

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139803/JO/2024

Date registered valid: 22 April 2024

Proposal: Variation of condition 2 (specified plans) attached to planning permission 126248/FO/2020 to allow amendments to include removal of project balconies and inset balconies at high levels, addition of one and a half storey porch and a single rear extension to Houses Type 03 at plot 1 and Type 04 at plot 8, Plots 13 & 14 are proposed to be combined to create 1 single dwelling Type 05, reducing the development from 14 to 13 new dwellings.

Address: Land At Herbert Street, Manchester, M8 0DG

Ward(s): Cheetham Ward

Applicant: Mr Kanwarpreet Singh

Agent (if any): Mr Muthahar Khan, Studio Tashkeel Architecture

Case officer: Steven McCoombe
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Recommendation: Approve

Date of recommendation: 11 June 2024

Application details

Type of application: Variation or Removal of Condition

Development type: Major Dwellings

Date of site visit:

Standard consultations:

Printed: 25 April 2024 Expired: 17 May 2024

Neighbour notifications

Printed: 25 April 2024 Expired: 17 May 2024

Site notice

Posted: 03.05.2014 Expired: 25.05.2024

Press advert

Published: 30 April 2024 Expired: 14 May 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building and surroundings

The application site is bounded by Alderglen Road to the north, Herbert Street to the east, Elizabeth Street to the south and Cheetham Hill Test Centre to the west.

The site was occupied by a large, vacant brick built industrial building which has fallen into a state of dilapidation.

To the south of the building is a hard-landscaped area, beyond which is an overgrown, landscaped bund with sporadic tree planting, comprising saplings, self-seeded specimens and mature trees to the south-western boundary. This open area separates the site from the public footway along Elizabeth Street.

To the opposite side of Elizabeth Street is a children's day nurse and a large, part three, part four storey residential apartment complex.

To the east, the site is partially bounded by an unenclosed concrete apron used for car parking, with a vehicular access off Herbert Street. Herbert Street itself is a cul-de-sac, the northern end of which is closed off from Alderglen Road by concrete bollards. The opposite side of Herbert Street accommodates a row of two storey dwellinghouses of relatively recent construction.

To the north of the site is a large car park area enclosed by metal Palisade fencing, which forms the boundary with Alderglen Road. Opposite is a large Radburn-style estate – 'The Waterloo Estate', comprising two storey, semi-detached and terraced dwellinghouses.

To the west of the site, separated by further Palisade fencing, is a single storey building occupied by Cheetham Hill Test driving test centre. The area around the building is dominated by its associated car park.

The wider context is largely residential in character to the north, comprising building of various scales, architectural designs and tenure.

To the south on the opposite side of Elizabeth Street, the area becomes more commercial in nature, comprising warehouses and wholesale units associated with the warehouse district. Further south is the city centre.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Variation of condition 2 (specified plans) attached to planning permission referenced which allowed for the erection of 14 dwelling houses C3(a) with associated car parking, landscaping and boundary treatment, following demolition of the existing building.

The site layout comprises two rows of three storey townhouses, with one row to front Elizabeth Street and the other to front Alderglen Road. Central to the site is internal access area/courtyard which allows vehicular access to the rear of each property off Herbert Street.

In this case, minor alterations are sought to the approved plan. Namely, the removal of high level projecting and inset balconies, the introduction of Juliet balconies, the addition of a one and half storey porch and single storey rear extensions to house type 03 at plot 1 and type 4 at plot 8 and the combining of plots 13 and 14 into a single dwelling (resulting in an overall reduction of 1 dwelling i.e 14 to 13 units).

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health - No objection. The proposed variation does not affect all previously recommended conditions which still apply.

Cadent – Information is provided in relation to the identification of apparatus in the vicinity of the site is provided.

Highway Services – No objection.

Consultation & Publicity

The proposal, by virtue of the number of units created has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development. A site notice has been displayed at the application site.

Policy

Local Development Framework

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

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

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

The following policies within the Core Strategy are considered relevant:

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

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

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

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

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

Policy H2 Strategic Housing Location states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be

supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:

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

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

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

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

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

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

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

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

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

Policy EN19 (Waste) states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

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

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

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

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

Place for Everyone Joint Development Plan

Places for Everyone is a long-term plan of nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts.

The plan is a joint development plan of the nine districts which will determine the kind of development that takes place in their boroughs, maximising the use of brownfield land and urban spaces while protecting Green Belt land from the risk of unplanned development.

It will also ensure all new developments are sustainably integrated into Greater Manchester's transport network or supported by new infrastructure.

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

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

Manchester Residential Quality Guidance (2016)

The Manchester Residential Quality Guidance is a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high-quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

Make it Manchester;
Make it bring people together;
Make it animate street and spaces;
Make it easy to get around;
Make it work with the landscape;
Make it practical;
Make it future proof;
Make it a home; and
Make it happen.

National Planning Policy Framework

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

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

Relevant to this application, Section 12 provides design guidance – ‘Achieving Well-Designed Places’.

Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Planning History

126248/FO/2020

Erection of 14 dwelling houses C3(a) with associated car parking, landscaping and boundary treatment following demolition of existing building. *Approved 21 December 2021.*

062593/FU/NORTH1/01

Change of use from former depot to motor vehicle repairs. *Approved 21 February 2002.*

038295

CITY COUNCIL DEVELOPMENT for change of use of vacant laundry and baths to a storage depot and the creation of a new loading bay. *Approved 21 February 1991.*

F11555/CIR

NOTICE OF INTENDED CROWN DEVELOPMENT Erection of a single-storey building to form a Driving Test Centre. Approved 8 November 1979.

Issues

Principle

The principle of the proposal has largely been established by the host permission to which this permission relates.

The minor changes in this case relate to the removal to top level projecting and recessed balconies, elevational changes - including new window insertions, the addition of small single storey extensions and new lobby and the combining of plots 13 and 14 to create a larger, single unit.

The balconies have been removed due to buildability concerns and concerns surrounding cold bridging, notably to the top-level recessed balconies, and the desire to create larger accommodation more desirable for families.

It is believed that on balance, the changes to the conditions are considered less than significant and would result in no material harm to the overall scale, appearance or function of the proposed development, environmental impact or residential amenity. Sufficient private amenity space would remain, and no undue overlooking would occur. A further condition has been included to ensure the windows to the side elevations are obscurely glazed.

The conclusions of originally submitted technical assessments approved as part of the host permission would be the same. The proposed amendments would therefore comply with all relevant policy and guidance.

On this basis, the proposed amendments are considered minor and acceptable, according with overarching development plan 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 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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The development must be begun not later than 21 December 2024.

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

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings referenced PL_001, PL_003, PL_05, PL_07, PL_09, PL_11, PL_14, PL_16, PL_017, PL_019, PL_020, PL_022, PL_023, received by the City Council as Local Planning Authority on 17 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 Manchester Core Strategy.

- 3) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

- 4) The development hereby approved shall only be implemented in accordance with the submitted Construction Environmental Management Plan (Rev B), received by the City Council as Local Planning Authority on 6 December 2023, as agreed as part of condition discharge application referenced CDN/23/0552.

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

5) Prior to above ground works commencing, full details of the proposed window design of the buildings hereby approved (including section drawings), shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, in the interests of the visual amenity, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

6) Notwithstanding details submitted, no development hereby approved shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

In order to discharge the above drainage condition the following additional information is required to be submitted and agreed:

- A drainage layout showing all components, levels, inlets and connections;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;
- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice. This shall also include details of any agreed easements, diversions or abandonments of the public sewer onsite;

- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and policies EN14 and EN17 of the Manchester Core Strategy.

7) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

8) Prior to first occupation of the development hereby approved, the City Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a 'Secured by Design' accreditation.

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

9) Prior to the first occupation of the residential development full details of electric car charging points, representing 100% provision, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the dwellinghouses.

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

10) The dwellinghouses hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatment to be erected. This shall include details of the access gate which allows access to the rear car parking spaces. The boundary treatment shall be completed prior to first occupation of the dwellinghouses hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

11) Notwithstanding details submitted, no above ground development shall commence until a detailed hard and soft landscaping treatment scheme (including replacement tree planting) has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall include further replacement tree planting to mitigate the trees lost and be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

12) Notwithstanding details submitted, the dwellinghouses hereby approved shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - The 140 litre containers proposed for each waste stream is not likely to be sufficient for properties with 2 bedroom or more. The capacity should be revised to include provision for at least 240 litre containers for general waste and mixed recycling, in the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

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

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

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

15) Notwithstanding details submitted within the Soil Environment Services Phase I PRA dated July 2020, before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as Local Planning Authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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

Reason - The submitted report does not provide any comment or recommendations with regard to ground gas investigation as part of the Phase II report and 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 Manchester Core Strategy.

16) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. No occupation of the development shall take place until the completion/verification report is submitted to and approved by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

17) Before above ground development commences, a scheme for acoustically insulating the residential accommodation against noise from neighbouring roads and commercial uses shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Upon completion of the development and prior to first occupation of dwellinghouses hereby approved, a Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to validate the works undertaken conform to the recommendations and requirements contained within the report. The report should contain details of post completion testing to confirm that the internal noise criteria has been met. Any instances of non conformity with the recommendations contained within the report shall be detailed, along with any measures required to ensure compliance with the internal noise criteria.

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

18) The development hereby approved shall be carried out in accordance with the Environmental Standards statement produced by Beechfield, received by the City Council, as Local Planning Authority on the 6 October 2020. A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

19) Prior to commencement of the development mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as Local Planning Authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy.

20) Notwithstanding details submitted, full details of the cycle parking provision, including means of enclosure, shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupation of any of the dwellinghouses hereby approved. The approved scheme shall remain available for use whilst the dwellinghouses are occupied and retained thereafter.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

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

- Full resurfacing of Herbert Street carriageway and footway (including reinstatement of redundant dropped crossings;
- The resurfacing of Alderglen Road footway;
- The provision of a 2 metre wide footway adjacent to the site to connect Herbert Street with Alderglen Road.
- Installation of TROs on Herbert Street (double yellow lines across car park entrance) extending to the junction with Elizabeth Street;
- The provision of tactile paving across all crossing points (for the avoidance of doubt this should include Elizabeth St/Herbert St junction, and across car park entrance).

The development shall not be occupied until all the necessary off site highway works have an agreed timescale for implementation.

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

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

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

23) 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) none of the apartments hereby approved 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 2020, 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).

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

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted within the exterior of the dwellinghouses, or any other boundary treatment to the road frontages, other than expressly authorised by the granting of this planning permission.

Reason - In the interests of residential amenity, since any additions to the approved dwelling may adversely impact upon visual amenity or the amenity of neighbouring occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted within the exterior of the dwellinghouses, or any other boundary treatment to the road frontages, other than expressly authorised by the granting of this planning permission.

Reason - In the interests of residential amenity, since any additions to the approved dwelling may adversely impact upon visual amenity or the amenity of neighbouring occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

26) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted

Development) (Amendment) (England) Order 2020 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall be used only as private dwellings (which description shall not include serviced houses/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3(a) 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 2020, 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).

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

28) Before first occupation of the development hereby approved, the side elevation windows shown as being obscurely glazed on drawings referenced PL_07, PL_11 PL_14, PL_17, PL_020 and PL_023, received by the City Council as Local Planning Authority on 17 April 2024 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 Manchester Core Strategy.

Informatives

1) Off site highway works shall be undertaken via a S.278 agreement between the applicant and the Council's Highways section at the applicant's expense. The following link can be used for information:

https://www.manchester.gov.uk/directory_record/287709/permission_to_work_on_the_highways_section_278_agreements/category/355/highways_and_pavements

2) No vegetation clearance or tree removal required to facilitate the scheme shall take place during the optimum period for bird nesting (March to August inclusive). All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

3) Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Cadent Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works - plantprotection@cadentgas.com

4) The applicant should be made aware that City Council and United Utilities records indicate that the underground 'River Irwell Tributary' crosses the Site. Whilst Council records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets.

Site investigations were required by the LLFA and an objection held in place until results presented. The results presented indicate the culvert is disproven at the area of site

investigated. A residual risk will always remain that a culvert is present onsite and the applicant is responsible for investigating their own site. The applicant is encouraged to consider further investigations of their own initiative to further reduce the risk to their proposed development.

It is also requested that the applicant informs the onsite contractor 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 the City Council should be contacted immediately.

5) Whilst the buildings to be demolished have been assessed as negligible risk for bats, the applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition, all work should cease immediately and a suitably licensed bat worker be employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Appendix 1 – List of consultees & neighbours notified

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

2 Amina Road, Manchester, M8 8BR
2A Cheetwood Road, Manchester, M8 8AQ
Flat 2, 4E Cheetwood Road, Manchester, M8 8AQ
75 Alderglen Road, Manchester, M8 0AL
37 Alderglen Road, Manchester, M8 0AL
29 Alderglen Road, Manchester, M8 0AL
1 Belton Walk, Manchester, M8 0EB
14 Herbert Street, Manchester, M8 0DG
14 Amina Road, Manchester, M8 8BR
8 Amina Road, Manchester, M8 8BR
Flat 2, 4 Amina Road, Manchester, M8 8BR
Flat 1, 4 Amina Road, Manchester, M8 8BR
40 Amina Road, Manchester, M8 8BR
26 Amina Road, Manchester, M8 8BR
78 Elizabeth Street, Manchester, M8 8BQ
3 Thorngate Road, Manchester, M8 0DS
71 Alderglen Road, Manchester, M8 0AL
5 Witton Walk, Manchester, M8 0EA
Flat 6, 4E Cheetwood Road, Manchester, M8 8AQ
Flat 5, 4E Cheetwood Road, Manchester, M8 8AQ
67 Alderglen Road, Manchester, M8 0AL
23 Alderglen Road, Manchester, M8 0AL
7 Thorngate Road, Manchester, M8 0DS
18 Herbert Street, Manchester, M8 0DG
18 Amina Road, Manchester, M8 8BR
10 Amina Road, Manchester, M8 8BR
2B Cheetwood Road, Manchester, M8 8AQ
84 Elizabeth Street, Manchester, M8 8BQ
9 Witton Walk, Manchester, M8 0EA
1 Witton Walk, Manchester, M8 0EA
132 Elizabeth Street, Manchester, M8 8BQ
73 Alderglen Road, Manchester, M8 0AL
33 Alderglen Road, Manchester, M8 0AL
31 Alderglen Road, Manchester, M8 0AL
20 Amina Road, Manchester, M8 8BR
6 Amina Road, Manchester, M8 8BR
48 Amina Road, Manchester, M8 8BR
34 Amina Road, Manchester, M8 8BR
4B Cheetwood Road, Manchester, M8 8AQ
16 Herbert Street, Manchester, M8 0DG
35 Alderglen Road, Manchester, M8 0AL
3 Belton Walk, Manchester, M8 0EB
4 Cranlington Drive, Manchester, M8 0EF
13 Thorngate Road, Manchester, M8 0DS
12 Herbert Street, Manchester, M8 0DG
46 Amina Road, Manchester, M8 8BR
42 Amina Road, Manchester, M8 8BR

28 Amina Road, Manchester, M8 8BR
2E Cheetwood Road, Manchester, M8 8AQ
2 Thorngate Road, Manchester, M8 0DS
77 Alderglen Road, Manchester, M8 0AL
Driving Test Centre, Alderglen Road, Manchester, M8 0AL
79 Alderglen Road, Manchester, M8 0AL
27 Alderglen Road, Manchester, M8 0AL
25 Alderglen Road, Manchester, M8 0AL
19 Thorngate Road, Manchester, M8 0DS
10 Herbert Street, Manchester, M8 0DG
6 Herbert Street, Manchester, M8 0DG
12 Amina Road, Manchester, M8 8BR
Flat 3, 4 Amina Road, Manchester, M8 8BR
24 Amina Road, Manchester, M8 8BR
2D Cheetwood Road, Manchester, M8 8AQ
4A Cheetwood Road, Manchester, M8 8AQ
11 Witton Walk, Manchester, M8 0EA
3 Witton Walk, Manchester, M8 0EA
Flat 4, 4E Cheetwood Road, Manchester, M8 8AQ
134 Elizabeth Street, Manchester, M8 8BQ
82 Elizabeth Street, Manchester, M8 8BQ
22 Amina Road, Manchester, M8 8BR
16 Amina Road, Manchester, M8 8BR
50 Amina Road, Manchester, M8 8BR
38 Amina Road, Manchester, M8 8BR
36 Amina Road, Manchester, M8 8BR
4C Cheetwood Road, Manchester, M8 8AQ
Tiny Tigers Nursery, Cheetham Sure Start, Cheetwood Road, Manchester, M8 8AQ
15 Thorngate Road, Manchester, M8 0DS
9 Thorngate Road, Manchester, M8 0DS
2 Cranlington Drive, Manchester, M8 0EF
7 Witton Walk, Manchester, M8 0EA
Flat 7, 4E Cheetwood Road, Manchester, M8 8AQ
130 Elizabeth Street, Manchester, M8 8BQ
69 Alderglen Road, Manchester, M8 0AL
80 Elizabeth Street, Manchester, M8 8BQ
11 Thorngate Road, Manchester, M8 0DS
1 Thorngate Road, Manchester, M8 0DS
4 Herbert Street, Manchester, M8 0DG
44 Amina Road, Manchester, M8 8BR
32 Amina Road, Manchester, M8 8BR
30 Amina Road, Manchester, M8 8BR
4D Cheetwood Road, Manchester, M8 8AQ
2 Herbert Street, Manchester, M8 0DG
2C Cheetwood Road, Manchester, M8 8AQ
8 Herbert Street, Manchester, M8 0DG
5 Belton Walk, Manchester, M8 0EB
Flat 3, 4E Cheetwood Road, Manchester, M8 8AQ
Flat 1, 4E Cheetwood Road, Manchester, M8 8AQ
7 Belton Walk, Manchester, M8 0EB
17 Thorngate Road, Manchester, M8 0DS
5 Thorngate Road, Manchester, M8 0DS

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 - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA