MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140729/JO/2024
Date registered valid:	20 August 2024
Proposal:	Variation of condition 2 (specified plans) attached to planning permission referenced 134755/FO/2022 to allow elevational changes
Address:	8 Fairfax Avenue, Manchester, M20 6AJ
Ward(s):	Didsbury East Ward
Applicant:	Mr Twana Gardi
Agent (if any):	Mr Saghir Hussain, Create It Studio Architects
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	29 October 2024

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit: September 2024

Standard consultations:
Printed: 27 August 2024 Expired: 17 September 2024

Neighbour notifications
Printed: 27 August 2024 Expired: 17 September 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
The plot that is the subject of this full planning application is part of the rear garden area of 8 Fairfax Avenue. The plot is large and runs from the rear of number 8 Fairfax Avenue through to the frontage which presents as land adjacent to 3 Essex Avenue. It is mainly overgrown and occupied by some tree cover with established shrubs along the boundaries. There is a ranch style fence which acts as the barrier between the land and the back of pavement on Essex Avenue. The proposal site would occupy approximately 50% of the current garden area within the boundaries of number 8 Fairfax Avenue.

There are detached residential properties to either side of the plot. Number 3 Essex Avenue was not an original dwelling with this having been constructed within the rear garden of number 6 Fairfax Avenue some time in the late 90's.

Listed building: Not applicable

Conservation area: Not Applicable

Tree Preservation Order: Not Applicable

Description of area
The area is predominantly residential in nature with detached and semi-detached dwellinghouses of a similar scale within the immediate area. It is within walking distance of Fog Lane Park and is close to local facilities. The proposal site is on a sustainable public transport network.

Description of development
The proposal is for the Variation of Condition number 2 attached to previously approved application ref 134755/FO/2022. The changes are elevational and would comprise of a reversal of the materials that were proposed for the front and side elevations. The front elevation was previously render with brickwork to the side. The front elevation is now proposed as matching

brickwork with the render detailing being on the side elevation, and over the front door to the first floor. The previous approval was for the erection of a 2 storey brick and part render detached 4 bed dwellinghouse. The property would be of a comparable height to numbers 3 and 11 Essex Avenue which are the properties that flank the proposal site. There is some accommodation proposed within the roof space. There would be in curtilage parking, landscaping and boundary treatment. This shall remain so with the variation of the specified plans.

Consultations & Notification Responses

Local Residents were informed- 5 representations were received. The comments received related to the fundamental principle of the erection of the dwellinghouse. That is not what is being considered under this application. The proposal under consideration is to vary the specified plans condition. This would comprise of a reversal of the materials to that approved under the previous planning consent. The frontage would be brickwork and the sides now rendered. The comments that relate to the variation of the specified plans state that the property is still too modern.

Environmental Health- No comments/ objections to the variation of condition.

Neighbourhoods Arboriculture- can confirm that the elevational changes do not appear to have an impact on the surrounding trees, as such there are no additional comments to make.

Highways- Highways are satisfied with the proposal for variation of Condition 2 (Specified Plans) and have no objections in principle.

Issues

National Planning Policy Framework - 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 type 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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve 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 an 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.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
The creation of high quality 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'

Places for Everyone Greater Manchester Joint Development Plan (March 2024) Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.
The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.
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.

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 H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

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

Policy H 6

South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.
The small proportion of new development reflects the lack of land available for new residential development in South Manchester (approximately 5% of sites, SHLAA 2010). There is a need for higher densities within District Centres to meet the need for affordable housing and new or specialist housing in other areas to provide alternative high quality housing for people wishing to downsize. It is important to increase housing choice by adding to the stock of larger housing

units to complement new housing on higher value sites to retain or attract high income earners by releasing under-occupied property.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:
- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

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 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.

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

Guide to Development in Manchester Supplementary Planning Guidance - Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area;

Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

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 2.7 states that increased development density can be appropriate where it is necessary to reinforce community identity, promote a more economic use of land, increase demand for local facilities and contribute to safer, self-policed streets. However density levels must be informed by the character of an area and the specific circumstances of a proposal.

Under point 2.12 'Buildings should front onto streets', the Guide states that:
It is important to achieve an adequate level of enclosure if streets and open spaces are to provide a sense of place and help people feel comfortable and safe. Buildings should present their main face and pedestrian entrance to the adjacent main street, to contribute to its vitality and interest. Windows and entrances should ensure that the street is overlooked to promote informal surveillance.

Point 2.45 States that successful neighbourhoods offer a choice of housing to enable residents to continue to live in an area as their needs and aspirations change. Social and private housing should complement each other to deliver choice and balance. Whilst it does not rule out large, thoughtfully designed single tenure housing developments in appropriate locations, these need to link effectively into neighbouring areas and contribute to a balanced neighbourhood overall.

Point 2.49 states that new developments will be expected to meet designing out crime principles. Whilst architecture and design can make a significant contribution to a sense of security, one of the most effective measures for community safety and crime prevention is the creation of lively environments, in use at different times of the day and night.

Point 8.4 states that developments should promote informal surveillance of the street. Buildings fronting streets, so that pavements are overlooked by windows and entrances, are encouraged as they increase security for street users.

Point 8.6 states that developments should have recognisable uses or internal arrangements which help to foster stewardship, minimise the risk and fear of crime, and accommodate the public without compromising amenity and the safety of users.

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 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.

Principle of development - The site lies in a predominantly residential area. It is currently the lower half of the rear garden of number 8 Fairfax Avenue. The development proposed would be accessed off and face out onto Essex Avenue which is the road immediately to the rear of Fairfax Avenue. The principle of this type of development has been accepted by the historical development for the erection of a detached house to the west of the proposal site, identified as 3 Essex Avenue. There is still a demand for family sized housing which would be provided by this proposal. Therefore residential development within an established residential area is considered acceptable in principle, subject to further consideration of the impacts of proposals on residential and visual amenity, and the character of the area.

Layout - The property fronts onto Essex Avenue with both the vehicular and pedestrian access being taken off the frontage. There is parking to the front of the property which is the situation with the existing properties on Essex Avenue. The surfacing materials will be permeable and a condition relating to the provision of surface water drainage would be attached to any consent granted. There are front and rear gardens proposed together with landscaping and boundary treatments. The property works within the existing building lines along this section of Essex Avenue. It retains a gap to either side of the proposal along the common boundaries with both 3 and 11 Essex Avenue. This would be similar to the relationship of the houses that currently occupy the neighbouring sites within the immediate neighbourhood. The proposed layout therefore is considered to be acceptable.

Design/massing - The proposal is for a 2 storey property with additional accommodation within the roof-space. The proposed dwellinghouse would be similar to the heights of existing properties within the street scene. The style of the property is of a gable end with a gable dormer front construction, the materials palette has now been simplified for the revised proposal as compared to the originally submitted scheme, with materials being of brick, render and tiled construction, which would also be in keeping with its surroundings, but with a contemporary twist with the introduction of features such as the gabled dormer frontage. Whilst it is acknowledged that the design takes advantage of the linear plot, the main footprint of the property at 2 storey is in line with the neighbouring properties, whilst the additional floorspace

comprises of a single storey rear element. There is a dormer in the rear elevation, however this is of a modest size and would not be readily viewed from within the street scene.

The proposed variation to the specified plans has no impact upon the massing of the building and represents aesthetic changes to the elevations of the property by way of reversing the previously proposed elevations.
The front elevation will now be predominantly of brickwork, which is therefore representative of the majority of the other properties viewed within the context of the street scene. The side elevation will be in render, this again is not an alien material when viewed in the context of the designs of the neighbouring properties.

The properties either side of the application site have retained some gap to the common boundary with the larger gap being between the proposal site and number 11 Essex Avenue. There would be a gap retained to either side of the proposal site to the common boundary to retain that punctuation between the properties. The design and massing of the proposed development is considered acceptable when viewed within the context of the other properties on Essex Avenue.

Residential Amenity - The proposed house is considered to be compatible with the surroundings and have been positioned/designed so as to respect the layout of adjoining properties and to reduce any potential impacts of overlooking or loss of privacy to adjoining residents. Whilst there are windows proposed in the side elevations of the new property, all would be obscurely glazed, they serve non habitable room windows such as bathroom and landing. They have also been positioned so as where possible not to be in line with any windows that are on the neighbouring elevations. There are windows to the ground floor gable of number 11 Essex Avenue, however these do not serve habitable rooms, with this being a kitchen. It is acknowledged that there would be some loss of light to the property at number 11 Essex Avenue however the garden area of both number 8 Fairfax Avenue and 11 Essex Avenue are heavily covered by very large established conifer / fir trees, so the reduction in the light to the kitchen window already exists as a result of these established trees. It is not therefore considered to be an invasion of privacy or overlooking of the neighbouring properties. With regards to the properties on the opposite side of Essex Avenue, there is the front garden of the proposed property and the public realm of Essex Avenue itself before the properties on the opposite side of the road are reached.
The variation of condition 2 specified plans has no additional impacts beyond those previously considered under the previous consent upon the residential amenity.

It is considered that there would be sufficient amenity space for future occupants with the garden area of both 8 Fairfax and the proposed property having a back to back garden area to the rear of approximately 13m each. The gardens comprise of patio areas and gardens laid to lawn.

The proposed dwelling is not therefore considered to be detrimental to surrounding residential properties, and is considered to be a sympathetic addition to the eclectic mix of properties when viewed within the context of the street scene.

Parking/Vehicular access - The pedestrian and vehicular access is taken off the frontage on Essex Avenue. There is sufficient parking for the residential property proposed and there is an existing dropped kerb for access. The property has ample private amenity space, within which cycles could be stored. The proposed variation of condition would have no impacts upon the previously approved parking situation.

Boundary treatment - The boundary treatment is proposed as a mix of 0.8m and 1.3m high concrete post and timber panel fence. Again keeping the boundary treatment to a medium

height will contribute to openness between properties. There will also be attractive plots of planting to each side. This is not impacted by the variation of condition.

Waste management - The bins are proposed to be located at the bottom of the garden in an allocated bin store area and would be brought kerbside on the specific collection days. This is considered to be an acceptable approach. This is not impacted by the variation of the specified plans condition.

Sustainability - The property is located on good public transport networks with commercial and retail facilities within easy reach by other modes of transport other than the car. This is not impacted by the variation of the specified plans condition.

Air Quality - There is also provision made for the installation of an electric vehicle charging point within the front elevation which would serve both parking spaces. A condition to that effect would be attached to any consent granted. This is not impacted by the variation of the specified plans condition.

Trees- The trees within the plot are neither TPO's nor is the site within a Conservation Area. However in order to retain green areas and to contribute to the privacy between plots there are only 2 groups of trees towards the front of the site that would need to be removed to facilitate the proposed development. Some of the trees are physically within neighbouring gardens but the root systems could have reached within the garden of number 8 Fairfax Avenue. As such tree protection measures would be covered by a condition to be attached to any consent granted. There are no trees within the garden of 8 Fairfax worthy of protection. The Arborists and the Greater Manchester Ecology Unit found the report to be acceptable. This is not impacted by the variation of the specified plans condition.

Conclusion - The proposed development is considered acceptable at this location as the proposed dwellinghouse can be adequately accommodated within the site, providing off-road car parking, front and rear garden areas. The development is not considered to detrimental to the visual or residential amenity of the area. The proposed variation to the materials to be used on the front and side elevations is considered to be acceptable, they are sympathetic to the materials used on the other properties when viewed within the context of Essex Avenue, and as such are not considered to result in a detrimental impact on either the design or visual aesthetic of either the proposed dwellinghouse itself, or the area within which it is located. The change in the materials is therefore considered acceptable.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application and the application has been determined in accordance with national policies and the policies within the Development Plan.

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 the original planning permission, 16th January 2023, i.e. 16th January 2025.

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:
Proposed Floor Plans- A1544(02)AP003 P2 received 8th August 2024
Proposed Elevations- A1544 (02)AP005 Rev P2 received 8th August 2024
Proposed Street Scenes-A1544 (02)AP006 Rev P2 received 8th August 2024

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

3) Prior to above groundworks commencing, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority.

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

This condition has previously been discharged as per materials schedule A1544-Z100-A-01 under ref CDN/24/0731

4) Prior to the first occupation of the development hereby approved details for a charging point for electric vehicles shall be submitted to and approved in writing by the City Council as local

planning authority and shall be implemented in accordance with the approved plans and shall be in place prior to the occupation of the property.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy.

This condition has been discharged under ref:CDN/24/0731

5) Prior to above ground works commencing a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before first occupation. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

This condition has been discharged under ref CDN/24/0731

6) 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 part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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

7) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority
- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday -Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

8) Before first occupation the windows to the gable elevations facing numbers 3 and number 11 Essex Avenue, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

9) Prior to first occupation of the development hereby approved details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the City Council as local planning authority. Once approved the approved scheme shall implemented not later than 12 months from the date of commencement of works.

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

This condition has been discharged under ref:CDN/24/0731

10) The car parking spaces hereby approved shall be laid out and made available for use before first occupation of the dwellinghouses. The car parking spaces shall remain in-situ for the duration of the development.

Reason - In the interests of residential amenity and pedestrian and highway safety, pursuant to Policy DM1 in the Manchester Core Strategy.

11) The development shall not be occupied until details of the security measures to be incorporated into the development, which shall be to 'secured by design' specification, have been submitted to and approved in writing by the City Council as Local Planning Authority. This shall include details of external fittings, boundary treatment, gates and dusk till dawn lighting. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) Prior to first occupation of the dwellinghouse hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).
This condition has been discharged under ref:CDN-24-0731

13) Prior to above ground development commencing, 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.

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

This condition has been discharged under ref:CDN-24-0731

14) No part of the development shall be occupied until the specification of the cycle storage has been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

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 Core Strategy.

This condition has been discharged under ref:CDN-24-0731

15) 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 windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy.

16) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed
Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

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 DM1 and SP1 of the Unitary Development Plan for the City of Manchester.

17) No removal of or works to any hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - In order to protect wildlife from works that may impact on their habitats, pursuant to policy EN9 and EN15 of the Manchester Core Strategy.

18) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority.
Where resurfacing of front driveways is proposed, this should comply with the government guidance: https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardensguidance
The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion.

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

This condition has been discharged under ref:CDN-24-0731

19) The works to trees and tree protection for the retained trees shall be inmplemented in accordance with the approved tree method statement by C Salisbury Ref: TRE/8FA received

22nd August 2022. In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)

3 Essex Avenue, Manchester, M20 6AN
13 Essex Avenue, Didsbury, Manchester, M20 6AN
13 Essex Avenue, Manchester, M20 6AN
1 Essex Avenue, Didsbury, MANCHESTER, M20 6AN
10 Essex Ave, Didsbury, Manchester, M20 6AN
6 Essex Avenue, Manchester, M20 6AN
1 Essex Avenue, Manchester, M20 6AN
7 Fairfax Avenue, Manchester, M20 6AJ
3 Essex Avenue, Manchester, M20 6AN
12 Essex Avenue, Manchester, M20 6AN
6 Fairfax Avenue, Manchester, M20 6AJ
11 Essex Avenue, Manchester, M20 6AN
3 Fairfax Avenue, Manchester, M20 6AJ
14 Fairfax Avenue, Manchester, M20 6AJ
10 Fairfax Avenue, Manchester, M20 6AJ
5 Fairfax Avenue, Manchester, M20 6AJ
4 Fairfax Avenue, Manchester, M20 6AJ
12 Fairfax Avenue, Manchester, M20 6AJ
1 Fairfax Avenue, Manchester, M20 6AJ
8 Essex Avenue, Manchester, M20 6AN
10 Essex Avenue, Manchester, M20 6AN
14 Essex Avenue, Didsbury, Manchester, M20 6an
8 Essex Avenue, Didsbury, Manchester, M20 6AN
3 Essex Avenue, Greater Manchester, Manchester, M20 6AN
6 Essex Avenue, Manchester, M206an

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA