

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139874/FO/2024
Date registered valid: 24 April 2024
Proposal: Erection of three bed semi detached dwelling including basement
Address: Land At Former 6, Daisy Avenue, Manchester,
Ward(s): Rusholme Ward

Applicant: Mr Safi Khokhar
Agent (if any): Mr Ahmed Choudhry, Nada Architects
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 June 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 12 June 2024

Standard consultations:

Printed: 8 May 2024 Expired: 30 May 2024

Neighbour notifications

Printed: 7 May 2024 Expired: 29 May 2024

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The planning application site is located in residential cul-de-sac, which is accessed to the north via Plymouth Grove. Open space to the south of the cul-de-sac provides pedestrian access to houses on Brightstone Walk. Daisy Avenue predominantly comprises of two storey semi-detached houses with front and rear gardens. Whilst the majority of houses have dropped vehicular crossing, the available space within respective plots results in varying capacity to accommodate car parking. On-street car parking in the locality is therefore prevalent. The application site has been vacant but contains vegetation and self-seeded trees and shrubs. The street boundary is defined by a low brick wall. It is understood that the site formerly accommodated a semi-detached house that adjoined the retained property at No. 8.



Fig.1 – View of Daisy Avenue



Fig.2 – Site photographs

Description of development

The proposed development seeks to replicate the design, scale and appearance of the existing house at No 8. A hipped pitched roof would be formed with a ridge line running from west to east and the established eaves line would be continued. A central valley would be formed between the two roofs. The symmetry of the combined roof composition would be disrupted by the existing flat roof extension to No 8. The characteristics of the existing No 8 would be replicated through the inclusion of ground level semi-hexagonal flat roof bays to the front and side elevations. Sill, lintel and window apertures would also replicate the details of No 8.

Lightwells to the basement would be formed to the front and side elevations. The related opening would be secured by railing balustrades.



Fig. 3 - Proposed layout and elevation drawings

Site history

- i. F01692/LA: Approved - 04.12.1974 - Daisy Avenue C.P.O. Area - Daisy Avenue / Plymouth Grove, Longsight.
Residential development comprising 12 one-bed 2 person flats, 6 two-bed 4 person houses, 13 three-bed 5 person houses, and 3 four-bed 6 person houses.
- ii. 062874/VO/NORTH2/01: Approved - 03.10.2001- Council built housing adjacent to Plymouth Grove and Clarence Road junction.
CITY COUNCIL DEVELOPMENT Replacement of garden boundary walls, porches and canopies.

Consultations & Notification Responses

Local residents – Two emails have been received expressing the following concerns regarding the proposed development:

- i. One representation states that the principle of a new house is welcomed and considered to be potentially beneficial to the character and vitality of the area.
- ii. However, concern is also expressed regarding the potential for traffic generation and congestion. Existing issues with significant area parking on Daisy Avenue has been reported. This localised problem would be potentially exacerbated by the displacement residents' due to a lack of parking capacity on Plymouth Grove. These circumstances would be exacerbated during the construction phase of the development when contractors' vehicles will also be parked in Daisy Avenue and neighbouring streets. The resulting impact during the construction and operational phase would be harmful to residential amenity.
- iii. Development would potentially increase noise and disturbance in the area during its construction and operational stages.
- iv. Concern is expressed regarding the potential removal of trees to the west of the site as part of the development and how such work may impact of the stability of neighbouring boundary walls.
- v. The assertion, in the application documents, the site is unduly affected by fly tipping is contested. Residents have assisted in the maintenance of the application site.
- vi. The application site makes a positive contribution to local bio-diversity.

Highways – The following comments have been received:

- i. The development would not incorporate on-site car parking. Whilst the development would add existing on-street parking, there appears to be sufficient capacity on Daisy Avenue.
- ii. A cycle store is to be provided in the rear yard of the property which will accommodate two cycles. The cycle store should be enclosed and secure.
- iii. It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. Gated accesses should be inward opening to avoid obstruction of the highway.
- iii. Waste and recycling bins would be located in a bin store within the rear garden. It is assumed that refuse collection will take place from Daisy Avenue in accordance with established arrangements.
- iv. It is recommended that the development is related to a construction management plan condition.

Environmental Health – The following comments have been received:

- i. The development should be conditioned to secure a scheme to provide acoustic insulation and address potential overheating.
- ii. A comprehensive scheme for waste and recycling management should be provided through a condition.
- iii. A comprehensive pre-commencement condition to address potential land contamination should also be agreed through a condition.

Neighbourhood Team Leader (Arboriculture) – No comments received.

Flood Risk Management Team – No objection and a drainage condition is not required.

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. It is considered that the development would respond positively to the above objective and 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 to meet a diversity of needs. 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. It is considered that the development would achieve satisfactory natural surveillance. The development is capable of incorporating measures that would deliver appropriate security and reductions to the risk of crime. On this basis it is considered that development would be satisfactorily related to Chapter 8.

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

- 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 development would not be supported with car parking but satisfactory cycle storage would be provided. The application site is in a sustainable location in terms of the proximity of local services and public transport. The benefits of securing a new home would be offset by the benefits of providing a new house. On balance it is considered that Chapter 9 would be positively accorded with.

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. It is considered that Chapter 11 would be positively responded to by securing the re-use of land that appears to have previously accommodated a house.

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 be reflective of the character of the neighbouring housing and thereby be appropriately related to the streetscene. Chapter 12 would thereby be accorded with.

vi. Chapter 14: Meeting the challenge of climate change, flooding and coastal change - It is considered that the site responds positively to chapter 14, through the incorporation of design techniques that reduce the potential for carbon emissions and the benefits of a location that is not 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
- iv. Health and well-being
- v. Noise
- vi. Housing supply and delivery

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. Particular consideration has been given to the benefits of delivering a sustainable housing development and measures to secure appropriate noise attenuation and waste management. The proposed design would be appropriately related to the character of the streetscene. The above principles have been 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.

It is considered that 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 occupation of an unused site currently with limited amenity value. The development would thereby be positively related to policy SP1.

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 development has been appropriately related to the scale, proportions and appearance of the neighbouring property at No 6. The development would thereby be suitably reflected to the character of existing built form in the locality A condition has been included to ensure the approval of materials. Policy EN1 would thereby be accorded with.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) - The development would be constructed to contemporary buildings standards to achieve and reduction in carbon emissions. The development would be supported with cycle storage and is a sustainable location with regard to access to public transport reducing reliance on private car usage. The development would thereby be appropriately related to policy EN4.

Policy EN 9 (Green Infrastructure) - States that new development will usually be expected to maintain existing green infrastructure. In this case, the site has not been used as amenity space and is gravel surfaced with some self-seeded trees. The development therefore has little amenity or ecological value in its current condition. The re-use of the site would therefore be justified.

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 a drainage condition would not be necessary in this case. Policy EN14 would thereby be appropriately related to.

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 secure the provision of bat and bird boxes to enhance local biodiversity. Tree removal will be managed to safeguard habitats and replacement planting will be delivered in response the requirements of policy EN15.

Policy EN19 (Waste) - It is considered that satisfactory waste management and recycling arrangements would be put in place during the construction and operation 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 a vacant site, secures a high quality urban design and contributes to housing supply. It is considered that the development has been satisfactorily related to the objectives of policy H1.

Policy H 5 (Central Manchester) – Is relevant to the application site as it is in Rusholme ward. Policy H5 states that, Central Manchester, over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. It also states that priority will be given to family housing. The development would accord with these objectives.

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 not be supported with car parking reflecting the arrangement of the neighbouring No 8. The absence of car parking would be offset by the sustainable location of the development, access to public transport and provision of cycle storage.

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. The development would be supported with private amenity space and suitable waste management arrangements. Satisfactory internal space would be achieved. Policy DM1 would thereby be accorded with.

Unitary Development Plan (Saved UDP) Policies -The following saved Unitary Development Plan policy is also considered to be 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, the development would incorporate inclusive access and satisfactory ground floor circulation space.

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 incorporating satisfactory acoustic attenuation (mainly attributable to traffic noise). A related condition has been included to 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. The development would exceed the space required for the proposed 3 bedroom 5 person house over three storeys. It is also considered that the quality of the urban design would respond positively to the 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 engaged in discussions with the applicant's agent resulted in the submission of supplementary details that have facilitated the appropriate assessment of the proposed development.

Principle of the development - The development would be satisfactory to the surrounding context, in terms of the use, its scale, proportions and relationship to the character of the area. The development would make a positive contribution to local housing supply. The principle of the development would be acceptable.

Future use of the development - A condition has been included to facilitate the appropriate future use and management of the authorised apartments limiting their future occupation to Class C3 (a) not precluding occupation by two unrelated people sharing a property. This condition is considered necessary to secure the appropriate management of the development and maintain family housing provision. Planning permission for any future proposed use of the property as a Class C4 HMO would be required due to the existence of a related Article 4 Direction.

Residential amenity – The development would secure a layout that would encourage sustained occupation as family accommodation. The proposed arrangement of internal space would facilitate inclusive access. Windows in the side (northern) elevation of the proposed house would be conditioned to ensure the installation of obscured glazing thereby reducing the potential for loss of privacy or overlooking of the neighbouring No 4. The development would be supported with appropriate amenity space. A condition to manage the future use of the house would ensure appropriate levels of occupation and maintenance of the house for potential use by families.

Residential space standards - The proposed house would have a gross internal area of 173 sq. metres (including approximately 56 metres in the basement). This would exceed the space criteria of 102 sq. metres required by the MRQG for a 3 bedroom, 5 person house over three storeys. The proposed internal space would thereby be acceptable.

Permitted development - To safeguard residential amenity and ensure the appropriate future management of new development within the site, conditions have been included to requiring planning permission for:

- i. The erection of garages, extensions, porches or outbuildings shall be erected other than those expressly authorised by this permission.
- ii. The inserted of windows other than those shown on the approved drawings.

Siting – The development would be appropriately related to the building line formed by houses between 8 and 12 Daisy Avenue. A distance of 15.25 metres across the street would reflect the existing relationship between habitable room windows. The development has been informed by the footprint of the existing house but is set within a narrower site. A satisfactory relationship between the existing and proposed house would thereby be formed. The provision of front and rear gardens would secure and appropriate setting for the proposed house and secure a satisfactory relationship to the streetscene. The configuration of Nos 2-4 is set back from the building to be formed by the development and adjoining property. However, space would be retained between the northern elevation of the proposed house and side wall of No 4 giving a clear demarcation between existing and proposed built form. The position of the proposed house would not unduly impact the outlook of windows to the principal elevation of No 4. The proposed siting of the development is therefore considered to be acceptable.

Scale and massing - The development has been informed by the height, scale and proportions of No 8, including eaves and ridge heights.

Design –The development would incorporate a hipped pitched roof, separated from the adjoining property by a central valley. It is acknowledged that roofs to comparable properties on Daisy Avenue form singular roofs over both parts of the paired semi-detached houses. The retention of an existing flat roof extension would prevent the adoption of such a design response in relation to the existing and proposed houses. On balance the proposed roofscape would be appropriate, particularly as consistent eaves and ridges heights would be maintained. In other respects, the proposed design of the development has been informed by the scale and characteristics of the existing property at No 8. This included the formation of ground level semi-hexagonal flat roof bays to the front and side elevations. Sill, lintel and window apertures would also replicate the details of No 8. These details, together with the conditioned implementation of matching materials, would ensure the delivery of a cohesive and coherent development.

Crime and security - It is considered that the development would maintain appropriate natural surveillance. The arrangement of boundary treatments would secure the site and define the private and public realm. A condition has been included to ensure the development is implemented in accordance with agreed security.

Boundary treatment – The existing street boundary wall would be maintained at a height of 820 mm but punctuated with an opening to form a pedestrian access gate. As car parking is not proposed it is considered that appropriate visual permeability would be maintained. The existing and proposed gardens would be separated by an 850 mm high brick wall. The rear (western) boundary separating the existing and proposed rear gardens would be defined by 1.7 metres high close boarded fence. The side (northern) boundary would comprise 1.55 metre high close boarded timber fence reducing to 1 metre in height as it progresses toward and terminates at the street boundary. Access from the front to the rear property would be managed by a 1.6 metres high fencing and an integrated gate. The proposed measures would appropriately define and secure the application site.

External lighting - A condition has been included to manage undue glare from lighting that may be installed as part of the development.

Inclusive access - The development would incorporate inclusive access to the front and satisfactory ground floor circulation space. The related details are conditioned to ensure implementation as part of the development.

Reducing carbon emissions and sustainable design - The development would bring a vacant site into active use. The development would be constructed to contemporary design standards,

that would manage carbon emissions. Cycle storage would provide alternative to private car usage. Carbon reductions would be proportionate to the scale of the development.

Car parking and highways issues – The application site is enclosed with a wall and is not used for car parking in support of No 6. No car parking provision is made reflecting the existing arrangements for car parking on the west side of Daisy Avenue. Some houses on the east side of Daisy Avenue incorporate in curtilage parking. The development would potentially result in some additional on-street parking. However, the maintenance of the development as a single house would limit additional demand for on street car parking. The site is in a sustainable location with regard to access to public transport and cycle storage would be provided. The benefits of delivering a new house would offset the impact of traffic generation.

Cycle storage - The development would be supported with a secure store with a capacity of at least two cycles. This provision would be proportionate and condition for its implementation as part of the development has been included.

Ecology and bio – diversity enhancement - The site has not been identified as having significant ecological value. A condition has been included to ensure that trees are removed outside bird nesting season unless a specialist consultant confirms the absence of habitats. A condition has been recommended to secure a positive and proportionate contribution to local bio-diversity through the provision of bird and bat boxes and a landscaping scheme.

Trees – Within the site a self-seeded tree and shrubs without apparent amenity value would be removed. The benefits of the development would outweigh the loss of the tree. It is not apparent that the development would adversely impact on trees outside the perimeter of the site.

Waste management - The applicant has demonstrated that bin storage would be located in the proposed rear garden area. A related bin storage enclosure has been proposed with a four bin capacity. Whilst the site has the capacity to accommodate bin storage, confirmation of bin capacities has not been provided. A condition has been included to ensure the confirmation of bin capacities and requirement that the details are implemented as part of the submitted waste management details. A route has been identified to allow the transfer on bins to a collection point on Daisy Avenue.

Noise attenuation - To avoid undue noise disturbance from traffic on Plymouth Grove and any other noise source that may be identified, a noise attenuation condition has been included. It requires implementation of agreed measures before the occupation of the development and retention thereafter and will appropriately safeguard residential amenity.

Land conditions – A comprehensive condition to address potential land contamination issues has been agreed and included.

Construction Management Plan (CMP) - Due the characteristics of the adjacent highway, it is considered that development be related to a CMP. A condition, that has been agreed with the applicant, has been related to the development.

Conclusion - The proposed development would continue to provide a sustainable use for an unused site that would otherwise be remain vacant without any appreciable contribution to the streetscene and character of the area. The proposed use would be appropriate, proportionate and suitably related to the predominant scale and character of housing in the surrounding predominantly residential area. The development is therefore considered to be acceptable and satisfactorily related to planning policy and guidance.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

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

Recommendation: 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 engaged in discussions with the applicant's agent resulted in the submission of supplementary details that have facilitated the appropriate assessment of the proposed development.

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 Chapter 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 City Council as local planning authority on: 24 April 2024, 4 June 2024, 6 June 2024 and 10 June 2024:

Planning application form

Proposed GA elevations Ref: 24-1234 (02) 002 Rev PL2

Proposed GA floor plans Ref: 24-1234 (04) 001 Rev PL2

Existing and proposed GA streetscene (including bin and cycle storage details) Ref: 24-1234 (05) 001 Rev PL2
Existing location plan Ref: 24-1234 (06) 001 Rev PL0
Existing and proposed GA site plan Ref: 24-1234(07) 001 Rev PL0
Existing and proposed GA boundary walls Ref: 24-1234(08) 001 Rev PL0
Existing and proposed GA boundary walls (Elevation HH) Ref: 24-1234(09) 001 Rev PL0
Design and access statement (96)001 PL0 for 6-8 Daisy Avenue Manchester M13 0LY dated 15 April 2024 by NADA Architects received 24 April 2024.

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

3) Before the commencement of above ground construction works, samples and specifications of all materials to be used on all external elevations of the development and external hard surfaces have been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which 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 one, three bedroom, two storey dwellinghouse with basement detailed in 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches or outbuildings shall be erected other than those expressly authorised by this permission.

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

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings referenced:

Proposed GA elevations Ref: 24-1234 (02) 002 Rev PL2

Proposed GA floor plans Ref: 24-1234 (04) 001 Rev PL2

Existing and proposed GA boundary walls (Elevation HH) Ref: 24-1234(09) 001 Rev PL0

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

8) Before the occupation of the development windows to the bathrooms / en suite bathroom and other windows identified as being obscurely glazed on the approved drawings referenced:

Proposed GA elevations Ref: 24-1234 (02) 002 Rev PL2

Proposed GA floor plans Ref: 24-1234 (04) 001 Rev PL2

Existing and proposed GA boundary walls (Elevation HH) Ref: 24-1234(09) 001 Rev PL0

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.

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

- i. Display of an emergency contact number;
- ii. Confirmation of construction working hours;
- iii. Details of wheel washing;
- iv. Compound locations where relevant;
- v. Location, removal and recycling of waste;
- vi. Routing strategy and swept path analysis;
- vii. Parking of construction and staff vehicles;
- viii. Sheeting over of construction vehicles.
- ix. Parking of construction and staff vehicles;
- x. Sheeting over of construction vehicles.

Development shall be carried out in accordance with the approved construction management plan upon commencement of authorised works.

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.

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

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

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

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy for the City of Manchester.

11) a) 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 acoustic insulation of the development from traffic noise from Plymouth Grove and any other noises sources identified by a noise survey accompanying the scheme and an assessment to address potential overheating. The development shall be implemented in accordance with the approved details.

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

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

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 detailing the capacities of bins to be used for the storage of segregated waste and recycling. The approved details shall be implemented upon occupation of the development and in conjunction with the details of drawings referenced: Existing and proposed GA streetscene (including bin and cycle storage details) Ref: 24-1234

(05) 001 Rev PL2 and Existing and proposed GA site plan Ref: 24-1234(07) 001 Rev PL0 and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for waste management and the storage of bins, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

13) Before the occupation of the development the scheme cycle storage, comprising the details of drawings referenced:

Existing and proposed GA streetscene (including bin and cycle storage details) Ref: 24-1234 (05) 001 Rev PL2

Existing and proposed GA site plan Ref: 24-1234(07) 001 Rev PL0
shall be fully implemented and maintained in situ hereafter.

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.

14) Before the occupation of the authorised house, a scheme to encourage biodiversity within the application site shall be submitted to and approved in writing by the City Council as local planning authority, including the provision measures to encourage habitats for native bird and bat species. The development shall be implemented in accordance with approved scheme prior to the occupation of the authorised apartments and shall be 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.

15) 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.

16) Before the occupation of the development, a scheme for hard and soft landscaping, including details of any shrub and tree planting shall be submitted to and approved in writing by the City Council as local planning authority. The agreed scheme shall be fully implemented in accordance with the approved scheme and within the first full planting season following the completion of the development and maintained in situ thereafter.

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

17) 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 that can 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 guidance contained in the National Planning Policy Framework.

18) Before the occupation of the development, the arrangement to secure inclusive access and level thresholds to the front and rear entrances, as detailed on drawings referenced:

Proposed GA elevations Ref: 24-1234 (02) 002 Rev PL2

Proposed GA floor plans Ref: 24-1234 (04) 001 Rev PL2

Existing and proposed GA streetscene (including bin and cycle storage details) Ref: 24-1234 (05) 001 Rev PL2

Existing and proposed GA site plan Ref: 24-1234(07) 001 Rev PL0

shall be fully implemented and maintained in situ thereafter.

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

19) Before the occupation of the development, the boundary treatments, comprising walls, new fencing and gates, as detailed on drawings referenced: Existing and proposed GA site plan Ref: 24-1234(07) 001 Rev PL0, Existing and proposed GA boundary walls Ref: 24-1234(08) 001 Rev PL0 and Existing and proposed GA boundary walls (Elevation HH) Ref: 24-1234(09) 001 Rev PL0 shall be fully implemented and maintained in situ thereafter.

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

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

Informative

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) Culvert – Council records highlight that the underground Malkin Brook Sewer/Rush Brook is located within close proximity to the site (approximately 20 m to the north of the site). It is requested that the applicant informs on-site contractors to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and Council Lead Local Flood Authority (LLFA) should be contacted immediately. Any alterations to an ordinary watercourse will require consent from the LLFA under Land Drainage Act 1991. The developer can apply for land drainage consent (if required) via the following link: <https://manchester.civicapayforms.co.uk/Sales/LaunchInternet.aspx?saleform=drainage>.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management

3A Daisy Avenue, Manchester, M13 0LY
Flat 5, 1 Vivian Place, Longford Place, Manchester, M14 5QT
Flat 4, 1 Vivian Place, Longford Place, Manchester, M14 5QT
Flat 3, 1 Vivian Place, Longford Place, Manchester, M14 5QT
Flat 2, 1 Vivian Place, Longford Place, Manchester, M14 5QT
Flat 1, 1 Vivian Place, Longford Place, Manchester, M14 5QT
7 Daisy Avenue, Manchester, M13 0LY
2 Daisy Avenue, Manchester, M13 0LY
12 Daisy Avenue, Manchester, M13 0LY
29 Daisy Bank Road, Manchester, M14 5GP
9 Daisy Avenue, Manchester, M13 0LY
11 Daisy Avenue, Manchester, M13 0LY
31 Daisy Bank Road, Manchester, M14 5GP
27 Daisy Bank Road, Manchester, M14 5GP
8 Daisy Avenue, Manchester, M13 0LY
5 Daisy Avenue, Manchester, M13 0LY
4 Daisy Avenue, Manchester, M13 0LY
3 Daisy Avenue, Manchester, M13 0LY
10 Daisy Avenue, Manchester, M13 0LY
1 Daisy Avenue, Manchester, M13 0LY

Appendix 2 – Planning constraints

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
Area Team Boundary - Name: NORTH AREA