MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139745/FO/2024
Date registered valid:	28 May 2024
Proposal:	Proposed conversion of building into apartments into 9 self-contained apartments with related elevational alterations and associated car parking and cycle storage
Address:	1 Justin Close, Manchester, M13 9WX
Ward(s):	Ardwick Ward
Applicant:	Brachfeld
Agent (if any):	Sam Golding, Gold Sketch Studios Ltd
Case officer:	Carl Glennon Tel: 0161 234 4530 Email: carl.glennon@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	18 July 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 6 June 2024

Standard consultations:
Printed: 30 May 2024 Expired: 18 June 2024

Neighbour notifications
Printed: 28 May 2024 Expired: 18 June 2024

Site notice
Posted: Expired:

Press advert
Published: 23 April 2024 Expired: 7 May 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This application relates to an L-shaped site containing a building comprising two storeys with a pitched roof and ground floor single storey elements. Existing built form is predominantly concentrated at ground floor level. The ground floor element incorporates a flat roof. The first floor element covers a limited area with the flat roofscape and comprises of a pitched roof set between gable elevations. The building incorporates an enclosed amenity area and car park with access via Justin Close. Communal car parking is positioned on Justin Close immediately adjacent to the application site boundary. The eastern elevation of the building adjoins a public footpath with an area of communal open space. The application site is surrounded on three sides by two storey housing. To the west of the site is a place of worship and community centre and a separate community centre. Housing to the south of the site is punctuated by pocket of open space. The application property is vacant but has been previously converted to residential use. The site is located adjacent to the adopted 20mph Justin Close. Highways adoption extends to the back of the footway and waiting restrictions are in place along Justin Close. Parking bays are also in place on Justin Close.



Fig.1 – views of the application site

Description of development

The proposed development would consist of:

i. Ground floor principal elevation (west) - Retained door and window openings would be supplemented with additional doors and windows at ground floor level. The elevations would incorporate grey render to the ground floor with white render above.

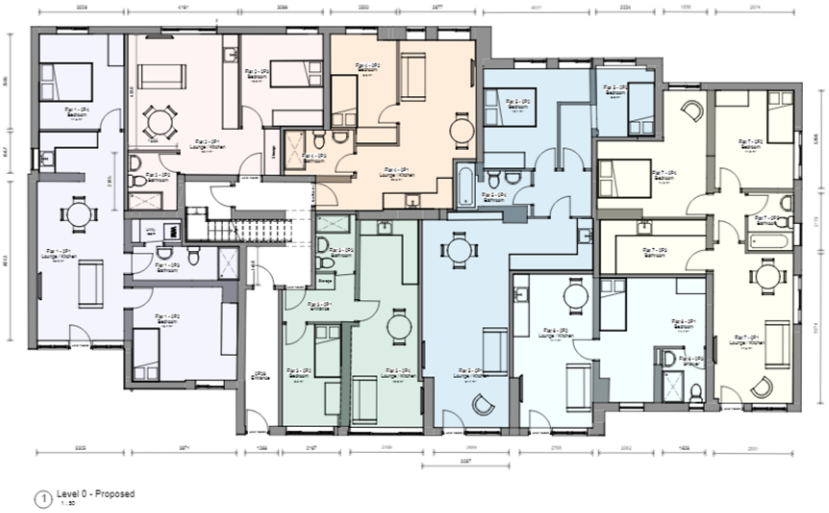
ii. The northern (side) elevation would retain an existing first floor window following the removal of a security grille. A small new window would be introduced and door opening enclosed at ground floor level. The elevational treatment would include a mix of white and grey render and retained brickwork.
iii. The eastern (rear) elevation would incorporate a mix of new and existing windows and the enclosure of security doors. Brickwork would be retained at ground level with render above.
iv. The southern (side) elevation would retain existing windows openings at both levels, with a mix of retained brickwork and new render.
v. Black frames are proposed to window and door openings.



Fig.2 – Proposed elevations

Internally the development would comprise of:

i. 5 x one bed, 1 person apartments and 4 x two bed, 3 person apartments (nine apartments in total). An arrangement of 7 apartments to the ground floor and 2 apartments above.
ii. The layout would achieve or marginally exceed the relevant space criteria for the proposed apartment type.



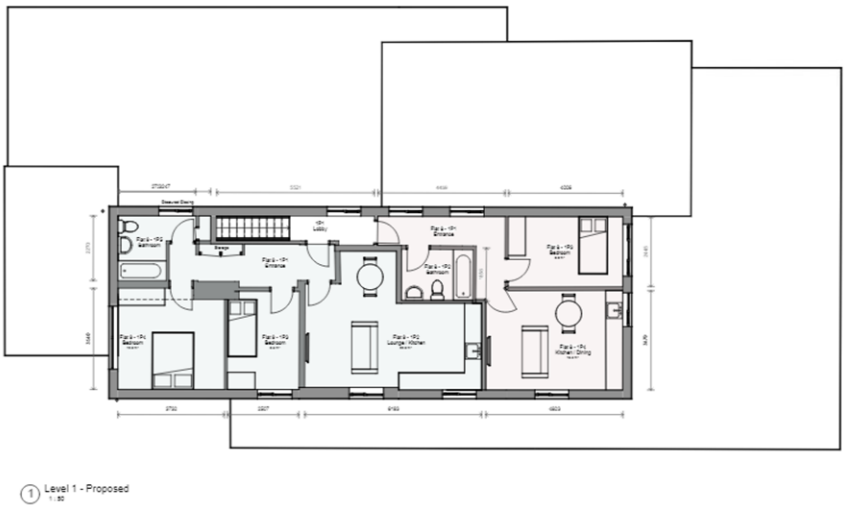


Fig.3 – Proposed ground and first floor layout

Externally, the development would comprise:

i. The configuration of and the existing car park to form seven car parking spaces, including one accessible space. The car park would retain access via Justin Close. The car park would be secured with sliding gates and separate pedestrian gate would be provided.
ii. Separated bin and cycle storage enclosures would be positioned adjacent to the southern boundary of the site.
iii. The site perimeter would be enclosed by a mix of railings and close boarded fencing. A 1200 mm high railing fence would be positioned adjacent to the eastern site boundary to provide defensible space between the application building and neighbouring communal open space.

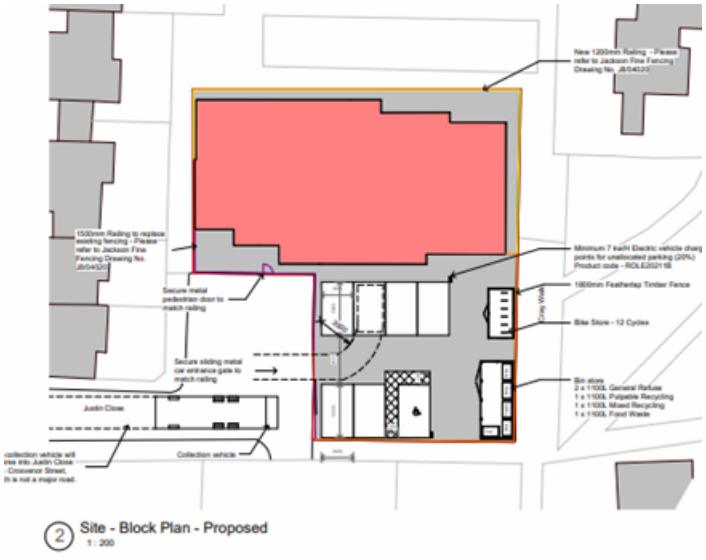


Fig.4 – Proposed external layout

Site history

i. 137478/FO/2023 - Erection of first floor extension in connection with conversion of building into 11 apartments with related elevational alterations and associated car parking , cycle storage and boundary treatments.
9 Justin Close Manchester M13 9WX
(Notwithstanding the reference address the application relates to the above site)

ii. 042894/FU/CENTL2/93 - Change of use from public house to brewery and public house
Approved 14 May 1993

iii. 050067/FU/CENTL2/96 - Use of former public house as a drop-in centre for community counselling and pastoral care facilities, cafe and office accommodation
Approved 24 October 1996

iv. 068260/FU/2003/N2 - Change of use from drop-in centre to a single dwellinghouse

Consultations & Notification Responses

Local residents – Emails of objection have been received from 17 residents (one resident has submitted 3 emails and three residents have submitted 2 emails respectively). The grounds for objection are summarised below:

i. The development would lead to the cramped and overly intensive occupation of the property.
ii. The density of occupation would also put pressure local services, including health care.
iii. The development would also increase pressure on local utilities, including the sewerage and drainage systems.
iv. Increase occupation will increase the potential for noise and disturbance.
v. The incorporation of car parking would encourage residents to own and use private cars, which would increase pollution and be harmful to air quality.
vi. The development would generate additional traffic leading to localised congestion and exacerbating existing highway difficulties.
vii. Disturbance from construction work would be harmful to the amenity and well-being of residents. Construction vehicle movements would also contribute to localised highways issues and further harm highways safety.
viii. The development would result in the loss of a large conifer tree, which is considered to be important to biodiversity as it supports habitats for a variety of bird species.
ix. The property owner has not secured the site and it is has become a focus for anti-social behaviour, vandalism and trespass. The development does not provide appropriate details of boundary treatments and proposed means of securing the site have not been received. It is not apparent how the development would address these existing circumstances.
x. Views from windows from multiple apartments undermine the privacy of neighbouring houses and gardens. Sunlight and daylight might also be affected.
xi. The development would not contribute to affordable housing.
xii. Alternative uses for the site should be considered, including local shopping provision.

Environmental Health – The following comments have been received:

i. The implementation of construction should be related to a management plan condition that limits the hours of working.
ii. The development should be related to the submitted scheme for the storage and collection of waste and recycling.
iii. A condition is requested to ensure the provision electric vehicle (EV) charging points.

Flood Risk Management Team – The development is in Flood Zone 1 and the proposed use will have a vulnerability classification of More Vulnerable. However, the development has been assessed with reference to flood risk assessment guidance and it has been confirmed that a drainage condition would not be required.

Highway Services – The following comments have been received in relation to an updated : site layout plan.

i. A secure pedestrian gate is proposed which appears to open inwards. A secure sliding gate will be provided to allow vehicular access to the proposed parking. These arrangements would be acceptable. The proposed boundary treatment is acceptable in principle in other respects.
ii. A car park aisle width of 4.6 metre is proposed with parking spaces widened to 3 metres to accommodate vehicle manoeuvring. There would be sufficient clearance around the proposed accessible parking bay. These are arrangements would be acceptable.
iii. Parking bay widening would reduce on-site parking to seven spaces (including an accessible space). As the site is in a sustainable location the level of car parking provision would be acceptable. Parking spaces should be appropriately managed to reduce potential off site car parking.
iv. The proposed provision of two EV charging points with minimum charging capacity of 7 kw/H would be acceptable.
v. The proposed secured and covered 12 space cycle store would be acceptable.
vi. It has been demonstrated that refuse collection vehicles would reverse into Justin Close from Grosvenor Street. The application should identify the waste collection point.

Greater Manchester Ecology Unit – The following comments have been received:

i. GMEU provided comments on a previous application relating to this site (Ref: 137478/FO/2023) following the submission of a requested a bat survey. Comments should be related to this document.
ii. The current application identifies that a tree on the site is proposed to be felled. As this tree is a conifer it is very unlikely to support roosting bats. However, there is potential that it will support nesting birds. A condition is requested to ensure that work within the site (including building works and any vegetation and site clearance) would be undertaken outside the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated that no active bird nests are present.
iii. No bats were recorded emerging from the property, and no evidence of bats was recorded in the pre-dusk bat inspection.
iv. An informative should be used so that the applicant is aware of the legal protection that certain species receive and that the granting of planning permission does not negate the need to abide by the laws that are in place to protect biodiversity. If at any time any protected species are found or are suspected of being present on the site, work should cease immediately, and an ecologist and the LPA should be contacted.
v. Any new external lighting must be designed in line with best practice guidelines to avoid impacts on nocturnal animals such as bats.
vi. Biodiversity enhancements should be delivered through the implementation of the measures set out in the submitted bat survey.
vii. Replacement planting for the felled tree is recommended.

Greater Manchester Police Design for Security – No objection but it is recommended that:

i. Fencing to the site boundary should be a minimum of 1880 mm.
ii. The development should be implemented to Secured by Design standards.

United Utilities Water PLC - No comments received.

Cadent – No objection.

Issues

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

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

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

i. Chapter 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, it is important that: a sufficient amount and variety of land can come forward where it is needed; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Consideration should be given to the size, type and tenure of housing required by different groups in the community. It requires support for the development of entry-level exception sites suitable for first time buyers. In this case, it is considered that the proposed development would positively contribute to the quality, diversity and supply of housing in the local area and secure a new and sustainable use for and unused building. The development would thereby accord with Chapter 5.

ii. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible, and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. The development would achieve satisfactory natural surveillance and a condition has been included to ensure the delivery of appropriate security measures and to reduce the risk of crime. On this basis, the development would be satisfactorily related to chapter 8.

iii. Chapter 9: Promoting sustainable transport - States that assessment of applications for development should be ensure:

a) Appropriate opportunities to promote sustainable transport modes;
b) Safe and suitable access to the site can be achieved for all users; and
c) Any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.

The application site is in a sustainable location in terms of the proximity of local services and public transport. Proportionate car parking would be provided with satisfactory arrangements for cycle storage. On balance, chapter 9 would be accorded with positively.

iv. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It also encourages the use of previously developed or 'brownfield' sites. Chapter 11 would be positively responded to by securing the re-use of an existing building with the incorporation of appropriate layouts.

v. Chapter 12: Achieving well-designed places - States that 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. The development would involve appropriate elevational alterations that would secure a coherent design and improvements to the appearance of the building. Chapter 12 would thereby be accorded with.

vi. Chapter 14: Meeting the challenge of climate change, flooding and coastal change. The development would respond positively to chapter 14, through the incorporation of design techniques that would reduce the potential for carbon emissions. It also relates to a location that is not unduly vulnerable to flood risk. Chapter 14 would thereby be accorded with.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG is relevant to key planning issues of significance to applicants and local authorities. The assessment of the proposed development has been related to the following aspects of the PPG:

i. Consultation and pre-decision matters
ii. Design
iii. Flood Risk Planning and Flood
v. Health and well-being
v. Noise

The core principles and policy guidance contained within the National Planning Policy Framework and Planning Practice Guidance have been directly related to the assessment of the potential impact of the development on residential amenity. Consideration has been given to the benefits of delivering a sustainable housing development and measures to secure appropriate noise attenuation and waste management. The above principles would appropriately accorded with for the reasons set out below.

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

i. JP- S1- Sustainable development
ii. JP- S2 – Carbon and energy

iii. JP- S5 – Flood risk and the water environment
iv. JP- H1 – Scale, distribution and phasing of new housing.

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

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

a. Makes a positive contribution to neighbourhoods of choice through: the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents and responding to the diverse needs of all members of the community and the protection and enhancement of the built and natural environment;
b. Minimises emissions, ensures efficient use of natural resources and reuses previously developed land wherever possible;
c. Improves access to jobs, services, education and open space whilst reducing the need to travel and securing good access to sustainable transport provision.

The proposed development would contribute positively to the above objectives and make a positive contribution to the formation of a sustainable community. It would be beneficial to the diversity of local housing supply and secure the re-use of an existing building. It would provide accommodation that would improve access to employment and educational opportunities. Policy SP1 would be positively responded to.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester should meet high standards of urban design. Opportunities for good design, which enhance the overall image of the city should be fully realised. The applicant has positively responded to the requirements of policy EN1 by improving the appearance of the building and its setting. The development would thereby uplift built form in the locality. Policy EN1 would thereby be accorded with.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) – As stated the development would facilitate the retention of an existing building, thereby retaining its embedded energy and limiting materials and resources to the implementation of its conversion. Its energy performance would improve through the installation of new windows and measures to improves its insulation. The development would thereby be appropriately related to policy EN4.

Policy EN 14 (Flood Risk) - States that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application sites located in Flood Zone 1 and there is not a specific requirement for specific drainage in respect of the development.

Policy EN15 (Biodiversity and Geological Conservation) - States, amongst other things, that the developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site. Policy EN15 has been Positively responded to through a condition to ensure the implementation of the development in accordance with a submitted bat survey. A separate condition would also secure the provision

of bat and bird boxes to enhance local biodiversity. The loss of a leylandii tree would be justified due to its disproportionate scale within the site.

Policy EN19 (Waste) – Satisfactory waste management and recycling arrangements can be put in place during the construction and operational phases of the development to secure compliance with policy EN19.

Policy H1 (Overall Housing Provision) - Sets the objectives for the delivery of new housing in Manchester. It encourages the re-use of previously developed sites, secure high quality urban design and an appropriate mix of housing tenure. The development would satisfactorily relate to these objectives.

Policy H 5 (Central Manchester) - States that Central Manchester, over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. Notwithstanding priority for family housing provision in this area, the development would deliver the conversion and sustainable operation of an unused building. It would thereby positively contribution to the local housing supply and respond positively to policy H5.

Policy T1 (Sustainable transport) – Relates to the delivery of sustainable, high quality, integrated transport system and a modal shift away from car travel to public transport, cycling and walking and preparation for carbon free modes of transport. In this case, the development would be supported with satisfactory car parking provision and arrangements for cycle storage. The site is in a sustainable location with access to local bus routes. The development would thereby respond positively to policy T1.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

a. Appropriate siting, layout, scale, form, massing, materials and detail;
b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
c. Effects on amenity, road safety and traffic generation;
d. Accessibility in relation to inclusive access for people with disabilities and access via sustainable transport modes;
e. Community safety and crime prevention;
f. Design for health;
g. Adequacy of internal accommodation and external amenity space;
h. Refuse storage and collection.

Policy DM1 points a - h (inclusive) have been related to the assessment of the proposals regarding its potential impact on residential amenity and the contextual relationship of the development to the surrounding built environment. Given the nature of the building and its context amenity space would not be delivered but the site benefits from an adjacent area of communal open space. Traffic generation would be predictable. Car parking would be provided and alternatives to car usage would be provided through access to cycle storage and public transport. Appropriate internal space would be provided along with arrangement for waste management. Policy DM1 would be accorded with.

Unitary Development Plan (saved UDP) Policies -The following Unitary Development Plan saved policies are relevant:

Policy DC7 (New Housing Development) - States that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. In this case, it has been demonstrated

that level thresholds would be incorporated into the ground floor external entrances to the western elevation. The constraints of the existing building would nor facilitate inclusive access to the first floor. As the development relates to the conversion of an existing property and policy DC7 would be appropriately responded to in this case.

Policy DC26 (Development and noise) - Has been related to the proposals contribution to the local noise environment and how existing noise sources, including noise from neighbouring industrial / commercial uses, may impact on the proposed housing.

Policy DC26.4 requires that where an existing noise source might result in an adverse impact upon a proposed new development, consideration is given to measures to deal with it satisfactorily.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

It is considered that the design is capable of accommodating satisfactory noise attenuation and an appropriate condition has been included to safeguard residential amenity and secure compliance with policy DC26.

Manchester Residential Quality Guidance - 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. The guidance states that the delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. It is therefore essential for applicants to consider and integrate the design principles contained within the guidance into all aspects of emerging residential schemes. In this case, the application of the guidance has been affected by the constraints of the application building. However, the development would deliver appropriately sized apartment that accord with the criteria relevant to the proposed apartment sizes as set out in the guide. The quality of the layout and external alterations and works would respond positively to the above guidance.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case officers and the applicants (through their appointed representatives) engaged in pre-application discussions regarding the parameters and magnitude of the development. Discussions were undertaken during the consideration of the planning application regarding the internal and external layout the development and to ensure that issues of design, security, car parking, cycle storage and crime reduction were appropriately responded to. A satisfactory assessment of the development has been undertaken based on the submitted and supplementary details.

Principle of the development - An internet search indicates that former public house use ceased in 1996 and residential occupation was in place in 2011. In these circumstances, the reintroduction of the public house use is unlikely. The acceptability of residential occupation was established thorough planning permission ref: 137478/FO/2023. Notwithstanding the objection of neighbouring residents, it is noted that the site has that the referenced extant planning permission that would include extensions and a larger number of units. The impact of the current proposals would be less significant as the development would not involve extensions and would relate to the reconfiguration of internal space. It is apparent that the condition of the building has declined and has been affected by vandalism. The development would deliver a

sustainable use for a vacant building that may otherwise become a further focus for anti-social behaviour. The development would also contribute positively to the local housing supply. The principle of the development would be acceptable.

Future use of the apartments - A condition has been included, for purposes of clarity and to ensure that the development continues to relate to the formation of nine apartments (Class C3). Given the internal layout of the development it is unlikely that Class C4 occupation would occur. Residential space standards – The development would comprise of five, 1 bedroom, 1 person and four 2 bedroom, 3 person apartments. As the development relates to the conversion of an existing property, the criteria with the MRQG have been used as a benchmark in the assessment of the quality of the achieved internal layout. Notwithstanding the above, the layout would achieve the required criteria for the respective apartment types. The mix of units would respond to the internal configuration of the building and would be appropriate. The achieved space would aid the delivery of sustained occupation and re-use of an existing building.

Residential amenity – The development would bring the currently vacant building back into active use and would thereby address reported incidences of anti-social behaviour and vandalism. The refurbishment of the building would also improve the appearance of the building and its relationship to the locality. The internal arrangement internal space would encourage sustained occupation. A new kitchen window would be introduced to the ground floor of the northern elevation. To safeguard residential amenity a condition has been included to ensure that this window is obscurely along with bathroom windows are obscure glazed. The first floor window in the northern elevation relates with an existing window opening that is secured with an external grille. As this window reflects an existing circumstance, its retention with clear glazing would be appropriate to aid natural surveillance of the adjacent alleyway. The arrangement of windows in the western and eastern elevations would not have an apparent impact on residential amenity. The windows in the southern elevation would reflect the existing circumstances. Overall, it is not considered that the development would unduly harm residential amenity.

Design – The development would be contained within the envelope of the existing building. It is appearance would be enhanced by the incorporation of contrasting render counterbalanced by retained brickwork. Further improvements would be delivered thorough the introduction of replacement doors and windows. The setting of the building and its external areas would be improved through the introduction of replacement boundary treatments. Acceptable materials have been submitted and related to the development by condition. The development would thereby positively contribute to the visual amenity of the area.

Crime and security – The retained arrangement of windows would maintain natural surveillance of external areas and the surrounding context. The application includes specifications of the security standards that would be attained in relation to doors, windows, glazing and related frames. However, the glazing specification for the ground floor window in the northern elevation does not confirm that it would meet the requirements of current Secured by Design guidance for easily accessible windows. An included condition would ensure the approval of glazing to this window. The arrangement of railings adjacent to the eastern elevation would aid security and define the public and private realm. Final approval of details of all boundary treatments would be addressed by condition. The submission has been supported with indicative external lighting details and, again, final details would be agreed through condition. On balance, the development has the capacity to incorporate satisfactory measures to secure the property and reduce the risk of crime.

Boundary treatment – In response to the comments of GMP and to secure the car parking area, it will be necessary to provided close boarded timber fencing to the western and southern boundaries This form of fencing is commonly found in the locality. Railing fencing and gates

would be provided to the perimeter of the boundaries with Justin Close, thereby achieving satisfactory visual permeability across the car park. Defensible space adjacent to the eastern boundary railing fencing would be provided by the installation of railings. It has been demonstrated that satisfactory boundary treatment can be provided, and final details can be delivered through the included condition.

External lighting – A condition has been included to manage undue glare from any external lighting installed as part of the development. This measure would safeguard residential amenity.

Inclusive access – Satisfactory ground access to entrances doors would be achieved. However, the constraints the existing building have affected the proposed internal layout, which in turn has limited accessibility for wheelchair users. Notwithstanding limitations to inclusive access the development would deliver a positive contribution to the local supply of housing.

Reducing carbon emissions and sustainable design - The development would secure a sustainable use for an existing building. It would be retained and refurbished to building regulations standards thereby improving its environmental performance. Its location in relation to public transport and cycle provision would reduce reliance on private car usage. The development would achieve carbon reductions proportionate to the conversion of an existing building.

Car parking, servicing and highways issues – The site has an existing car parking area. In achieving satisfactory layout, manoeuvring space and the accommodation bin and cycle storage, it has not been possible to achieve 100% car parking area. A total of seven spaces (including and accessible) would be provided. The benefits of bringing the building into active use would offset the shortfall in car parking provision. This vehicular access arrangements would be acceptable given the low levels of traffic movement on Justin Close. In addition, the site is in a sustainable location in respect of access to public transport and proximity to the city centre. Cycle storage would also be provided. Satisfactory arrangements for the collection of bins from Justin Close has been identified. Highways services comments have thereby been appropriately responded to.

EV Charging points – The development would be supported with two EV charging points located at each side of the car parking area. The submitted specification confirms a 7kw/H charging capacity. These arrangements would be acceptable subject to their implementation as part of the development.

Cycle storage – Storage for 12 cycles would be provided in the form of six Sheffield style stands covered by a clear panel pre-fabricated shelter. It would be located with the car parking area. These arrangements would be acceptable and delivered through condition.

Ecology – A condition has been attached to the development requiring that the development is implemented in accordance with the submitted bat survey, including the requirement that further survey is undertaken if the development is not implemented within 12 months of the issued decision. An informative has been included to advise of legislative requirements should bats be encountered upon implementation of the development.

Bio - diversity - In response to the previous recommendations of GM Ecology Unit, a condition to secure a positive contribute to local bio-diversity. This would be achieved through the implementation relation to the submitted details relating to the installation of two bat boxes. This would be proportionate measures given the constraints of the site.

Removal of a tree – The development would involve the loss of an overly large leylandii tree and two smaller leylandii tree sited adjacent to the western boundary. These trees have low

amenity value and would compromise the delivery and operation of the car park and the wider development. Given the constraints of the site, the impact of the larger tree and the need to secure bin and cycle storage, the loss of the tree would be appropriate. The provision of landscaping with the car parking area would not be deliverable. The site would still benefit from street trees within the public realm. A condition has been included to ensure that the removal of the tree is not undertaken during bird nesting season unless the absence of bird habitats is demonstrated by a specialist.

Waste management – As the development would comprise of nine households (and to ensure a reduced number of bins) it is appropriate for communal waste and recycling storage bins to be provided. The applicant has provided details of a satisfactory bin enclosure with the following capacities:

General waste bins – 2 x 1100 litre bins
Pulpable recycling – 1 x 1100 litre bin
Mixed recycling - 1 x 1100 litre bin
Food waste – 1 x 240 litre bin

A collection point has been identified adjacent to the site entrance. These arrangements would be acceptable and delivered through a condition. A separate condition would ensure appropriate measures for the presentation on bins for collection and return to the storage areas afterwards. Appropriate site management would thereby be achieved.

Noise attenuation – To avoid undue noise transfer to, from and between the proposed apartments, a condition to secure appropriate acoustic attenuation has been included. The condition also requires noise attenuation against noise from any other identified noise sources. It requires implementation of agreed measures before the occupation of the development and retention thereafter.

Construction Management Plan (CMP) – Given the limited amount of deconstruction works and re-use of the existing building enveloped, a comprehensive CMP would be an onerous requirement. The impact of construction works would also be mitigated through the use of the car parking as a site compound. The development would not involve ground excavation and hard surfacing would be retained and repaired as necessary. The risk of mud and debris on the highway would thereby be reduced. A condition has been included to ensure that all waste material is stored with the site prior to removal and, when removed, contractors' vehicles are sheeted upon completion of loading to avoid dispersal of debris on to the highway. An informative advises of the requirements for the erection of scaffolding on the public realm. The above arrangement would be appropriately related to the scale of development.

Conclusion - The proposed development would continue to provide a sustainable use for an unused building that would otherwise remain vacant and may be affected by structural decline. The proposed use would be appropriate, proportionate and suitably related to the predominantly residential character of the surrounding area. The development would be acceptable and satisfactorily related to planning policy and guidance.

Other Legislative Requirements

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

Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

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

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case officers and the applicants (through their appointed representatives) engaged in pre-application discussions regarding the parameters and magnitude of the development. Discussions were undertaken during the consideration of the planning application regarding the internal and external layout the development and to ensure that issues of design, security, car parking, cycle storage and crime reduction were appropriately responded to. A satisfactory assessment of the development has been undertaken based on the submitted and supplementary details.

Condition(s) to be attached to decision for approval

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received by the local planning authority on 9 April 2024, 17 May 2024, 24 May 2024, 1 July 2024 and 5 July 2024:

Planning application forms
Material specifications Ref: GSS24018.2/003
Site – External lighting design Ref: Ref: GSS24018.2/004/Rev.1
Proposed plans (layout ground floor layout) Ref: GSS24018.2/005/Rev.1
Proposed plans (layout first floor layout) Ref: GSS24018.2/006/Rev.1
Proposed elevations Ref: GSS24018.2/007/Rev.4
Site - Location and Block Plan Ref: GSS24018.2 501

Site – Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6.

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 for the City of Manchester.

3) The development shall be fully implemented in accordance with the following materials:

Window frames – Anthracite grey uPVC RAL 7016
Doors – Composite door Anthracite grey uPVC RAL 7016
Ground floor render – Grey RAL 270 40 15
First floor render – K-Rend white RAL 9010
(as detailed on drawing ref: Material specifications Ref: GSS24018.2/003).

All repaired and reinstated brickwork shall be undertaken using matching brickwork and mortar. The implemented materials shall be maintained in situ thereafter.

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

4) The planning permission hereby granted relates to the formation of 5 x one bed, 1 person apartments and 4 x two bed, 3 person apartments (nine apartments in total) (Class C3) as shown on the approved drawings.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) The development shall be fully implemented in accordance with details of drawings referenced: Proposed plans (layout ground floor layout) Ref: GSS24018.2/005/Rev.1 Proposed elevations Ref: GSS24018.2/007/Rev.4 relating to the provision of level threshold to all external doorways. The implemented arrangements shall be in place upon occupation of the development and maintained in situ thereafter.

Reason – To ensure the provision of inclusive access and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Before the occupation of the development, a scheme of acoustic attenuation shall be submitted to and approved in writing by the City Council as local planning authority to safeguard against noise transfer to, from and between the authorised basement apartments and reduce harmful noise and disturbance from any other identified noise sources. The approved scheme shall be implemented before the occupation of the basement apartment and retained in situ thereafter.

Reason - To secure a reduction in noise transfer to, from and between the authorised basement apartments and reduce harmful noise and disturbance from any other identified noise sources, in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester.

7) The development shall be implemented in accordance with the waste and recycling management arrangements, comprising drawing referenced: Site – Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6 and Waste management proforma received 5 July 2024. The approved details shall be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of bins, pursuant to policies SP1, EN91 and DM1 of the Core Strategy for the City of Manchester.

8) Before the first occupation of the development, a scheme for the management of the external areas of the site shall be submitted to and approved in writing by the City Council as local planning authority. This scheme shall include details of arrangements for the presentation of bins to the identified collection point and their return to the waste storage enclosures. The details of the approved scheme shall be implemented upon the first occupation of the authorised extension and shall remain in situ whilst the use or development is in operation

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1, DM1 and EN19 of the Core Strategy for the City of Manchester.

9) The development shall be fully implemented with the detail of drawing Ref: Site – Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6 relating to arrangements for secured cycle storage (including a sheltered enclosure with dimensions of 4600 mm (length) x 2040 mm (width) x 2100 mm (high). The approved details shall achieve storage capacity for 12 cycles and be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

10) Before the occupation of the development, car parking areas and pedestrian routes shall be surfaced, demarcated and made available for use in accordance with the details of drawing referenced: Site – Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6. Car parking spaces and pedestrian routes shall be implemented prior to the occupation of the authorised houses and maintained in situ thereafter.

Reason - In the interest of residential amenity and pedestrian and highways safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

11) Before the occupation of the development, the arrangements for the provision of two electric vehicle charging points, as detailed on drawing Ref: Site – Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6 and document referenced: Rolec EV Basic Charge – Intelligent EV charging pedestal data sheet confirming a minimum charging capacity of 7kwH shall be fully implemented and maintained in situ thereafter.

Reason - In the interests of residential amenity and the contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

12) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision of measures to improve on-site security and to reduce the risk of crime. The scheme shall review existing security arrangements and detail related improvements to be incorporated into the development. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

13) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing the design, height, specification and colour treatment of fencing, gates and railings. The approved details shall be implemented upon occupation of the development and maintained in situ thereafter.

Reason – In the interests of residential amenity and to reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

14) Before the commencement of above ground construction works, a drawing shall be submitted to and approved in writing by the City Council as local planning authority relating to the design and glazing specification of kitchen window in the ground floor northern elevation to Flat 1, which shall accord with current 'Secured by Design' guidance. The approved details shall be implemented before the occupation of the development and maintained in situ thereafter.

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

15) Before the occupation of the development windows to bathrooms and the kitchen to Flat 1 as indicated on the approved drawings ref: Proposed plans (layout ground floor layout) Ref: SS24018.2/005/Rev.1, Proposed plans (layout first floor layout) Ref: GSS24018.2/006/Rev.1 and Proposed elevations Ref: GSS24018.2/007/Rev.4 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 for the City of Manchester.

16) The development shall be implemented in accordance with document referenced Dusk Survey Results 1 Justin Close Manchester M13 9WX dated 10 October 2023. If the development is not implemented within 12 months of the planning permission hereby granted, further bat survey shall be submitted to and approved in writing by the City Council as local planning authority before the commencement of the development. The development shall be implemented in accordance with the agreed recommendations of the bat survey.

Reason - To safeguard protected species, habitats, local biodiversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

17) Before the occupation of the development, the bat habitat boxes, as indicated on drawing referenced : Proposed elevations Ref: GSS24018.2/007/Rev.4 shall be installed and maintained in situ thereafter.

Reason - in the interests of residential development and to encourage bio-diversity pursuant to policies SP1, EN1, EN15 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

18) No removal or other work to trees and or hedges shall be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person.

Reason - To safeguard local bio-diversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

19) Upon commencement of any deconstruction and construction works, all building materials shall be stored within the site along with waste material whilst awaiting removal for disposal elsewhere. When removing materials contractors' vehicles shall be sheeted upon completion of loading and prior to departure from the site to avoid dispersal of debris and waste material onto the highway. These arrangements shall be maintained throughout the construction phase of the development.

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

20) Before its installation, any external lighting required in support of the development shall be related to a scheme to be submitted to and approved in writing by the City Council as local planning authority. Lighting shall only be installed in accordance with the approved scheme and maintained in situ unless any lighting installed as part of the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority is harmful to adjoining and nearby residential properties. In such circumstances and within 14 days of its written request, a scheme for the elimination of glare and/or light spillage shall be submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be implemented to a timescale agreed with the City Council as local planning authority and maintained in situ thereafter.

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

Informatives

1) Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

3) Cadent – No objection. However, it is advised that plans identifying Cadent gas assets in the area prior to the commencement of works. If the development potentially affects a high-pressure pipeline it is a statutory requirement that details be inputted into the HSE's Planning Advice Web application via www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm

The HSE may wish to apply more stringent criteria for building proximity after assessment. Please ensure that you formally consult with the development proceeds.

In order to help prevent damage to Cadent asset/s, please be aware of the following informative

i.- Noise attenuation assessment to be noted for awareness if habitable buildings in close proximity near to the AGI.

ii. IMPORTANT Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

iii. The original holding objection was triggered due to the presence of a High-Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.

Cadent Gas has a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity (indicated in orange on related drawings) N/A

Cadent Gas has a INTERMIDIATE ACCIDENT HAZARD PIPELINE in the vicinity,(indicated in green on related drawings) Manchester 7bar

Specific AGI BPD N/A

THE BPD (BUILDING PROXIMITY DISTANCE) IS 3M

(The building proximity distance taken from the Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission and IGEM/TD/3 Edition 5 Steel and PE pipelines for gas distribution.)

iv. Responsibilities and obligations

This advice does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability were prohibited by the law nor does it supersede the express terms of any related agreements.

For further information, please contact plantprotection.nw@cadentgas.com

4) Habitat safeguarding – Certain species receive legal protection, and the granting of planning permission does not negate the need to abide by the laws protecting biodiversity. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately, and an ecologist/LPA should be contacted.

5) Any new external lighting should be designed in line with best practice guidelines (e.g. https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting) to avoid impacts on nocturnal animals such as bats.

6) The glazing to the ground floor kitchen window in the north elevation shall meet the glazing specification for easily accessible windows as detailed in Secured by Design Homes Guide 2024.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Highway Services
Greater Manchester Ecology Unit
Greater Manchester Police
United Utilities Water PLC

Community Centre, Justin Close, Manchester, M13 9UB
71 Grosvenor Street, Manchester, M13 9UB
13 Wadesmill Walk, Manchester, M13 9UX
40 Hanworth Close, Manchester, M13 9UU
32 Hanworth Close, Manchester, M13 9UU
58 Grosvenor Street, Manchester, M1 7EW
52 Grosvenor Street, Manchester, M1 7EW
4 Stockland Close, Manchester, M13 9WY
68 Grosvenor Street, Manchester, M1 7EW
8 Stockland Close, Manchester, M13 9WY
2 Stockland Close, Manchester, M13 9WY
9 Wadesmill Walk, Manchester, M13 9UX
8 Wadesmill Walk, Manchester, M13 9UX
7 Wadesmill Walk, Manchester, M13 9UX
6 Wadesmill Walk, Manchester, M13 9UX
5 Wadesmill Walk, Manchester, M13 9UX
4 Wadesmill Walk, Manchester, M13 9UX
3 Wadesmill Walk, Manchester, M13 9UX
2 Wadesmill Walk, Manchester, M13 9UX
11 Wadesmill Walk, Manchester, M13 9UX
1 Wadesmill Walk, Manchester, M13 9UX
34 Hanworth Close, Manchester, M13 9UU
36 Hanworth Close, Manchester, M13 9UU
42 Hanworth Close, Manchester, M13 9UU
44 Hanworth Close, Manchester, M13 9UU
46 Hanworth Close, Manchester, M13 9UU
62 Grosvenor Street, Manchester, M1 7EW
60 Grosvenor Street, Manchester, M1 7EW
56 Grosvenor Street, Manchester, M1 7EW
54 Grosvenor Street, Manchester, M1 7EW
50 Grosvenor Street, Manchester, M1 7EW
6 Stockland Close, Manchester, M13 9WY
59 Grosvenor Street, Manchester, M13 9UB
61 Grosvenor Street, Manchester, M13 9UB
38 Hanworth Close, Manchester, M13 9UU

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA