is located close to the site, i.e., on the southern side of Bower Street. This business has the following opening hours:

Monday to Thursday:	8:30 am - 5:00 pm
Friday:	8:00 am - 4:00 pm
Saturday and Sunday:	Closed

The above demonstrates that the nearest noise generating uses predominantly operate during the day. It is likely that background noise levels within the vicinity of the site would reduce significantly in the evening and nighttime periods. Noise and disturbance attributable to the development during these periods would be potentially significant and unacceptably harmful residential amenity.

Design and layout – The application site may have the potential to accommodate a suitably designed dwellinghouse (Class C3) subject to the constraints identified by the FRMT. However, the magnitude and design of the proposed development has not been satisfactorily informed by the characteristics, scale and proportions of the adjoining terraced housing. The composition of the proposed house would significantly depart from the configuration and scale of neighbouring housing. The footprint of the proposed house would result in site coverage that exceeds the

siting of neighbouring houses. The proposed three storey outrigger would be significantly higher than neighbouring built form to the rear of the site, including No 57. The height and siting of the development would have significant impact on the street scene, including prominent views of the site across the adjacent park.

The elevational design has not been suitably informed by the character of houses in the neighbouring terrace. The proposed windows have not been aligned to the existing windows to No 57 and the wider terrace. The hipped roof 'bay' feature to the principal roof plane would be larger than comparable features to neighbouring houses within the adjoining terrace. It would thereby have an incongruous relationship with existing built form. Continuity in the alignment of windows in the principal elevation of the development has not been achieved thereby undermining the character of the existing terrace.

The proposed design would introduce built form that would be incongruously related to the characteristic height, scale and composition of existing neighbouring houses and cannot therefore be supported.

Security and crime reduction – The submission references security measures. However, unlike other small hotels or guest houses, on-site management would not be provided and measures to the address potential occurrence of disamenity issues in and around the site have not been satisfactorily addressed. This includes potentially loud and anti-social behaviour that may occur when guests return to the holiday apartments. The potential harm caused by such behaviour would be significant and may affect the safety and amenity of occupants of the development and neighbouring residents. The main entrance to a new development usually be located in the principal elevation, i.e., to maximise natural surveillance from the street and safeguard the security of residents against the risk of crime. The secluded position of the proposed main entrance in the side elevation may be vulnerable to forced entry and leave residents exposed to crime. Ground floor windows in the side elevation may also be risk of attack. The provision of a solid fence along the northern boundary may further undermine natural surveillance. The most appropriate design response would be the repositioning of the doorway to the principal elevation. The transient nature of occupation would increase the frequency visits to and from the property and may present opportunities for criminal entry into the proposed house. The development would thereby be unacceptable due to the increased risk of crime and anti-social behaviour in and around the site.

Carbon reduction and environmental performance – The applicant has indicated that 'fabric first' design approach would be adopted. If implemented, as part of appropriate development, this approach has the potential to deliver satisfactory carbon reduction and environmental performance.

Boundary treatment - Although referenced in supporting statement, details of the proposed boundary treatment have not been provided. It has therefore not been demonstrated that the development site would be appropriately secured from the adjacent play area and that access from the front and the rear of the site would be appropriately managed.

Inclusive access – The development would incorporate steps to the proposed entrances. Given the constraints of the site and limited external spaces, thereby would be insufficient space to deliver level thresholds.

Highways issues – The site is within walking distance of bus routes to and from the city centre (running along Oldham Road and Briscoe Lane. The site is also within reasonable walking distance to the Etihad Campus and Co-op Live. With exception of accessible parking bays, there is unrestricted car parking on the section of highway adjacent to the application site. Double yellow lines are located at the junction of Grimshaw Lane returning eastwards along

Bower Street. Residents only parking restrictions are in operation in neighbouring residential streets covering the duration of large events at the Etihad campus and Co-op Live. It is likely that the short term let would be at its busiest when large scale events take place and these measures would aid the management of traffic generation. However, outside these periods, it is likely that some traffic generated by the development would result in additional on-street car parking and would need to accommodate along Grimshaw Lane (neighbouring streets outside the operation of parking restrictions).

Cycle storage – The siting of the proposed building and arrangement of bins within the rear yard would prevent the provision of secured external cycle storage.

Construction management – The development has been supported with a construction management plan. Given the scale of the development, it is consideration that satisfactory construction management could be delivered should an appropriate development be brought forward.

Bio-diversity net gain (BNG) – The applicant has been accompanied with a BNG small site metric. The site comprises of an outbuilding with broken hard surfacing, limited vegetation and no tree planting. The development does not impact a priority habitat and has an impact on less than 25 square metres of onsite habitat, or 5 metres of linear habitats such as hedgerows. The development is therefore subject to the de minimis exemption, i.e., an assessment for a potential BNG contribution is not required. Given the extent of site coverage and limited external space there would be limited scope for landscaping or tree planting within the site.

Waste and recycling management – The development would not be supported with appropriate arrangements for the storage and collection of waste and recycling.

Conclusion – The proposed development would be unacceptable as it would be inappropriately related to the immediate residential context of the application site. Its operation would thereby be unduly harmful to residential amenity for the reasons outlined above.

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: Refuse

Article 35 Declaration

The application has been determined within the statutory timescale. In this instance the principle of the application proposals is contrary to the adopted development plan and would not improve the social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make the development acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Reasons for recommendation to refuse

1) The operation of the proposed short term holiday let apartments would lead to the transient and overly intensive occupation of the development site. The associated level of activity, noise and disturbance, within and around the proposed short term let (potentially extending into the evening and night-time period) would significantly depart from the characteristics of the occupation of adjoining terrace of houses and other houses to the east of the site. The development would thereby be contrary to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Unitary Development Plan and policy JP-P6 (Health) contained within Sustainable Development Joint Development Plan Document - Places for Everyone.

2) The development would, by virtue of its excessive scale, mass, footprint and architectural detailing, result in the formation of a disproportionately large building that would be incongruously related to the adjoining terrace of houses. It would also lead to the formation of an overly dominant feature in the streetscene, including views of the site across the adjacent play area. The development would thereby be harmful to the residential and visual amenity and be contrary to policies SP1 and DM1 of the Core Strategy for the City of Manchester and policy JP-P6 (Health) contained within Sustainable Development Joint Development Plan Document - Places for Everyone.

3) The arrangement of the entrance door and ground floor windows to the northern (side) elevation and the absence of appropriate details relating to gates and boundary enclosures would leave the proposed short term holiday let apartments vulnerable to crime. The transient occupation of the development and absence of on-site security would also present issues regarding the management of access to the building and its surrounding areas. The development would thereby be harmful to the residential and visual amenity and be contrary to policies SP1 and DM1 of the Core Strategy for the City of Manchester and policy JP-P6 (Health) contained within Sustainable Development Joint Development Plan Document - Places for Everyone.

Appendix 1 – List of consultees & neighbours notified

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

Grimshaw Lane Depot, Grimshaw Lane, Manchester, M40 2AX
60 Douro Street, Manchester, M40 2AU
39 Douro Street, Manchester, M40 2AU
12 Partington Street, Manchester, M40 2AQ
S B Motorbodies Ltd, 2A Bower Street, Manchester, M40 2AF
Prelude House, Chapter Street, Manchester, M40 2AY
Tyco Fire And Intergrated Solutions, Grimshaw Lane, Manchester, M40 2AX
Wormald Ansul (uk) Ltd, Grimshaw Lane, Manchester, M40 2WL
Flat 2, 57 Grimshaw Lane, Manchester, M40 2AX
Flat 1, 57 Grimshaw Lane, Manchester, M40 2AX
29 Douro Street, Manchester, M40 2AU
4 Partington Street, Manchester, M40 2AQ
26 Partington Street, Manchester, M40 2AQ
Recon Tanks And Drums Ltd, Navigation Trading Estate, Bower Street, Manchester, M40 2AF
66 Douro Street, Manchester, M40 2AU
61 Douro Street, Manchester, M40 2AU
57 Douro Street, Manchester, M40 2AU
53 Douro Street, Manchester, M40 2AU
MCC OPERATIONAL SERVICES, 71 Grimshaw Lane, Manchester, M40 2AX
65 Grimshaw Lane, Manchester, M40 2AX
49 Douro Street, Manchester, M40 2AU
43 Douro Street, Manchester, M40 2AU
8 Partington Street, Manchester, M40 2AQ
6 Partington Street, Manchester, M40 2AQ
61 Grimshaw Lane, Manchester, M40 2AX
62 Douro Street, Manchester, M40 2AU
63 Grimshaw Lane, Manchester, M40 2AX
59 Grimshaw Lane, Manchester, M40 2AX
64 Douro Street, Manchester, M40 2AU
63 Douro Street, Manchester, M40 2AU
59 Douro Street, Manchester, M40 2AU
55 Douro Street, Manchester, M40 2AU
51 Douro Street, Manchester, M40 2AU
47 Douro Street, Manchester, M40 2AU
45 Douro Street, Manchester, M40 2AU
41 Douro Street, Manchester, M40 2AU
35 Douro Street, Manchester, M40 2AU
33 Douro Street, Manchester, M40 2AU
31 Douro Street, Manchester, M40 2AU
34 Partington Street, Manchester, M40 2AQ
30 Partington Street, Manchester, M40 2AQ
14 Partington Street, Manchester, M40 2AQ
2 Partington Street, Manchester, M40 2AQ
16 Partington Street, Manchester, M40 2AQ
20 Partington Street, Manchester, M40 2AQ
18 Partington Street, Manchester, M40 2AQ
32 Partington Street, Manchester, M40 2AQ
24 Partington Street, Manchester, M40 2AQ
22 Partington Street, Manchester, M40 2AQ
37 Douro Street, Manchester, M40 2AU
28 Partington Street, Manchester, M40 2AQ
10 Partington Street, Manchester, M40 2AQ

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

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

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA