

Application Number	Date of Appln	Committee Date	Ward
139082/FO/2024	10th Jun 2024	24th Oct 2024	Crumpsall Ward

Proposal Erection of 3 storey building to form 6no. apartments (Class C3), together with associated landscaping, car parking and boundary treatment

Location Vacant Land to Rear of Nos. 1-17 Wythburn Avenue, fronting Queens Road, Manchester, M8 0JL

Applicant Mr Hassen Lakhel

Agent Mr Justin Karl Keleghan, JK Technical Services (NW) Ltd

Executive Summary

The proposed application relates to the erection of a detached, three storey building to form 6 residential apartments (Class C3), together with associated car parking, landscaping and boundary treatment.

Following notification of the application as originally submitted, 1 letter of representation was received containing 27 signatures objecting to the proposed development, along with photographs showing traffic incidents along Queens Road.

Concerns are raised that the proposal would lead to an increase in traffic, parking demand and servicing requirements along an already busy road and would lead to an increase in the risk of traffic accidents and disturbance due to the busy nature of Queens Road and the proposed site access and car park.

It is also maintained that the site is not vacant, and that part of the site has been fenced off and is outside the ownership of the applicant. Further concerns are raised about the loss of greenery, the impact to local wildlife, visual intrusion and noise and disruption during excavation and building works.

In response to the submission of a revised proposal and a further period of neighbour notification, 2 additional responses have been received which raise concerns about the building being 3 storeys in height, as opposed to nearby 2 storey buildings. It is considered that the proposed building would be out of context, give rise to overlooking and would attract anti-social behaviour, as it could be used for serviced accommodation due to its proximity to Metrolink. It is not believed that a residential apartment building is appropriate for this location and that the proposal would increase on-street parking problems in the immediate area.

Key Issues

-Impact to the character and appearance of the street-scene.

-Impact to residential amenity.

-Waste management.

-Impact to the operation of the highway and highway safety.

Description

The application site is a rectangular shaped area of vacant land that is bounded by Queens Road to the north; a Metrolink line to the west, two storey, residential dwellinghouses, separated by an alleyway to the north; and a three-storey dental practice and two storey dwellinghouse, separated by an alleyway to the east along Smedley Road. Immediately adjacent to the eastern boundary is a single storey, electricity sub-station. A large, raised advertisement billboard is positioned adjacent to the western perimeter of the site, on the boundary with a Metrolink embankment.



View of site frontage from opposite side of Queens Road.

The site slopes gently upwards from south to north and incorporates a stepped access to part of the site. The site is covered by a mixture of low-level grass and self-seeded vegetation. Semi-mature trees align the rear boundary. The front boundary of the site is enclosed by temporary Heras fencing. Immediately to the front of the site is a bus stop.

An area of the site has been separated off by timber fencing. It is understood that this area is subject to an adverse possession claim, although no definitive details have been provided regarding this claim and it is the case that a certificate submitted as part of the application declares that the site is within the ownership of the applicant.



View of rear alleyway bounding the site to the rear (left) and facing residential properties along Wythburn Avenue (right)

With the exception of a dental practice at the corner of Queens Road and Smedley Road, the immediate area is largely residential in character. A short distance along Queens Road to the west is a fashion wholesaler and car repair garage. Opposite the site, to the other side of Queens Road and separated by a tree lined grass verge, is a two-storey residential estate, which due to site topography, lies at a lower level to the application site.



Application site indicated by arrow (extract Google Maps)

The Proposal

Planning permission is sought for the erection of a detached, 3 storey building to form 6 residential apartments (Class C3), together with a car park for 6 parking spaces to the western side of the proposed building, accessed from Queens Road, along with associated landscaping and boundary treatment.



Proposed building and street-scene

Consultations

Local Residents/Occupiers – In response to the application as originally submitted, 1 representation has been received with 27 signatures objecting to the proposed development. Concerns are raised that the proposal would lead to an increase in traffic along an already busy road. It is also maintained that the site is not vacant, and that part of the site has been fenced off and is outside the ownership of the applicant.

In response to the submission of a revised proposal and a further period of neighbour notification, 2 additional responses have been received which raises concerns about the building being 3 storeys in height, as opposed to nearby 2 storey buildings. It is considered that that proposed building would be out of context, give rise to overlooking and would attract anti-social behaviour, as it could be used for serviced accommodation due to its proximity to Metrolink. It is not believed that a residential apartment building is appropriate for this location.

It is also considered that the proposal would exacerbate on-street parking demand locally, particularly along Highstone Drive opposite, as the area experiences on-street parking demand associated with the nearby Metrolink stop and neighbouring dental practice.

Highway Services – The following principal comments are made:

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.

A swept path analysis of a '4.8 metre Standard Design Vehicle' has been provided which demonstrates a car accessing in a forward gear, park, and egress in a forward gear onto Queens Road.

Vehicular access to the site would be provided from a new access formed on Queens Road. This vehicle access would be 6.5 metres wide and the access to the car park would be gated.

The development would provide 2 electric vehicle charging points which is acceptable.

A secure covered and sheltered cycle parking store would be provided at ground level at the site. The cycle store can be accessed externally from the rear of the site. The cycle store would provide enable a space for each proposed apartment.

Designated refuse storage has been accommodated within the site adjacent to the site entrance. This is considered acceptable.

A Construction Management Plan should be provided by the applicant prior to any construction works beginning and conditioned as part of any approval.

Environmental Health – No objection. Clarification is sought on waste management and noise attenuation arrangements.

Greater Manchester Ecology Unit (GMEU) - It is recommended that a condition be applied to any permission that if more than 18 months elapse prior to the commencement, an updated ecological assessment be undertaken.

The assessment of potential impact provided within the report provides satisfactory justification that the scale/scope of the proposed development will not impact upon the designated sites outlined above, or their designated features. No further information is required.

The application site was assessed to comprise common and widespread flora within habitats of low ecological value. No habitats were representative of Habitats of Principal Importance (HPI) or 'irreplaceable habitats' as defined by the National Planning Policy Framework (NPPF) or for BNG.

Given the timing and small-scale nature of the site, (prior to mandatory net gain) and the relatively low ecological value of the habitats on the site, BNG details are not required prior to determination. It is recommended however that a condition be applied to any permission detailing that further information, in the form of a BNG assessment or plan, be submitted and approved prior to the commencement of the proposed development. This should demonstrate the qualitative and quantitative assessment of BNG for the application site and should include the methods by which the 10% gain would be achieved.

The application site was assessed to provide suitable habitat for nesting and foraging birds, which is otherwise limited in the surrounding urban habitat. The clearance of such habitats will be undertaken to facilitate the proposed development; all British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A suitable condition is advised.

Electricity Northwest - The development is shown to be adjacent to or affect operational land or electricity distribution assets.

Where the development is adjacent to operational land, the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity Northwest. An 'informative' is requested.

United Utilities – Conditions are requested which require the submission and agreement of surface water drainage scheme and for its subsequent maintenance.

Transport for Greater Manchester (TfGM) - Metrolink runs in a deep cutting on ballasted track adjacent to the proposed development site and it is of paramount importance that the stability of this cutting slope or any structures within Metrolink land are not compromised by the works on the site or by changes to the drainage in the vicinity.

Close liaison with TfGM and the Metrolink Operator and Maintainer (KAM) is required to ensure that the cutting slope is not destabilised by any adjacent works, and it is possible that monitoring of the slope and track will be required for the duration of the works being carried out at and close to the boundary

Due to the layout of the proposed parking spaces, it is necessary for the applicant to introduce a robust vehicle restraint barrier to prevent any errant vehicles from accidentally entering Metrolink land and travelling down the embankment and onto the tramway as the existing fence would not provide for this. Appropriate safeguarding conditions are requested.

Policy

Local Development Framework

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

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

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

The following policies within the Core Strategy are considered relevant:

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

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on

amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

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

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

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

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

Developers should take advantage of these opportunities by:-

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

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

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

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

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

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

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

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

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

Policy EN19 (Waste) states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers

will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

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

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

The below saved policy of the Unitary Development Plan is also considered relevant:

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

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 forms part of the Development 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.

Policy JP-S1 is of relevance.

The Guide to Development in Manchester (SPD) (2007)

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

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

The G&BIS sets out objectives for environmental improvements within the city in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities

will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

National Planning Policy Framework

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

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF. Sections 4, 5, 11 and 12 are considered relevant to the consideration of this application.

Issues

Principle

Having regard to the existing planning policy framework, including development plan policy and national planning guidance, the principle of the development is considered acceptable.

Policy H1 outlines the strategic approach to housing growth in the City. Approximately 60,000 new homes need to be provided in the city between 2009 and 2027. This growth is expected to be accommodated principally within the North, East, City Centre and central areas of Manchester which fall within the Regional Centre and inner areas of Manchester. This is as a direct response to Manchester’s growing economy and population growth, the latter of which is expected to rise significantly over the next 20 years.

New developments in the City will therefore be expected to contribute towards this growth strategy, ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

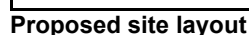
Policy H3 states further that north Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained.

In this case, the site would regenerate a vacant site which formerly formerly accommodated an advertisement hoarding that makes no meaningful contribution to the function of the host street or the appearance of the street-scene and which would benefit from redevelopment.

Specific planning issues are addressed further below.

The proposed development comprises a single, detached, rectangular shaped block of accommodation sited towards the south-eastern corner of the site. This enables the building to address the road frontage and continue the building line along Queens Road, whilst enabling the provision of off-road parking to the western side of the site and a landscaped buffer between the building and the rear alleyway and residential properties along Wythburn Avenue beyond.

To the rear is a timber cycle store and bin store with access to the car park.



It is considered that the proposed layout provides a satisfactory balance between the density of built form, off road car parking and amenity space/soft landscaping.

The arrangement maximises the development potential of the site and anticipated to provide a decent quality environment, without compromising the character and appearance of the area, or the setting or of adjoining buildings.

Density and Balance of Accommodation

The proposed development comprises 6 apartments, consisting of 3 x 1 bedroom and 3 x 2 bedroom units, all of which comply with the City Council's internal space standards.

Given the location of the site adjacent to a main arterial route, together with the context of neighbouring buildings and variable building typology along Queens Road, the density and form of accommodation is considered appropriate in this location.

Design, Scale and Appearance

The proposed development comprises a single, rectangular shaped, three storey urban block with parking to the western side of the site and a communal rear garden.

The proposed building relates to a revised design. Following the City Council's initial concerns regarding the scale of the building being over-dominant in the locality, the building has been reduced from 4 to 3 storeys, with the proposed third floor incorporated within the roof space. It is considered that as the site lies at a lower level to the terrace of two storey residential dwellings along Wythburn Avenue to the rear and with the proposed building being of a comparable scale to the dental practice at the corner of Queens Road and Smedley Road, the scale of the proposed building is acceptable. The impact of scale is further ameliorated due to the detached setting of the site and as there are no buildings immediately to the west, due to the adjoining Metrolink line. Opposite, the two storey dwellinghouses along Highstone Drive are set back substantially from Queens Road due to an intervening grass verge, with an interface distance of approximately 56 metres. It not therefore considered that there would be any adverse, material impact as a result of scale.

In terms of appearance, the proposed building would adopt a traditional approach using a selection of masonry, rooftiles and black UPVC window frames. The exact specification of materials would be controlled by an included condition which requires the submission and agreement of external materials.

Elevationally, the proposed building again harnesses a traditional form, with relatively symmetrical fenestration and the use of gabled roofs. A series of domestically proportioned windows to the ground and first floors reflect the local vernacular. Rectangular shaped windows are proposed to the gabled roof-space, supplemented by rooflights to the front, side and rear roof slopes.

In order to prevent any overlooking, the rear elevation does not contain an windows to the main wall which presents an uninteresting and plain appearance. However, due to the location of the proposed building, views are limited and retained trees along the rear boundary would largely obscure the building. A condition has been included in any event which requires the submission and agreement of a revised rear

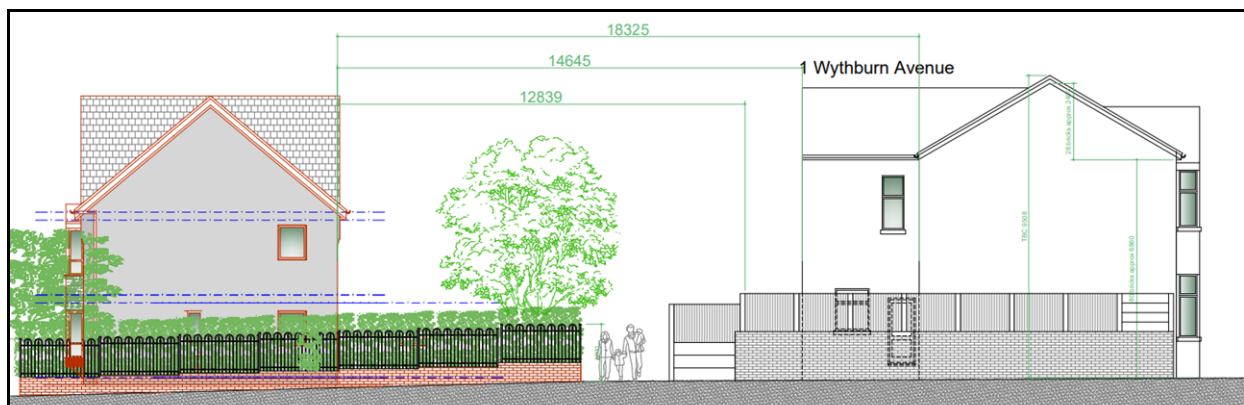
elevation which should add some interest and articulation i.e brick banding or contrasting materials.

It is considered that on balance, the appearance of the proposed development would result in a cohesive design which maintains the character of the street-scene and would assimilate effectively and appropriately into its surroundings without appearing at odds with the streetscape.

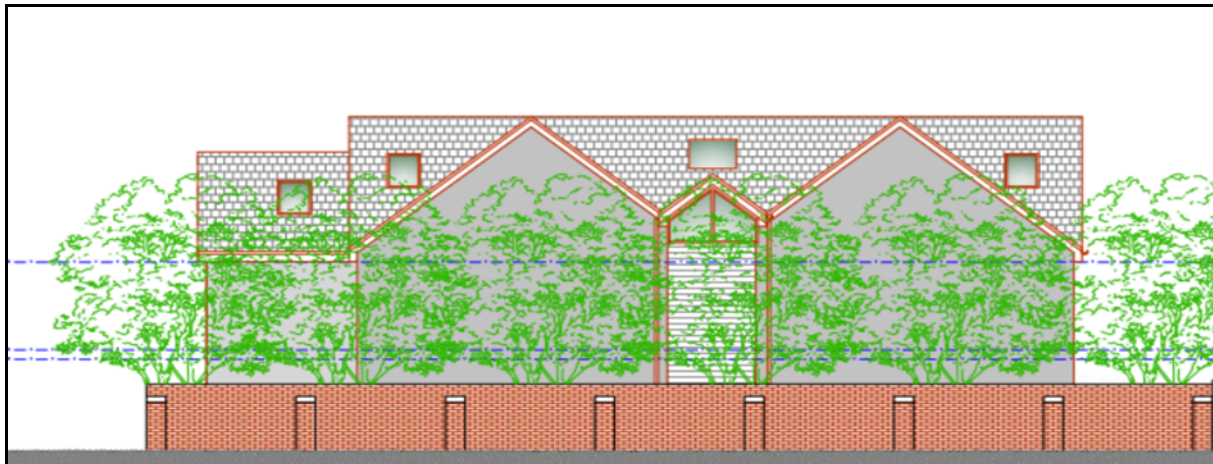
Residential Amenity

Given the prevailing residential context, the busy nature of the surroundings and the position of the site adjacent to a main arterial route, the introduction of a residential use for the modest number of units proposed is unlikely to have any significant, detrimental impact to the nearest residential occupiers in terms of levels of activity, noise or disturbance.

Given the relationship of the proposed development with neighbouring properties, the scale of the building, the interface distance to the nearest properties along Wythburn Avenue of approximately 15 metres, coupled with the lack of windows to the main walls of the proposed rear elevation, is not likely to be harmful to levels of amenity, as a result of the physical presence of the proposed building in terms of overlooking, over-dominance or overshadowing. Whilst the rear elevation incorporates rooflights, these are positioned above eye level, at an angle due to their rooftop position. Given the distance of approximately 13 metres to the neighbouring rear garden boundary wall, overlooking or the perception of overlooking is not therefore expected to be an issue. Similarly, overlooking is not considered to be an issue to side facing windows. The windows to the western side elevation face out over the Metrolink line, whilst windows to the eastern elevation are positioned approximately 17 metres away from the rear of facing properties along Smedley Road.



Proposed interface distance to rear facing properties along Wythburn Avenue



Proposed rear elevation

To ensure prospective occupiers are protected from any undue effects, conditions are included with respect to acoustic insulation, waste management and a restriction on the use of the apartments for HMOs or serviced accommodation. On this basis, the impact to residential amenity is considered acceptable.

Impact to the Highway

The proposal incorporates 6 off road parking spaces for 6 apartments, accessed from Queens Road, equating to 1 space per dwelling. The spaces are supported by a dedicated area for cycle parking, with provision for 2 electric vehicle charging points.

Given the modest level of prospective occupiers and low level of trips forecasted, coupled with the highly sustainable location of the site adjacent to a main arterial route and local bus services, any impact is considered less than significant. No concerns are raised by Highway Services in terms of trip generation or parking demand.

A concern has been raised about the impact of the proposed development upon highway safety, including photographs being provided of traffic incidents along Queens Road.

The proposal has been fully assessed by highway engineers. The position of the site access for the number of anticipated vehicular trips raises no concerns and is considered acceptable.

In light of the above, the impact to the operation of the highway and to highway safety is considered satisfactory.

Accessibility

The proposed development incorporates measures to aid ease of access for all and is designed to provide accessible units to achieve compliance with Building Regulations. The units themselves are of a satisfactory size and offer an acceptable level of circulation space.

Cycle storage

The development includes a timber cycle storage area within the communal garden to rear with sufficient space to accommodate at least 6 bicycles. The proposed ratio is considered satisfactory and the provision of such a facility would encourage travel by means other than by private car and help promote sustainable travel. A condition has been included to ensure implementation of such provision.

Waste Management

The application has been accompanied by a waste management strategy which shows the siting of a waste storage area towards the rear of the site, adjacent to the car park. This arrangement is considered satisfactory in principle, with details provided to show an acceptable number and capacity of waste receptacles. Internally, each proposed apartment would be provided with a food waste caddy.

Bin collection would take place from Queens Road to align with existing properties. Highways consider this to be acceptable. A condition is included to confirm arrangements and ensure compliance.

Impact to Metrolink

The application site is situated adjacent to an operational Metrolink line which lies adjacent to the western boundary of the site.

It is not believed that the proposed development would pose any harmful effects to the operation of the line and Metrolink have confirmed that they have no objection in principle to the proposal, subject to conditions which protect their infrastructure and promote safety. Relevant conditions have been included in relation to the need for a construction management plan, the requirement for a vehicle restraint barrier and appropriate drainage.

Trees and Landscaping

The proposal shows the retention of 9 trees that align the rear boundary with the alleyway that separates the site from properties along Wythburn Avenue. A condition is included to ensure their retention and root zone protection.

2 centrally positioned, self-seeded, low-quality specimens are proposed to be removed to facilitate the development. The Council's Arboriculturist raises no objection to their removal, based on them being of low quality and amenity value.

To offset the loss of vegetation, the proposed landscaping scheme shows the creation of a communal, lawned rear garden, Laurel bushes along the new eastern boundary, low-level shrubbery to the frontage and car park perimeter and replacement tree planting. The exact specification for all planting would be determined by the submission and agreement of a more detailed landscaping strategy to be controlled by way of an attached planning condition.

With regard to boundary treatment, the existing brick wall to the rear boundary is proposed to be retained. To the front, a 1.2-metre-high brick wall with metal railings above is proposed, with 1.8-metre-high wall/railings proposed to the side boundaries.

It is believed that the resultant landscaping proposal would offer a more visually coherent and managed environment which would provide an attractive setting to the development, which would benefit the character and appearance of the street-scene and promote security.

Ecology and Bio-diversity

The site largely comprises low level vegetation and common flora with self-seeded trees to the rear (northern) boundary and is considered to be of low ecological value.

The application is accompanied by a Preliminary Ecological Appraisal which provides an overview of the likely ecological impacts. The appraisal highlights that whilst there is habitat suitable to support roosting bats in the form of ivy-clad trees and a wall, no potential roost features were identified.

The application was assessed by Greater Manchester Ecology Unit (GMEU) who raise no concerns, but due to the ever-changing nature of ecology, request a condition be included which requires an updated ecological assessment to be undertaken if more than 18 months elapse prior to the commencement of the development from the date of the original appraisal.

The planning application was submitted prior to statutory bio-diversity net gain requirements. However, in line with the requirements of the NPPF, a condition is included which requires bio-diversity enhancement as part of development. It is believed that through implementation of such measures, the proposal would lead to an improvement above exiting conditions and create a more coherent landscaped environment.

Relevant conditions and 'informatives' are included with respect to any bats being encountered during works, for any works to avoid the main bird breeding season and for precautionary measures to be applied during works in relation to other species, such as hedgehogs.

Environmental Standards

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

A condition has been included which requires the submission and agreement of an Environmental Standards statement to demonstrate the measures to be incorporated with the development that promote energy efficiency and sustainability.

Affordable Housing

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed for development to contribute to the city-wide target for 20% of new housing provision to be affordable.

In this case, the proposal relates to only 6 units and therefore falls below the policy threshold for affordable provision.

Climate Change

As the proposal would result in a modest number of additional residential units within the context of a principally residential environment, the impact upon climate change is considered less than substantial.

The proposed development would result in an appropriate density for this location and given the surrounding context, adjacent to a busy thoroughfare, the impact upon climate change is considered less than significant.

Due to the low number of anticipated vehicle trips associated with the proposal, road traffic exhaust emission impacts are predicted to be less than significant when compared to existing traffic conditions along Queens Road.

In order to protect future occupants, a condition has been included which requires the submission and agreement of an exposure assessment, together with details of any necessary mitigation to safeguard the local air quality.

Further, whilst there would be some limited impact upon air quality during the construction phase, the impact would be temporary is not considered significantly harmful. Through effective mitigation and construction management, the impact upon air quality can be appropriately controlled.

On the basis, the impact to climate change should not form a barrier to development of the site for the proposed use.

Drainage and Flood Risk

The application site is located wholly in flood zone 1 '*low probability of flooding*'. A condition has been included to ensure the submission and agreement of a satisfactory surface water drainage scheme and for its subsequent maintenance.

Ground Conditions

An appropriate condition has been included which requires the submission and approval of a site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included.

Construction Management

To ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, to safeguard the operation of Metrolink or any impact along key routes to the site, a condition is included which requires the submission and approval of a construction management plan which would detail amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles, Metrolink safeguarding measures and the removal of waste.

Crime and Disorder

It is considered that proposal would eliminate a neglected site that has been known to attract anti-social behaviour and would enhance natural surveillance to Queens Road. Through the provision of new boundary treatment, the proposal would allow for a satisfactory level of defensible space and perimeter security to the development proposed.

To ensure the development incorporate sufficient security measures, a condition is included which require details of security measures to be included, which shall be 'Secured by Design' standards.

Other Matters

An objection has been received from a neighbouring occupier expressing concern that part of the site is not within the ownership of the applicant. The area concerned relates to a small part of the site which has been fenced off by the neighbour and is alleged to be subject to a claim for adverse possession which has not yet been granted. Adverse possession is a legal principle in common law under which a person who does not have legal title to a piece of property or may acquire legal ownership based on continuous possession or occupation without the permission of its legal owner. In this case, the neighbour claims that they have maintained the land for many years and without their intervention, the site would have become neglected.

Whilst the concerns of the neighbour are clear, it is understood that adverse possession has not been granted by the courts. The applicant completed an ownership certificate as part of the planning application declaring that part of the land is not within their ownership but has served the appropriate notice as required by planning legislation and has displayed an advert in the local paper.

In any event, the granting of planning permission in itself does not override or negate the need for land to be under the ownership of the applicant in order to develop the site. Without the necessary ownership which would need to be established under civil rather than planning law, the site cannot be lawfully developed.

Conclusion

The proposed development would make good use of the site and provide decent quality residential accommodation, adding to the diversity of housing in the city within a highly accessible, sustainable location and would contribute to local and national residential growth objectives. The proposed development is in line with the

aspirations of national and local planning policies which seek to boost the supply of housing and is entirely consistent with relevant, overarching planning policy. On this basis, the proposed development is considered acceptable.

Given the surrounding environmental context, the design, scale and appearance of the proposed apartment building and its relationship with neighbouring properties, the proposed development is believed to be acceptable. The proposed development would make the most efficient use of the land available and would assimilate effectively into its surroundings to offer social, environmental and economic improvements to the local area. The impact to the operation of the highway and highway safety has been assessed as being acceptable. Any other matters are considered to be outweighed by the contribution towards much needed residential accommodation in the area and the uplift to the appearance of the street-scene.

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 the right to a fair hearing and to this end the Committee 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 approval of the application is proportionate to the wider benefits of approval 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. Pre application advice has been sought in respect of this matter. The

proposal is considered to be acceptable and therefore determined within a timely manner.

Conditions to be attached to the decision

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:

Drawings referenced 01 (Proposed ground and first floor plans, elevations and sections), 02 (Proposed second floor and street scenes) and Proposed window section drawings, received by the City Council as Local Planning Authority on 8 August 2024 and 30 July 2024 respectively, drawings referenced 03 (Existing and Proposed OS Map and 08 (Proposed landscaping) received by the City Council as Local Planning Authority on 12 August 2024 and drawing referenced 09 (existing and proposed tree spread), received by the City Council as Local Planning Authority on 13 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 Manchester Core Strategy.

3) Prior to the commencement of above ground development, all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, vents.

The approved materials shall then be implemented as part of the development.

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

4) Notwithstanding details submitted, prior to the commencement of demolition, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Quantification / classification of vehicular activity associated with construction including commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway;
- Safe methods of working adjacent to the Metrolink Boundary and cutting slope;
- Dust suppression measures;

- Compound locations where relevant;
- Loading and unloading of plant and materials in proximity to Metrolink infrastructure;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.
- Storage of plant and materials;
- A highway dilapidation survey and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site;
- Community consultation details.

The development shall only be carried out in accordance with the approved construction management plan. Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment.

Membership of the Considerate Constructors Scheme is highly recommended.

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

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

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

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

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

7) Notwithstanding details submitted, prior to above ground works for the development 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 mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy, Places for Everyone Policy JP-G8 and the National Planning Policy Framework (NPPF).

8) If more than 18 months elapse prior to the commencement of the development from the date of submitted Preliminary Ecological Appraisal survey prepared by Arbtech (February 2023), received by the City Council as Local Planning Authority on 8 May 2024, an updated ecological assessment shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

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

9) The hard and soft landscaping scheme shown on approved drawing referenced 08 (Proposed landscaping), received by the City Council as Local Planning Authority on 12 August 2024, shall be implemented within 12 months from the first occupation of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

10) Notwithstanding details submitted, no above ground development 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/gates and vehicle restraint measures to be erected. The boundary treatment/gates shall be completed before the apartments hereby approved are occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

11) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawings referenced 08 and 09 (Proposed landscaping) and (existing and proposed tree spread) received by the City Council as Local Planning Authority on 30 July 2024 and 13 August 2024, respectively. The 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. Any works undertaken within the identified 'no-dig construction' areas on the approved Tree Protection Plan shall be supervised by a suitably qualified arboricultural expert. 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 City Council as 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.

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

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

13) 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.

14) a) Prior to commencement of above ground development, an exposure 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 - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy.

15) Notwithstanding details submitted, the development hereby approved shall not be occupied until a more detailed scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. 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 public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Each residential unit will require their own 240l and 140l waste containers for general waste, mixed recycling and pulvable refuse.

16) The apartments hereby approved shall not be occupied until the space and facilities for bicycle parking have been provided in accordance with the details shown on drawing referenced 08 (Proposed landscaping), received by the City Council as Local Planning Authority on 12 August 2024. The approved space shall thereafter 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 Manchester Core Strategy.

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

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

18) The car parking indicated on drawing referenced 08 (Proposed landscaping), received by the City Council as Local Planning Authority on 12 August 2024 shall be surfaced, demarcated and made available for use prior to any of the residential apartments hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the apartments are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

19) a) Prior to the apartments hereby approved being occupied, a scheme for acoustically insulating the proposed residential accommodation against noise from Rochdale Road and nearby commercial uses, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The potential for overheating shall also be assessed and the noise insulation scheme should take this into

account. The approved noise insulation and ventilation scheme shall be completed before any of the approved apartments are occupied.

b) Prior to first occupation of the residential apartments, 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 - In order to safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Manchester Core Strategy.

20) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as Local Planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the apartments are occupied.

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

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

21) Notwithstanding details submitted, 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 the 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.

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.

The Martin Environmental Services desk based Phase I study dated February 2024 advises that precautionary ground gas protection measures should be installed without providing details and a watching brief should be maintained on site. Given the proximity of the proposed development to an area of potentially contaminated land, a more intrusive phase II ground survey will be required along with ground gas monitoring to confirm the ground conditions and a gas risk assessment to provide details of any gas protection measures to be installed. Additionally, the proposal includes areas of soft landscaping and amenity space for the residential apartments so the phase I report will need to be updated to reflect this and also include details of the proposals for a phase II site investigation with this in mind.

22) When the development 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. No occupation of the development shall take place until the completion/verification report is submitted to and approved 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 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.

23) No excavation is to be carried out within 1 metre of the Metrolink operational boundary or any piling works within the zone of influence without notifying Metrolink in advance and obtaining their approval. Any such works may require track or slope monitoring to be carried out as agreed with Metrolink.

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

24) No development shall take place until the scope and specification of vehicle restraint measures to be installed along part of the boundary of the development which is shared with Metrolink has been submitted to and approved in writing by Manchester City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed detail which should be retained thereafter.

Reason -To protect Metrolink infrastructure and in the interests of amenity and public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

25) Prior to the commencement of the development hereby approved, a surface water drainage scheme for the development site, based on sustainable drainage principles, shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include:

- Progression through the drainage hierarchy must be evidence based and supported by site investigation including assessments of ground conditions and infiltration testing in accordance with BRE365. Proposals of attenuation should achieve half drain time within 24 hours.

- For surface water connections, evidence of agreement in principle from the relevant authority/service provider is required to ensure there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed new connection will suffice.

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Provide at least a 50% reduction in brownfield runoff rate or greenfield runoff rate.

- Finalised surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.

- Hydraulic calculations of the proposed drainage system, including all design parameters. Results must demonstrate no flooding of buildings for the 1 in 100 + 45% Climate Change.

- Where flows less than 5 l/s are proposed, a blockage risk assessment must be undertaken. If the risk cannot be adequately managed, a higher minimum discharge rate should be considered / agreed with relevant authority.

- Construction details of flow control and SuDS components.

-Foundation construction details and supporting structural calculations. Foundation design must demonstrate no impact on the culverted watercourse and ensure future maintenance access.

-Details of how the scheme shall be maintained and managed after completion.

The development shall be constructed and completed in accordance with the approved details prior to the first occupation of the development hereby approved.

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

26) The development hereby approved shall include a lighting scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority prior to commencement of any lighting works. The approved scheme shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

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

28) 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. The development shall only be implemented in accordance with the agreed measures.

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

29) Notwithstanding the details shown for the rear elevation on drawing referenced 01 (Proposed ground and first floor plans, elevations and sections), received by the City Council as Local Planning Authority on 30 July 2024, a revised rear elevation drawing should be submitted to and agreed in writing by the City Council as Local

Planning Authority. The development shall only be implemented in accordance with the agreed details.

Reason - To add visual interest and articulation to the rear facing elevation due to the absence of windows in order to improve visual amenity, pursuant to policies EN1, DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

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

- An extension of the existing double yellow lines on Queens Road to protect the proposed new vehicular site access and visibility;

- Dropped kerbs to the vehicle access off Queens Road to access the proposed car park alongside tactile paving to the site access junction with Queens Road;

- The renewal of any substandard footway surface adjacent to the site frontage along Queens Road.

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

31) 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 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.

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

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

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 139082/FO/2024 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
Metrolink
Greater Manchester Ecology Unit
Electricity Northwest
Highway Services

A map showing the neighbours notified of the application is attached at the end of the report.

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