

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139628/FO/2024

Date registered valid: 9 April 2024

Proposal: Erection of a part 4, part 3 storey building to form 5 no. self-contained apartments (Class C3)

Address: Land Adjacent To 1133 Rochdale Road, Manchester, M9 7FW

Ward(s): Charlestown Ward

Applicant: Barry Parker, Parker Properties

Agent (if any): Martin Ashworth, James Campbell Associates Ltd

Case officer: Steven McCoombe
Tel: 0161 234 4607
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Recommendation: Approve

Date of recommendation: 1 August 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 4 May 2024

Standard consultations:

Printed: 16 April 2024 Expired: 8 May 2024

Neighbour notifications

Printed: 16 April 2024 Expired: 8 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

The application site relates to an irregular shaped area of land that forms a gap site, following the demolition of the Red Lion public house some years ago.

The site straddles Rochdale Road to the east and Middleton Old Road to the west. The site is bound to the north by another vacant site that has a lapsed planning consent for 9 apartments and by a two storey, residential apartment building to the south.

The site is currently overgrown with rough, self-seeded, low-level vegetation and is enclosed by metal fencing to Rochdale Road and timber panel fencing above a brick wall to Middleton Old Road.

Due to site topography, there is a significant drop in levels from the front to the back of the site of around 3.7 metres between Rochdale Road and Middleton Old Road.

The site relates to a section of Rochdale Road that comprises a number of two storey buildings consisting of a mixture of residential and small-scale retail and commercial uses. The buildings are two-storey to their frontage and incorporate a staggered roof line and respond to a strong building to Rochdale Road. Many of the buildings within this section of Rochdale Road have either been painted grey or have been enveloped in grey coloured render.



View from opposite side of Rochdale Road



View from Middleton Old Road

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site lies adjacent to the main arterial route of Rochdale Road that links the city centre with north Manchester, the M60 motorway and beyond.

The immediate area is mixed in character, comprising residential uses, including properties to the north-west along Middleton Old Road and to the south along Rochdale Road.

To the rear (west) and the opposite side of Middleton Old Road are some industrial warehouses and car repair garage. To the east, to the opposite side of Rochdale Road, is a large area of open space, beyond which is an SBI (Bailey's Wood).

Description of development

Planning permission is sought for the erection of a detached, part 3, part 4 storey building to form 5 residential apartments (4 x 1 and 1 x 2 bedroom) (Class C3), together with associated communal amenity space, refuse storage and boundary treatment.

Due to site topography and difference in ground levels, the building present 3 storeys to Rochdale Road and 4 storeys to Middleton Old Road.

No off-road parking is proposed.

Procedural

The proposed development represents a revised scheme following the Council's concerns relating to the front boundary treatment and the use of render. Due to minor nature of the changes, it was not considered necessary to reconsult.

The application also follows an earlier withdrawn scheme which related to a greater number of residential units and a ground floor retail unit. Due to design concerns and an over-intensive use of the site, the application was withdrawn.

Planning History

068492/FU/2003/N1

Change of use from public house to six self-contained residential units. *Approved 22 October 2003.*

066845/FO/NORTH1/02

Change of use from public house to 11 residential units. Provision of 5 parking spaces. *Refused 14 March 2003.*

Consultations & Notification Responses

Local Residents/Occupiers

1 representation objecting to the proposal has been received. Principal comments are summarised below:

-The proposed concept for bin storage does not address sanitation concerns, as the area cannot accommodate the capacity required.

- The lack of parking would, exacerbate the existing parking situation and cause inconvenience to current residents.

- The design of the proposed building is too modern and out of keeping for the area and lacks alignment with the historical character of Blackley

-There would be increased footfall in an already limited area of space, causing inconvenience to adjacent and opposite residents.

Environmental Health

No objection. Conditions are advised in relation to construction management, air quality, acoustic insulation, ground conditions and waste management.

Highway Services – The following comments are made:

Trip Generation - A TRICS assessment was undertaken to assess the proposed trip generation for the proposed apartment use. The TRICS assessment demonstrates that the proposed residential use is anticipated to result in 2 two-way vehicle trips in the AM peak and PM peak. Highways are satisfied with the proposed methodology and trip rates.

Highway Safety - The Crashmap accident database has been reviewed for the most recent five-year period. The site covers the immediate site, Rochdale Road and Middleton Old Road.

The analysis shows that over the five-year period there has been four incidents recorded in the assessment area. One of the recorded incidents occurred between the properties of 1139 -1145 Rochdale Road.

Based on this assessment Highways have no concerns about highway safety issues within the vicinity of the site.

Site Accessibility - The site is well accessed by sustainable modes. Regular bus services and Metrolink services are available within walking distance of the site.

Parking and Access - A pedestrian access will be in place from Middleton Old Road and Rochdale Road. Plans confirm that these will be inward opening gates, which is acceptable.

There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street.

Cycle Parking - A cycle storage area is proposed at the site and will provide parking for 12 bicycles and is accessible from Rochdale Road. This provision is acceptable.

Servicing - A refuse store will be located within the curtilage of the site with external access from Rochdale Road. Refuse collection will be undertaken from Rochdale Road, as per the existing arrangement along Rochdale Road.

Travel Plan - The Transport Statement confirms that a Travel Information Pack will be provided for all new residents. It is recommended that this is undertaken via a Travel Plan.

Flood Risk Management

Insufficient consideration of ordinary watercourse is given. Further information is requested. An 'informative' is also requested in relation to an underground culvert (Lionfield Brook in close proximity of the site).

Following further information regarding investigative work to disprove the presence of a culvert, Flood Risk Management have removed their objection and recommend a condition relating to

the submission and agreement of a surface water drainage scheme, as well as an 'informative' regarding the nearby culvert.

United Utilities

Following our review of the submitted Drainage Strategy, prepared by m-s-solutions, Ref: 23503 Dated Feb 2024, we can confirm that whilst the strategy for the disposal of surface water is acceptable in principle there are elements of the detailed drainage design that might not be acceptable to United Utilities and will require resolution by the applicant. Conditions are advised in relation to foul and surface water drainage schemes.

Cadent

No objection. An informative is requested in relation to their assets and infrastructure.

Policy

Local Development Framework

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

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

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

The following policies within the Core Strategy are considered relevant:

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

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

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

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

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

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

Developers should take advantage of these opportunities by:-

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

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

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

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the

development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

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

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

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

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

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

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

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

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

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

Policy DC7.1 (New Housing Development) state that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those that use wheelchairs wherever this is practicable.

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

Places for Everyone Greater Manchester Joint Development Plan (March 2024)

Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs.

Policy JP-S1 is of relevance.

The Guide to Development in Manchester (SPD)

This document 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 City Council's Executive has endorsed the Manchester Residential Quality Guidance. As such, the document is now 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.

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

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in

place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Manchester Climate Change Framework 2020 - 2025

The Manchester Climate Change Framework (2020-2025) was published in February 2020 and sets out the Council high level strategy for Manchester to be a thriving, zero carbon, climate resilient city.

National Planning Policy Framework

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

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

Sections 4, 5, 11 and 12 and are considered relevant to the consideration of this application.

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other;
- form – the shape of buildings;
- scale – the size of buildings;
- detailing – the important smaller elements of building and spaces;
- materials – what a building is made from.

Issues

Principle

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

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

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

Policy H1 goes on to state that the Regional Centre is a priority area for residential schemes in order to support regeneration and drive regional growth.

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

Further policy support is also given within policies SP1 and H1 which seek to encourage development on previously developed land, including the renewal of areas characterised by poor quality housing, whilst the NPPF advocates a presumption of sustainable development particularly where existing resources can be utilised and shared.

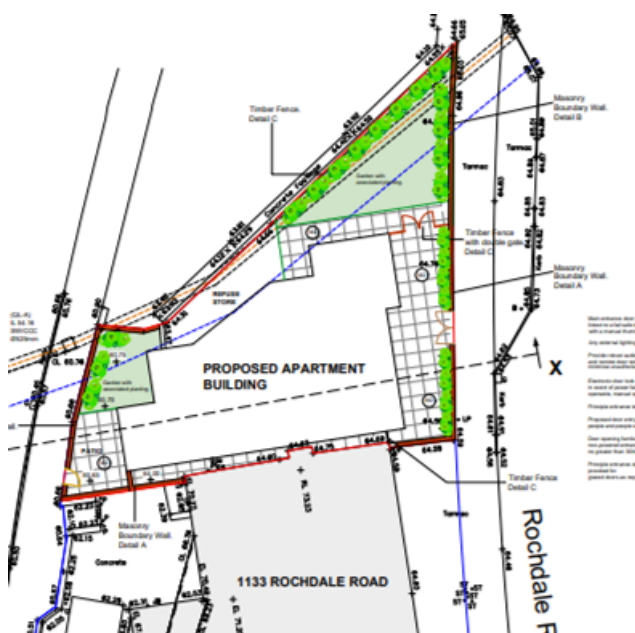
In this case, the site would regenerate a vacant, infill site on brownfield land that makes no meaningful contribution to the function of the host street or the appearance of the street-scene. The site is in a poor condition and would benefit from redevelopment.

The proposed apartments would make best use of the site to provide new places to live, adding to the diversification of housing stock in the area. The site is also appropriately situated within a sustainable location close to local amenities and existing housing stock. On this basis, the principle of the proposed development is considered acceptable.

Specific planning issues are addressed further below.

Site Layout

The proposed development is largely dictated by the irregular shape of the site, adjoining building lines and the curvature to Rochdale Road.



Proposed site layout

Externally there are two small areas of soft landscaped, communal amenity space which would provide both a setting to the building and areas where residents can relax outside. To the side of the building is a dedicated, communal area for refuse storage. Immediately to the front of the

building is a ground level terrace which would serve as an entrance to the building and due to its position behind a new boundary wall, act as defensible space.

Given the constraints of the site, the proposed layout is considered acceptable.

Density and Balance of Accommodation

The proposed development comprises 4 x 1 bedroom flats and 1 x 2 bedroom flat, all of which comply with the City Council's internal space standards.

Given the location of the site adjacent to a high frequency public transport route and main arterial route, together with the context of neighbouring buildings along Rochdale Road, the density of accommodation is considered appropriate in this location.

Design, Scale and Appearance

The proposed building relates to a revised design following a previously withdrawn application and comprises a building of a traditional design with sloping pitched roofs, rear outriggers and lean to roofs respecting the sloping / stepped nature of the site and the incremental increase in roofline of the section of Rochdale Road to which the application relates to form an effective transition to the local roofscape.



CGI Image of proposed building

The main entrance of the proposed building is stepped further forward to respect the curved nature of Rochdale Road. The exposed side elevation is visible from Rochdale Road and is broken up with the stepped design and the different roof types but has been left blank to so not to prejudice the future development of the neighbouring site by way of any undue overlooking or loss of privacy.

The main entrance to the building is located off Rochdale Road would provide a focal point to the frontage, with the window design respecting the cill and head heights of neighbouring buildings along Rochdale Road to provide a consistent and coherent frontage.

The design of the building is considered appropriate with the host street-scene and would assimilate sympathetically and effectively into the local context.

In terms of external materials, the proposed building would reflect that of Rochdale Road frontage and comprises grey brickwork, dark coloured UPVC windows, fascias and soffits and dark coloured rooftiles.

Whilst the originally submitted application proposed the use of grey render to reflect the use of render and painted brickwork within the immediate context, this element has been replaced by the use of grey brickwork, due to the Council's concerns surrounding the durability of the use of render. It is believed the resultant building would sit entirely comfortably within the host terrace.

Residential Amenity

Given the mixture of uses locally, the busy nature of the surroundings and the position of the site adjacent to a main arterial route, the introduction of residential use for the modest number of units proposed is unlikely to have any significant, detrimental impact to the nearest residential occupiers to the north-west along Middleton Old Road in terms of levels of activity, noise or disturbance. Further, due to its relationship with neighbouring buildings, there are no residential properties that would be unduly impacted in terms of the physical presence of the building in terms of overlooking, over-dominance or overshadowing.

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

Impact to the Highway

Due to site constraints no off-road parking is proposed and therefore any parking demand would need to be absorbed on-street.

Given the modest level of prospective occupiers and low level of trips forecasted, coupled with the highly sustainable location of the site adjacent to main arterial route and high frequency bus services, any impact is considered less than significant. No concerns are raised by Highway Services.

Cycle storage

The development includes an internal cycle storage area within the ground floor of the building which has plenty of space to accommodate at least 5 bicycles. The provision of space would aid travel by means other than by private car and help promote sustainable travel. A condition has been included to ensure implementation of such provision.

Waste Management

The application has been accompanied by a waste management strategy which shows the use of an external area to the northern side of the building for the storage of bins which is considered satisfactory, although separate rather than communal receptacles are required. Further details are required in relation to waste management arrangements. A suitable condition is included.

Ecology and Bio-diversity

The site largely comprises low level, self-seeded vegetation and is considered of low ecological value.

The planning application was submitted prior to statutory bio-diversity net gain requirements. However, in line with the requirements of the NPPF, a condition is included which requires bio-diversity enhancement as part of development. This is indicated as including the provision of bat

and bird boxes and low-level planting to the rear. It is believed that through implementation of such measures, the proposal would lead to an improvement above existing conditions.

Environmental Standards

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives. The applicant has submitted an Energy Statement which outlines acceptable provisions which would lessen energy consumption and carbon emissions. This includes a solar panel array to the front roof slope.

A condition has been included which requires a post construction verification to confirm the agreed measures have been incorporated within the development.

Affordable Housing

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

In this case, the proposal relates to only 5 dwellinghouses and therefore falls below the policy threshold for affordable provision.

Climate Change

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

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

Due to the low number of anticipated vehicle trips associated with the proposal and the lack of off-road parking, road traffic exhaust emission impacts are predicted to be less than significant.

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

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

Drainage and Flood Risk

The application site is located wholly in flood zone 1 '*low probability of flooding*'. Whilst records indicate the presence of a culverted watercourse within the site boundary, investigation have taken which demonstrate the culvert would be unaffected. An 'informative' has been included to ensure the applicant is aware of their responsibilities regarding the culvert should any issues arise during construction. A further condition has been included to ensure the submission and agreement of a satisfactory surface water drainage scheme.

Ground Conditions

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

Construction Management

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

Crime and Disorder

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

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

Other 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 the expiration of three years beginning with the date of this permission.

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

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

Location plan and drawings referenced 22.2919.SC8.2B and 22.2919.SC8.5 received by the City Council as Local Planning Authority on 26 March 2024 and drawings referenced 22.2919.SC8.1C, 22.2919.SC8.3D and 22.2919.SC8.6A received by the City Council as Local Planning Authority on 20 May 2024.

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

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

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

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

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

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.
- Loading and unloading of plant and materials;
- Storage of plant and materials;

-Site hoarding; scaffolding and acoustic fencing.

The development shall only be carried out in accordance with the approved construction management plan.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

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

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

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

5) Notwithstanding details submitted, prior to above ground works for the development hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

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

6) Notwithstanding details submitted, no above ground development shall commence until a detailed hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall 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.

7) Notwithstanding details submitted, no above ground development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment/gates (including acoustic fencing) to be erected. The boundary treatment/gates shall be completed before any of the houses hereby approved are occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

8) The development shall not be occupied until details of the security measures to be incorporated into the development, which shall be to 'secured by design' specification, have

been submitted to and approved in writing by the City Council as Local Planning Authority. This shall include details of external fittings, boundary treatment, gates and dusk till dawn lighting. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

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

9) a) Prior to commencement of above ground development, an exposure assessment together with any mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as Local Planning Authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as Local Planning Authority and shall remain in situ whilst the use or development is in operation.

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

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

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

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

11) The apartments hereby approved shall not be occupied until the space and facilities for bicycle parking have been provided in accordance with details shown on drawing referenced 22.2919.SC8.2B received by the City Council as Local Planning Authority on 26 March 2024. The approved space shall thereafter be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

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

b) Prior to first occupation of the residential apartments, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been

met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

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

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

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

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

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

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

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

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

Due to proximity of the proposed development to an area of potentially contaminated land, a more intrusive phase II ground survey will be required along with ground gas monitoring to confirm the ground conditions and a gas risk assessment to provide details of any gas protection measures to be installed. Additionally, the revised proposals include areas of soft landscaping and amenity space for the residential apartments so the phase I report will need to

be updated to reflect this and also include details of the proposals for a phase II site investigation with this in mind.

15) 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.

16) 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.

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

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

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

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

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

proposed new connection will suffice.

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

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

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

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

- Construction details of flow control and SuDS components.

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

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

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

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

19) The development hereby approved shall be carried out in accordance with details contained with the Energy Statement (V.2) produced by ABC, received by the City Council as Local Planning Authority on 26 March 2024. A post construction review certificate/statement shall be submitted and approved in writing by the City Council as Local Planning Authority 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 Manchester Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

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

Informatives

1) MCC records highlight that the underground Culvert Conduit Lionfield Brook is located within close proximity to the site (approximately on site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all culverted assets. Therefore, we would request 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 MCC Lead Local Flood Authority (LLFA) should be contacted immediately.

2) It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

3) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions
Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Transport For Greater Manchester

Unit 4 And Unit 5, Lion Works, Old Market Street, Manchester, M9 8FY
53 Middleton Old Road, Manchester, M9 8DS
Daisy Bank Works, 1139 Rochdale Road, Manchester, M9 7FW
1139A Rochdale Road, Manchester, M9 7FW
952 Rochdale Road, Manchester, M9 7EP
954 Rochdale Road, Manchester, M9 7EP
956 Rochdale Road, Manchester, M9 7EP
Flat 10, 1133 Rochdale Road, Manchester, M9 7FW
Flat 9, 1133 Rochdale Road, Manchester, M9 7FW
958 Rochdale Road, Manchester, M9 7EP
First Floor To Third Floor, Lion Works, Old Market Street, Manchester, M9 8FY
Lock Up 2 Adjacent Unit 8, Old Market Street, Manchester, M9 8FY
Lock Up 1 Adjacent Unit 8, Old Market Street, Manchester, M9 8FY
Unit 4A, Lion Works, Old Market Street, Manchester, M9 8FY
Unit 3, Lion Works, Old Market Street, Manchester, M9 8FY
Offices, Lion Works, Old Market Street, Manchester, M9 8FY
Store Adjacent Unit 1, Lion Works, Old Market Street, Manchester, M9 8FY
Flat 8, 1133 Rochdale Road, Manchester, M9 7FW
Flat 7, 1133 Rochdale Road, Manchester, M9 7FW
Flat 6, 1133 Rochdale Road, Manchester, M9 7FW
Flat 5, 1133 Rochdale Road, Manchester, M9 7FW
Flat 3, 1133 Rochdale Road, Manchester, M9 7FW
Flat 4, 1133 Rochdale Road, Manchester, M9 7FW
Lion Works, Old Market Street, Manchester, M9 8FY
Flat 2, 1133 Rochdale Road, Manchester, M9 7FW
Unit 1, Lion Works, Old Market Street, Manchester, M9 8FY
Unit 10, Lion Works, Old Market Street, Manchester, M9 8FY
27 Middleton Old Road, Manchester, M9 8DS
Unit 11, Lion Works, Old Market Street, Manchester, M9 8FY
Unit 9, Lion Works, Old Market Street, Manchester, M9 8FY
Unit 8, Lion Works, Old Market Street, Manchester, M9 8FY
Unit 6, Lion Works, Old Market Street, Manchester, M9 8FY
1127 Rochdale Road, Manchester, M9 7FW
1131 Rochdale Road, Manchester, M9 7FW
1129 Rochdale Road, Manchester, M9 7FW
1139 Rochdale Road, Manchester, M9 7FW

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 -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA