

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139196/FO/2024
Date registered valid: 19 February 2024
Proposal: Erection of 5no. dwellings with associated landscaping and car parking
Address: Land To The Corner Of Benton Street, Manchester
Ward(s): Moston Ward

Applicant: Sarah Tate, One Manchester
Agent (if any): Jessica Ward, Bernard Taylor Partnership Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 May 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 6 March 2024

Standard consultations:

Printed: 27 February 2024 Expired: 19 March 2024

Neighbour notifications

Printed: 27 February 2024 Expired: 19 March 2024

Site notice

Printed: 5 March 2024 Expired: 27 March 2024

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to the Land To The Corner Of Benton Street within the north Manchester ward of Moston.

The site is irregular in shape and has a total developable area of 1,637 square metres. The site is made up of a grassed area and is relatively flat. Access to the site is possible from the road of Benton Street. There are no existing trees on the site.

The north side of the site borders with existing rear gardens of the adjacent properties which face onto Stonehead Street. Adjacent to the site's eastern boundary of the site sit a row of terraced properties located along Benton Street. To the south of the site sits a further grassed area connecting Benton Street and Ashley Lane. To the south western boundary of the site sits the rear of the properties which look onto the applicant site from Ashley Lane.

Public footpaths exist around the east, southern and western boundaries of the site. A desire line can be seen across the site whereby local residents have used the applicant site as a short cut from Ashley Lane to Benton Street. A further access point can be seen to the north of the site where the site offers access to the rear of properties along Stonehead Street from Benton Street.

The surrounding context is residential in nature, with expansive green space immediately to the south of the site and Moston Vale sited to the south west of the site.

Description of development

The submitted application seeks planning permission for the erection of 5no. dwellings with associated landscaping and car parking.

The five properties would sit close to the east and southern boundary of the site and the existing access to the rear of properties along Stonehead Street would be formalised in the form of the new access road from Benton Street to the new properties. The new access road would lead from Benton Street to the new properties and would lead to a turning head to the west of the site. Plot 1-3 would consist of a small terrace (3 properties) and plot 4-5 would be a pair of semi-detached properties. All plots would face onto the proposed access road.

Each property would offer a schedule of accommodation of 5no. 2B3P houses with an internal space of 72m² each.

All properties would benefit from an off street parking area, bin store (all bin stores to be sited to the rear except plot 2 whereby a bespoke bin store would be positioned to the front of the property), cycle storage and an Air Source Heat Pump. Plot 1 would take in additional space from the irregular shape of the plot and therefore have a larger rear garden than the other 4 properties).

Amended Drawings

Plans were amended to overcome concerns raised during the course of the application. This included:

- Amendments to the proposed boundary treatments.
- Increase of the internal measurements of the homes to satisfy requests in relation to window reveal depths.

Further information was requested in respect of:

- The maintenance of the incidental green space created as a result of the site.
- Dimensions of the parking spaces to be created.
- The tenure of accommodation proposed.
- Further information in relation to accessibility.
- Window reveal dimensions.
- Further information in relation to sustainability and renewable energy to be used for the scheme.

Neighbours and consultees were re-notified on the changes accordingly.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Three responses were received from the same neighbour. The following concerns were raised:

- Previously developed land should be used for new infrastructure and not new housing.
- Loss of a community green open space, good for wellbeing purposes.
- Concern raised over the land being unstable.
- Loss of pathway for surrounding residents and local school children.
- Access issues to the rear of properties located on Stonehead Street.
- The new development would give rise to overlooking to the existing properties on Stonehead Street, giving rise to adverse privacy implications.
- Overshadowing as a result of the new proposal to properties on Stonehead Street.
- Level of density proposed is overbearing for the site and will not enhance the character of the area.

Further comments following re-notification period:

The same comments were raised from the same neighbour- no new points raised from the above.

Highway Services

The following comments were received:

TRIP GENERATION AND JUNCTION CAPACITY:

Given that the proposed development is resultant in 5 additional residential dwellings, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.

SITE ACCESSIBILITY:

The site is well accessed by sustainable modes. The site is within walking distance of regular bus services and tram services.

PARKING AND ACCESS:

A new access will be in place from Benton Road. The new access leads onto an internal road and turning head. 2m footways will be in place and link to the existing footways along Benton Road. Should the planning application be approved, the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Benton Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

Each property will have a parking space. There are 5 car parking spaces located within the site's curtilage, thus equating to a provision of 100%. It should be noted that all individual driveway parking spaces should be a minimum of 3.0m x 6.0m to ensure that vehicles / pedestrians do not impact on the adopted highway.

It is required, in line with MCC Residential Guidelines, that the provision of an Electrical Vehicle charging point (minimum 7kW) is made available.

CYCLE PARKING:

In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit.

Plans confirm that a cycle store will be in place for each property. This is acceptable to Highways.

BOUNDARY TREATMENTS:

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

As such, the proposed boundary treatments are considered acceptable from a Highways perspective.

REFUSE AND SERVICING:

Designated refuse storage has been accommodated for each individual dwelling. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway. It is requested that details on the bin collection points are provided.

CONSTRUCTION MANAGEMENT:

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

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

Further comments following re-notification period:

Plans confirm that driveways will be 3 x 6m. This is acceptable to Highways.

Designated refuse storage has been accommodated for each individual dwelling. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway. Plans confirm that bins will be taken to the proposed footway in front of the properties on collection day.

Plans confirm that a 900mm high brick wall will be in place along the front boundary with railing starting c. 450mm high. This is acceptable to Highways.

All other previous Highways comments remain applicable.

Environmental Health

The following comments were received:

- The EHO officer reviewed the documents submitted in respect to contaminated land. A detailed analysis of the report was provided by the EHO and inadequacies were found within the report. As such, a standard contaminated land condition would be attached to any approval granted.
- The EHO requested a construction management plan condition be attached to any approval granted.
- The EHO requested a construction management hours condition be attached to any approval granted.
- The EHO requested a NSE6 external plant condition be attached to any approval granted for the proposed heat pumps.
- The EHO requested a waste condition be attached to any approval granted. The EHO reviewed the Waste Management Strategy submitted with the application and it was found to be acceptable.
- The EHO requested an air quality 2 condition be attached to any approval granted.

Further comments following re-notification period:

No further comments were made- all previous comments still apply.

MCC Neighbourhood Trees (Arboriculture)

The following comments were received:

The land does not currently have any significant trees within its boundaries and therefore the Officer had no objection to the proposals for this site.

The Officer requested tree planting is condition as part of any approval granted.

Further comments following re-notification period:

The Officer stated the front and rear gardens could be suitable for accommodating additional trees. This should be considered given the poor results shown from the BNG documentation provided.

Greater Manchester Police

The following comments were received:

Given the site location and use GMP support the proposals and would recommend a planning condition is attached to the decision notice requiring the development to achieve Secured by Design accreditation pre-occupation.

Further comments following re-notification period:

No further comments were received.

Greater Manchester Ecology Unit

The following comments were received:

Protected Species

A valid ecological assessment has been provided. This found no evidence of any protected species and assessed the likelihood of any such species being present as very low. Given the location and nature of the site, The Unit had no reasons to disagree. No further information or measures are required.

Nesting Birds

An area of bramble scrub will be lost, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. The Unit requested a nesting bird condition be applied to any permission.

Hedgehog

The bramble also provided theoretical cover for hedgehog and other small mammals. The area is however small and the Unit requested an informative be attached to any approval granted.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

The Unit provided a detailed assessment on the application in terms of biodiversity net gain and an analysis of the BNG matrix submitted.

Further comments following re-notification period:

The amended plans do not materially change the ecological issues associated with this site, though the amended front gardens may have a slightly lower or higher area, resulting in a very minor change to the BNG assessment. Previous recommendations however still apply.

Flood Risk Management Team

The following comments were received:

The Team requested a pre-commencement condition would be attached to any approval granted.

Further comments following re-notification period:

No further comments were received.

United Utilities

The following comments were received:

Noting this is a Full application, UU requested that the applicant provides a detailed drainage plan, and that United Utilities has the opportunity to review and comment on this plan prior to determination of the application.

Should planning permission be granted without the provision of this information UU request a pre-commencement condition is attached to any subsequent Decision Notice.

Detailed advisory notes were also provided by United Utilities for the developer's consideration.

Further comments following re-notification period:

United Utilities considered a new drainage strategy provided by the agent however Appendix H was missing from the document. UU requested to see Appendix H prior to the determination of the application.

Issues

POLICY

The National Planning Policy Framework (NPPF) (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11). Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective
- c) an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 5. Delivering a sufficient supply of homes
- ii. Chapter 8. Promoting healthy and safe communities
- iii. Chapter 9. Promoting sustainable transport
- iv. Chapter 11. Making effective use of land
- v. Chapter 12. Achieving well-designed and beautiful places
- vi. Chapter 14. Meeting the challenge of climate change, flooding and coastal change

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. Updated March 2024 following the adoption of the Places for Everyone Joint Development Plan.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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.

Of relevance are:

Policy SP1 (Spatial Principles) (last bullet point of the policy removed following the adoption of the Places for Everyone Joint Development Plan).

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) (part of policy replaced by PfE policy JP-S2).

Policy EN 8 (Adaptation to Climate Change) (part of policy replaced by PfE policies JP-S2, JP-S4 and JP-G8).

Policy EN9 (Green Infrastructure)

Policy EN14 (Flood Risk) (part of policy replaced by PfE policy JP-S4).

Policy EN15 (Biodiversity and Geological Conservation) (part of policy replaced by PfE policy JP-G8).

Policy EN 16 (Air Quality) (part of policy replaced by PfE policy JP-S5).

Policy EN18 (Contaminated Land and Ground Stability)

Policy EN19 (Waste)

Policy H1 (Overall Housing Provision) (part of policy replaced by PfE policy JP-H1).

Policy H3 (North Manchester)

Policy H 8 (Affordable Housing) (part of policy replaced by PfE policy JP-H2).

Policy T1 (Sustainable Transport) (part of policy replaced by PfE policy JP-C1).

Policy T2 (Accessible Areas of Opportunity and Need)

Policy DM1 (Development Management).

Unitary Development Plan

Saved Policies Large elements of the UDP have been superseded by the Core Strategy.

The following saved policies are of relevance in the consideration of this application:

DC7- new housing development

DC26- development and noise.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

The document includes standards for internal space within new dwellings and is suitable for applications across all tenures.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

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 policies of relevance are:

- i.JP- S1- Sustainable development
- ii.JP- S2 – Carbon and energy
- iii.JP- S5 – Flood risk and the water environment
- iv.JP- H1 – Scale, distribution and phasing of new housing.
- v. JP-C1- An integrated network
- vi. JP- H2- Affordability of new housing
- vii. JP- G9- A net enhancement of biodiversity and geodiversity
- viii. JP- S6- Clean Air

ISSUES

Principle of Development

The application site has been brought forward as part of Manchester City Council's Project 500 scheme. The project is a housing initiative that will deliver new low carbon affordable housing on smaller Council-owned brownfield sites across the city in partnership with Manchester's network of registered housing providers. The first phase of the project will build 378 new low carbon affordable homes across 27 sites, predominantly in the north and east of the city.

The Land To The Corner Of Benton Street Manchester is not identified within Manchester City Council's SHLAA capacity map. However, it is identified with an appendix to a report taken to Executive in relation to Project 500, as one of the approved sites/ schemes.

The Council has therefore identified the site as having potential for future new housing development subject to assessment via the planning process.

Given the surrounding uses as low rise residential accommodation, the use would be in keeping to the wider area. As such, the location is considered appropriate to develop the land for housing and would be pursuant with Core Strategy policies H3 and H1.

The development of the site would contribute positively towards the supply of housing to meet national and city wide targets and increase the provision of affordable, social housing and diversity of tenure in accordance with Chapter 5 of the NPPF and Manchester Core Strategy policies H3 and H1.

It is therefore considered that the principle of development on the site is acceptable subject to the consideration of the following material considerations as impacts of the proposed development: Affordable Housing, Space Standards, Residential Amenity, Accessibility, Siting, Scale, Height and Massing, Design, Boundary Treatment, Crime and Security, Carbon Reduction, Climate Change Mitigation and Sustainability, Permitted Development, Highways and Car Parking, Construction Management, Waste, Cycle Storage, Noise and Disturbance, Air Quality, Ground Conditions, Flood Risk and Drainage, Landscaping, Ecology and Local Labour Agreement and Loss of Informal Footpaths across the Site. Consideration will now be undertaken on the listed impacts.

Affordable Housing

Policy H8 of the Manchester Core Strategy establishes that new development (above 10 units) should contribute to the City-wide target for 20% of new housing provision to be affordable and that developers are expected to use the 20% target as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership or provide an equivalent financial contribution.

The scheme will be brought forward by One Manchester, a Registered Provider of Social Housing and being brought forward as One Manchester sites as part of the Manchester City council led Project 500 initiative. This particular proposal will provide 5 homes and as such would not usually meet the trigger for affordable housing provision, however all the units are to be for affordable rent, as confirmed by the agent via email on 9 April 2024.

This is in accordance with the City's 'Providing for Housing Choice - Planning Guidance', whereby the City identifies that alongside a need for good quality, private housing, that, many more people now need affordable housing options due to the sharply increasing market rent prices.

The proposal will provide 100% affordable rented units. As such, this will exceed the 20% affordable housing provision according to the definition of affordable housing in Annex 2 of the NPPF. The scheme is therefore in accordance with Core Strategy Policy H8.

Internal conversations took place with colleagues in Strategic Housing to ensure the tenure proposed by the developer matched what had been agreed by Strategic Housing. Colleagues in Strategic Housing confirmed the 5 affordable rent homes matched what had been previously agreed via email to the Planning Department on 16 April 2024. A condition would be attached to any approval granted ensuring that the commitment to affordable housing is adhered to across the lifetime of the homes.

Space Standards

The proposed development has been assessed against the criteria set out in Manchester's emerging space standards as adopted within the Manchester Residential Quality Guidance.

During the course of the application, the agent was requested to provide information in relation to window reveals. In order to achieve a depth of 195mm width reveal, the houses were increased in size to retain accordance with Manchester's Emerging Space Standards.

Each property would offer a schedule of accommodation of 5 no 2B3P houses with an internal space of 72m². In order for the properties to align with Manchester's emerging space standards, the homes would need to achieve an internal space standard of 70 square metres. As such, the internal space dimensions would be in accordance with Manchester's Emerging Space Standards. The scheme is therefore considered to provide a good standard of accommodation and is considered acceptable in this regard.

Residential Amenity

Policies SP1 and DM1 seek to ensure that new developments have a positive impact on existing residents as well as creating places that make a positive contribution to neighbourhoods of choice. Policy DM1 goes further by stating that the effect on amenity is a key consideration particularly effects on privacy and noise. It is considered that there are three potential impacts associated with this development which require consideration:

- a loss of privacy from overlooking;

- any overbearing or overshadowing impacts; and
- any unacceptable noise and disturbance from comings and goings.

Overlooking:

The proposed dwellinghouses would sit close to the southern boundary of the site and face in a northerly direction. As such, they would face the direction of the rear of the properties located along Stonehead Street. Plans show an approximate 28 metre gap would be retained between the front elevations of the proposed units and the rear of the existing properties, and an approximate 18 metre gap to the rear gardens of Stonehead Street. This distance is considered to not give rise to an unacceptable level of overlooking and the benefit of the 5 additional homes outweighs any overlooking to the existing neighbours.

Plot 5 would sit closest to the eastern boundary of the site and be sited approximately 5.5 metres to the existing end terrace of no.16 Benton Street. However, as neither the existing end terrace nor proposed plot 5 would have windows within the side elevations of the homes, no opportunity for overlooking would occur.

The rear of the 5 proposed homes would face in a southerly direction, onto green space connected with Ashley Lane. As such, there would not be any neighbours to the south to be impacted by overlooking and the proposed units at first floor level would have an open view onto green space.

Properties to the west off Ashley Lane would look onto the units closest to the western boundary of the site. Given the property within plot 1 does not have any windows inserted within the side elevation, no adverse opportunities would occur from the proposed units to the homes off Ashley Lane. It is noted however, that the existing properties at first floor level would look into the amenity space connected with the proposed units, primarily plot 1. However, given the constraints of the applicant site, the current layout is considered to cause the least amount of harm to the neighbouring properties and any other form would cause more harm than is currently the case. Boundary treatment along this section of plot 1 rear amenity space would be conditioned as being 2.1 metres and is hoped to overcome some overlooking.

Overlooking between the proposed units themselves would be minimal. Plots 3 and 4 do not have any windows within the side elevations thus not giving rise to direct overlooking. Further, the rear gardens of each of the units are separated by 1.8 metre timber fences, ensuring privacy within each of the rear gardens.

Overbearing or overshadowing impacts:

Whilst it is acknowledged the surrounding neighbours would lose the outlook of the green open space of the applicant site, given the property sits to the southern boundary of the site, opportunities for overbearing impacts are considered minimal. No adverse overshadowing implications would occur.

Unacceptable noise and disturbance:

The introduction of the 5 new homes at the site, would create some additional comings and goings in the local area as a result of traffic and pedestrian activity. However, it is not considered that this level of activity would be harmful given the largely residential context surrounding the application site and given the expansive green space that is sited to the rear of the applicant site.

Accessibility

The scheme aims to incorporate a number of accessibility principles. As stated within the Design and Access Statement (page 21), this includes:

- Easy and accessible bin storage
- Canopy over entrance to properties
- Natural surveillance in external areas (inc. car parking)
- Adequate car parking
- External layout to promote community feel.
- 1200mm pathways (for walking side by side)
- Promote natural environment i.e., planting, trees.
- Routes from entrance doors to be unobstructed.
- Level Access.

Given the magnitude of development, this is considered acceptable to adequately address accessibility within the proposed homes.

Siting, Scale, Height and Massing

The proposed dwellinghouses would sit close to the southern boundary of the site and face in a northerly direction. The proposed units have used the building line of the terrace to the east on Benton Street to dictate the form of the proposed units and is therefore considered to have appropriate regard to the existing building lines within the immediate area.

Further, the proposed layout allows for the formation of the access road to rear of properties along Stonehead Street and would ensure existing access arrangements would not be compromised as a result of the proposal. One neighbour raised concerns the proposal would compromise existing access arrangements to the properties; however, the proposal would result in the formalisation of the access road to an adoptable standard.

It is acknowledged the proposed design results in a large amount of green incidental space to the western side of the boundary. To overcome this, the size of the plot 1 garden has been increased in size to take in some of the incidental space. Given the constraints of the applicant site and the need to minimise residential harm from the location of the dwellinghouses and relationships with surrounding neighbours, the incidental green space is required to offer the best solution. On 9 April 2024, the agent confirmed the developer, One Manchester, would take management responsibilities for the green space and will regularly visit to litter pick, cutback and remove weeds. Further, within the proposed landscaping and biodiversity condition, the condition would request the need for management details of the space to be provided for review by the LPA. With the measure of control via condition, the siting of the dwellinghouses and resultant open green space is considered acceptable in this instance.

The proposal is considered to create a strong and cohesive relationship to the street scene, and by looking out onto the streetscene it is considered to increase surveillance. The overall configuration is considered to be appropriately related to the existing neighbouring housing, and the street scene.

The residential properties within the immediate streetscene are characterised by two storey properties. The proposal with two storey dwellinghouses would be in keeping with the height of surrounding properties.

The introduction of 5 homes of two storey each, with internal spaces that exceeds Manchester's emerging space standards and have suitably sized front and rear amenity spaces offer the correct density of development for the site.

The character and type of the neighbouring properties include older Victorian style terraces to the west and north east of the applicant site, newer age terrace to the east of the applicant site and pairs of semi-detached properties in the form of properties on Stonehead Street. The

proposal would positively relate to surrounding built form by creating a small terrace (3 properties) and a pair of semi-detached properties. Further, the use of the materials and use of both red brick and buff brick complement the different property types in the immediate context. The use of pitched roofs will also match the roof types within the immediate area. The proposal will offer both front and rear gardens and would closely match the terrace to the east of the applicant site, on Benton Street.

Furthermore, the same types of boundary treatments would be used throughout when appropriate. As such, the proposal would look uniform and would give the scheme a sense of identity. The application is therefore considered to be in accordance with Core Strategy Policies EN1 and DM1, along with the Guide to Development in Manchester SPD and the Residential Quality Guide.

Design

The design of the proposed houses would incorporate active frontages using front doors, enclosed canopies to the front doors and generous glazing, where appropriate. Pitched gables will create a presence and scale. Fenestration is generally arranged with a vertical emphasis to give order, rhythm and a 'domestic' feel to the street elevations.

Within the overall order and consistency of form and materials, the character and identity of each individual home is legible through 'own front doors', canopies, fenestration patterns and distinct brickwork detailing.

Although the agent provided details on the materials to be used:

- red brick and buff brick

- white Upvc fascia, black Upvc rainwater pipe and gutter grey interlocking concrete riles,

- grey Upvc windows and doors,

further information on the materials to be used is needed and a condition to this effect would be added to any approval granted. The use of the red and buff brick is considered to allow the properties to add a sympathetic addition to features prominent in the wider area. The use of brick relief patterns to the front elevations of the properties would add architectural interest to the scheme.

During the course of the application, details were sought from the agent in terms of window reveals, to ensure the windows were of good architectural design features. In order to achieve a depth of 195mm the houses were increased in size to retain accordance with Manchester's Emerging Space Standards. Revised plans incorporating necessary changes were received and consultees and neighbours were re-notified accordingly. A section drawing was provided and is considered acceptable and would be conditioned accordingly.

The overall proposed design is considered to be acceptable and in accordance with Core Strategy Policies DM1 and SP1.

Boundary Treatment

There are a mix of proposed boundary treatments across the site:

- Type 01 Fencing to enclose Private Garden - 2.1m high close boarded timber fence with concrete post and gravel board. *This is considered acceptable to ensure a decent level of privacy for residents across the site.*

- Type 02 Fencing to enclose Private Gardens between properties - 1.8m high close boarded timber fence with concrete post and gravel board. *This boundary type is considered suitable to ensure privacy in between each of the neighbouring gardens.*

- Type 03 Pedestrian Gate to Private Garden 900 x 1800mm high close-boarded timber gate. *This boundary type increases security to the rear amenity spaces.*
- Type 04 2100mm high brick wall. *This is considered acceptable to allow the rear amenity space to be secure from the streetscene.*
- Type 05 900mm high brick wall with fencing between brick piers (Front Boundary). *This boundary type is considered acceptable given the fencing offers a level of visual permeability to cars accessing and egressing the proposed off street parking spaces. Highway Services did not raise any concern for this boundary type.*
- Type 06 900mm high brick wall with 300mm railing around bin stores to front. *This boundary type relates to a bespoke bin store to be available to plot 2 within the associated front garden. This is considered necessary since bins cannot be stored to the rear of the property and brought around the sides of the property as the property is terraced. The height of the boundary treatment reflects the dimensions of the bins and is therefore considered acceptable.*
- Type 07 900mm high metal railings (Front Boundary). *This boundary type separates the front gardens and off street parking for each of the properties. The railings would also offer a level of visual permeability important when cars are accessing/egressing the proposed spaces. Highway Services did not raise any concern for this boundary type.*

No issues in terms of crime in relation to the boundary treatments proposed were raised from Greater Manchester Police during the course of the application.

It is also considered the proposed boundary treatments would enhance the appearance of the development site, define public and private spaces, suitably enhance the security of the development, whilst offering a sense of cohesion across the site, pursuant to Policy SP1 of the Core Strategy.

Crime and Security

A Crime Impact Statement (CIS) was not submitted as part of the formal planning application, since the application is not considered a major application as the proposal has less than 10 units.

Greater Manchester Police were consulted on the proposal. Given the site location and use the Police supported the proposals and recommended a planning condition is attached to the decision notice requiring the development to achieve Secured by Design accreditation pre-occupation.

There were no further comments or requirements from the Police.

A prior to occupation condition has been added to any approval granted.

Carbon Reduction, Climate Change Mitigation and Sustainability

As the application is for 5 no. units, the scheme is not considered a major application, and as such Policy EN6 of the Core Strategy is not triggered and so an Environmental Standards statement was not required. However, the developer did submit an energy statement on 6 February 2024 for review. The report concludes that the proposed development will reduce total carbon emissions by 64% compared to new Building Regulations 2021. Further, it states heat pumps will be used as the proposed renewable technology and discusses how other renewable technologies were discounted.

Page 18 of the Design and Access statement also confirms the proposed sustainability principles will be implemented as part of the proposal:

- Low flow showers, smaller baths and dual low flush toilets as part of controlled water demand and use
- Low carbon lighting, energy controls and management
- Double or triple glazing, and improved insulation
- Conservation of the natural resource such as the site's trees
- Ground level 'urban greening' with the use of street trees, shrub planting and a semi-private communal garden.
- Plots to provide suitable facilities and storage for recycling and waste
- The building will be in compliance with Part L1 A (New dwellings). The scheme is intended not to use gas to comply with national policy.

As part of the application, the developer provided further information in relation to the approximate locations of the proposed ASHPS. However, no further detailed information was provided for consideration and a condition requesting further information (location, product and any acoustic enclosures) would be attached to any approval granted. Environmental Health requested a NSE6 external plant condition to be placed on any approval granted to ensure the noise from the ASHP would prevent a general increase in the pre-existing background noise levels around the site.

Furthermore, a landscaping condition would be attached to any approval granted, as it was agreed with the LPA that details be conditioned and discharged at a later date. This is to ensure the insertion of soft and hard landscaping, to the benefit of environmental improvement.

Both Highway Services and Environmental Health requested EV charging points are made available to each property. No details were provided from the agent in relation to EV charging points and so a condition has been included to ensure that these charging points are delivered as part of the development.

Given the magnitude of the proposal, the measures outlined above are considered appropriate and the fabric first approach detailed with achievements beyond Part L are considered acceptable in this instance. The development is therefore considered to be in accordance with Core Strategy Policies EN4.

Permitted Development

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable.

It is considered that it would be appropriate and reasonable to attach conditions to prevent the new homes becoming HMOs to ensure they remain in family use. In addition to ensure visual amenity is protected a condition is required to avoid additional extensions or outbuildings being erected without an assessment of their impact. A further condition is placed on any approval granted restricting the properties use as serviced apartments.

Highways and Car Parking

Highways were consulted during the consideration of the application and did not raise any concern in relation to the generation of any highway safety, traffic or network capacity concerns.

Highways requested works to the existing road and proposed access road would require the developer to enter into a Section 278/184 agreements. An off site highway condition incorporating the requests would be attached to any approval granted.

Highway Services were satisfied with the off street driveway provision for the site. Highway Services requested each driveway have minimum dimensions of 3x 6 metres and the plans were updated to confirm this to be the case. Highways were then happy with the driveway measurements proposed.

Highways requested an EV charging point is available for use for each property and a condition to this effect would be attached to any approval granted. They also requested cycle storage be available for each property and whilst the site plan shows the location for each store, a condition would be attached to any approval granted requesting further details.

Highway Services were satisfied with the boundary treatment proposed.

Designated refuse storage has been accommodated for each individual dwelling. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway. It was requested that details on the bin collection points were provided and an additional plan submitted by the agent confirmed bins will be taken to the proposed footway in front of the properties on collection day. Highways were happy with this arrangement.

Highways also requested a construction management plan condition to be attached to any approval granted.

The proposed development is therefore considered to be in accordance with Core Strategy policies T1 and DM1.

Construction Management

The work would take place close to existing dwellings and comings and goings from the site are likely to be noticeable. However, these impacts should be short in duration and predictable. A condition is recommended which would require the submission of highways management plan and details of use of machinery, site management and waste management. Providing the inclusion of the construction management condition, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan.

Waste

The applicant has submitted a waste management strategy. This was reviewed by Environmental Health who stated they accepted the Waste Management Strategy submitted. Highway Services accepted the designated refuse storage for each property in in order to prevent any obstruction to passing pedestrians on the adjacent footway. Highway Services requested details on the bin collection points are provided which were subsequently provided by the agent. Highway Services accepted the bin collection points and routes.

A condition to this effect to ensure the development secures appropriate arrangements for the storage and collection of segregated waste and recycling, would be added to any approval granted.

All plots would store bins to the rear or side of properties, behind high boundary treatment, except plot 2. Since plot 2 is a mid-terraced property, it is not possible for bins to be stored to the rear and brought through to the front on the day of collection. As such, a bespoke bin store would sit within the front amenity space of plot 2. The bin store would consist of a 900mm high brick wall with 300mm railing. The bin store proposed is considered acceptable and details would be conditioned accordingly, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

Cycle Storage

The applicant has indicated that the proposed houses would incorporate a secured bicycle storage and provide 100% cycle storage, in each of the garden areas. No information with regards to cycle storage for the dwellinghouse has been submitted, therefore a pre-commencement condition has been proposed to ensure these details are submitted and agreed, thereby contributing to the provision of sustainable transportation options in accordance with Manchester Core Strategy policies T1, EN4 and EN8.

Noise and Disturbance

During the course of the application, Environmental Health requested a NSE6 external plant condition be placed on any approval granted. As such, a prior to commencement of the use condition is therefore recommended in respect of the proposed ASHPs to minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site. The proposal is therefore considered to be in accordance with saved UDP Policy DC26 subject to this condition.

Air Quality

Environmental Health requested a pre-commencement condition be attached to any approval granted, in relation to air quality. This would include information in relation to electric vehicle charging and any other considerations, for example boiler emissions.

As part of the application, the site plan, Design and Access Statement and energy statement indicated each home would benefit from an ASHP and an approximate location of such was shown within the proposed site plan. However, no further detailed information was provided for consideration and a condition requesting further information (location, product and any acoustic enclosures) would be attached to any approval granted. Environmental Health requested a NSE6 external plant condition to be placed on any approval granted to ensure the noise from the ASHP would prevent a general increase in the pre-existing background noise levels around the site.

Both Highway Services and Environmental Health requested EV charging points are made available to each property. No details were provided from the agent in relation to EV charging points and so a condition has been included to ensure that these charging points are delivered as part of the development.

In addition, the implementation of development in accordance with a construction management plan, as required by condition, is considered to be satisfactory with regards to air quality control during the construction period reducing potential harmful impacts to surrounding existing residents.

With the above conditions and measures in place, the proposed development is therefore considered to be in accordance with policies EN16, SP1 and DM1 of the Core Strategy.

Ground Conditions

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments.

The Contaminated Land Section of Environmental Health reviewed the information provided by the agent and reviewed the information against 5 points. Whilst the desk study information available for this site was considered adequate, the site investigation and the final risk

assessment was considered inadequate. No proposed remediation strategy was submitted for review. The Team listed the following to be submitted for the Council for approval:

(i) Submission of a Site Investigation and Risk Assessment Report

(ii) Submission of a Remediation Strategy

(iii) After completion of site works, a verification report is required to validate that the work undertaken conforms to the remediation proposals received and agreed by this Section.

As such, a standard contaminated land pre-commencement condition would be attached to any approval granted, to ensure the proposal is pursuant with Policy EN18 of the Core Strategy.

Flood Risk and Drainage

During the course of the application, MCC Flood Risk Management Team requested a pre-commencement condition in relation to surface water drainage be attached to any approval granted. The Team considered the submitted drainage plan and stated the following points were still required:

-A full site-specific investigation was not provided. The report was based on generic BGR records. The report suggests there is no space but the plots have rear gardens. Insufficient, information as provided to rule out infiltration.

-No UU agreement in principle provided.

-We ask for blockage risk assessments for sites under 5 l/s in the event that UU allow flows less than 5 l/s

-A Finalised surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events was not provided.

-Some other items may have been provided but could change once the above is finalised.

-If any items are still the same at CDN, example maintenance and management then the applicant should resubmit the same data.

As such, the standard pre-commencement condition would be placed on any approval granted, as would a management condition as well.

United Utilities were also consulted on the application and requested a detailed drainage plan be submitted prior to determination of the application. The developer provided a detailed drainage plan, however United Utilities reviewed the strategy and requested appendix H be submitted. United Utilities accepted the application could be submitted without prior acceptance of the drainage system and a decision was made internally that the drainage strategy could be submitted prior to commencement. A pre-commencement condition to this effect would be attached to any approval granted.

This would ensure the provision of a scheme to be implemented in accordance with measures to secure sustainable drainage for the site and manage the risk of flooding and water pollution in accordance with Manchester Core Strategy policies EN8 and EN14 were sent through to the agent and would be placed on any approval granted.

Landscaping

The land does not currently have any significant trees within its boundaries and therefore the Arboricultural Officer had no objection to the proposals for this site. Whilst the application is exempt from providing biodiversity net gain improvements, it was suggested the proposed site had potential to increase the number of trees proposed on site. It was agreed with the agent that the landscaping and increase in the number of trees would be achieved via condition and a condition to this effect would be attached to any approval granted.

It is considered the proposed landscaping scheme would improve the quality of the development and the visual amenity of the area in accordance with Manchester Core Strategy policies SP1, EN9 and DM1.

Ecology

An ecological impact assessment was submitted as part of the development which was reviewed by the Greater Manchester Ecology Unit. The Unit confirmed an area of bramble scrub will be lost, potential bird nesting habitat and the Unit requested a condition restricting works to trees and shrubs be attached to any approval granted. The Unit also stated the bramble could be used as hedgehog cover and requested an informative be attached to any approval granted in relation to the protection of hedgehogs. The Unit also reviewed the BNG metric submitted. However, as the application was submitted in February 2024, the application is exempt from bio-diversity net gain requirements. A condition would be attached to any approval granted to request a landscaping scheme which also considers how the site can provide biodiversity enhancements to the site. It is therefore considered that the development presents opportunities for bio-diversity enhancement subject to the relevant conditions in accordance with Core Strategy Policy EN15.

Local Labour Agreement

During the course of the Project 500 scheme, discussions between MCC Strategic Housing and MCC Work and Skills occurred relating to local labour agreements for the construction phase were undertaken. An agreement was reached between all parties that local labour conditions were retracted from any decision notices. Instead, any Social Value/Local Labour that is derived will be reported into Strategic Housing as part of the Projects as they are developed/completed and be fed back to Work and Skills via that mechanism. This was considered acceptable by the LPA and the decision notice would not include any local labour condition.

Loss of Informal Footpaths across the Site

Public footpaths exist around the east, southern and western boundaries of the site. A desire line can be seen across the site whereby local residents have used the applicant site as a short cut from Ashley Lane to Benton Street. The access from the desire line would be lost as a result of the proposal. The application was advertised for affecting a right of way. Whilst the loss of access is regrettable, the public footpaths around the edge of the site would be retained as such access from Benton Street to Ashley Lane would still remain. This is considered acceptable in regard to public amenity, pursuant to Policy SP1 of the Core Strategy.

Further, one neighbour raised concern about the loss of the green space as a community asset. Whilst the loss of the green space is regrettable, the immediate area still benefits from green space immediately south of the applicant site and further to the south west. As such, the immediate area is considered well served in terms of green space. Further, the need to provide 5 new homes for affordable housing is considered to outweigh the loss of the space given the existing additional green space to the south of the applicant site.

Conclusion

Overall, the development is considered to be acceptable as it would contribute positively towards the supply of housing to meet targets and increase the provision of affordable housing. It is considered that the quality of design and the internal space is satisfactory. Any potentially harmful impacts of the development on residential amenity, drainage, ecology and landscaping has been either addressed or mitigated through the submitted details or appropriate conditions.

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

In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. On balance, it is considered that the development is of a scale and magnitude that would relate positively to the surrounding area and would be capable of achieving a high quality development in accordance with Core Strategy Policies DM1 and SP1.

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 (references to be included):

- Application Form, stamped as received by the City Council as Local Planning Authority on 6 February 2024.
- Supporting Information- Energy Statement, stamped as received by the City Council as Local Planning Authority on 6 February 2024.
- Ecology Report- Ecological Impact Assessment, stamped as received by the City Council as Local Planning Authority on 19 February 2024.
- Drawing- Proposed- Street Elevations, numbered BS-BTP-00-E-DR-A-4243_107.8, stamped as received by the City Council as Local Planning Authority on 9 April 2024.
- Drawing- Proposed- House Type 13 Elevations, numbered BS-BTP-05-E-DR-A-4243_161A, stamped as received by the City Council as Local Planning Authority on 9 April 2024.
- Drawing- Proposed- House Type 13 Plans, numbered BS-BTP-05-ZZ-DR-A-4243_160 A, stamped as received by the City Council as Local Planning Authority on 9 April 2024.
- Drawing- Proposed- House Type 14 Elevations, numbered BS-BTP-06-E-DR-A-4243_166.A, stamped as received by the City Council as Local Planning Authority on 9 April 2024.
- Drawing- Proposed- House Type 14 Plans, numbered BS-BTP-06-ZZ-DR-A-4243_165 A, stamped as received by the City Council as Local Planning Authority on 9 April 2024.
- Design & Access Statement, stamped as received by the City Council as Local Planning Authority on 9 April 2024.
- Supporting Information- Typical Window Reveal, numbered BS-BTP-00-D-DR-A-4243_111, stamped as received by the City Council as Local Planning Authority on 9 April 2024.
- Drawing- Site Plan- Schedules, Boundaries & Proposed Site Plan, numbered BS-BTP-00-ZZ-DR-A-4243_110.7, stamped as received by the City Council as Local Planning Authority on 17 April 2024.
- Waste Management- Waste Management Plan, numbered BS-BTP-00-SP-DR-A-4243_109.1, stamped as received by the City Council as Local Planning Authority on 17 April 2024.
- Drawing- Site Plan- Proposed Site Plan, numbered BS-BTP-00-SP-DR-A-4243_105.13, stamped as received by the City Council as Local Planning Authority on 18 April 2024.
- Supporting Information- Confirmation Applicant Will Manage Area of Green Incidental Open Space, stamped as received by the City Council as Local Planning Authority on 19 April 2024.

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

3) Before the commencement of above ground construction works, samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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

4) The proposal shall be carried out in accordance with 'Supporting Information- Typical Window Reveal, numbered BS-BTP-00-D-DR-A-4243_111', stamped as received by the City Council as Local Planning Authority on 9 April 2024, in relation to window reveals. For the avoidance of doubt the window reveal should be minimum 195mm deep.

Reason - In the interest of visual amenity pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

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

-Drawing- Proposed- Street Elevations, numbered BS-BTP-00-E-DR-A-4243_107.8, stamped as received by the City Council as Local Planning Authority on 9 April 2024.

-Drawing- Proposed- House Type 13 Elevations, numbered BS-BTP-05-E-DR-A-4243_161A, stamped as received by the City Council as Local Planning Authority on 9 April 2024.

-Drawing- Proposed- House Type 14 Elevations, numbered BS-BTP-06-E-DR-A-4243_166.A, stamped as received by the City Council as Local Planning Authority on 9 April 2024.

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

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

i. Display of an emergency contact number;

ii. Details of wheel washing;

iii. Compound locations where relevant;

iv. Location, removal and recycling of waste;

v. Routing strategy and swept path analysis;

vi. Parking of construction vehicles and staff;

vii. Sheeting over of construction vehicles.

viii. Parking of construction vehicles and staff;

viii. Dust suppression measures.

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

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

7) Before the commencement of above ground construction works, details of highways works that are required as part of the implementation of the development, for the avoidance of doubt, including:

-Alterations to the existing highways and dropped kerbs on Benton Road

-Construction of the proposed vehicular access,

shall be submitted to and approved in writing by the City Council as local planning authority.

The development shall not be occupied until the works have been constructed in accordance with the approved details, which shall be maintained in situ at all times thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, EN19, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

8) a) The development shall be implemented in accordance with the approved plans 'Waste Management- Waste Management Plan, numbered BS-BTP-00-SP-DR-A-4243_109.1', stamped as received by the City Council as Local Planning Authority on 17 April 2024, in relation to a scheme for the storage and disposal of refuse.

b) 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 amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

9) Before the occupation of the development, car parking areas shown on 'Drawing- Site Plan- Proposed Site Plan, numbered BS-BTP-00-SP-DR-A-4243_105.13', stamped as received by the City Council as Local Planning Authority on 18 April 2024, shall be surfaced and made available for use.

The car parking spaces shall be maintained in situ prior to the occupation of the authorised houses and remain in situ thereafter.

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

10) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

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 policies EN14 and EN17 of the Core Strategy.

11) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the 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.

Reason- To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

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

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the

Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

b) When the development within each phase 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.

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

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

13) a) Prior to commencement of the development, a scheme for electric vehicle charging 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 Core Strategy.

14) Prior to the first occupation of the development the Boundary Treatment shall be implemented in accordance with the approved plans 'Drawing- Site Plan- Schedules, Boundaries & Proposed Site Plan, numbered BS-BTP-00-ZZ-DR-A-4243_110.7', stamped as received by the City Council as Local Planning Authority on 17 April 2024.

The approved details shall be retained in accordance with the details and maintained in situ thereafter.

Reason - In order to secure the site boundaries, achieve appropriate noise attenuation and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

15) A further plan indicating landscaping and biodiversity enhancement to be made shall be submitted within one month of the grant of consent. Landscaping and biodiversity enhancements shall be implemented not later than 12 months from the date the buildings are first occupied. The scheme shall also include details of future maintenance following the implementation of the approved details. 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 Core Strategy.

16) Notwithstanding the details shown within 'Drawing- Site Plan- Proposed Site Plan, numbered BS-BTP-00-SP-DR-A-4243_105.13', stamped as received by the City Council as Local Planning Authority on 18 April 2024, prior to first use, details of the specifications, elevations, siting and appearance of the secured cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

17) a) 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. Prior to commencement of the use hereby approved 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 scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority 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 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 agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

18) Prior to any above ground works, details of the location, materials, design and colouration of Air Source Heat Pumps and any acoustic enclosures to be used within the development hereby permitted shall be submitted to and approved in writing by the local planning authority.

The development shall be constructed only using the approved materials and shall be retained as such at all times thereafter.

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

19) The development hereby approved shall be carried out in accordance with the 'Supporting Information- Energy Statement', stamped as received by the City Council as Local Planning Authority on 6 February 2024 and 'Sustainability & Renewable Energy section (page 18) within the 'Design & Access Statement', stamped as received by the City Council as Local Planning Authority on 9 April 2024.

The approved details shall be retained in accordance with the requirements of the statement at all times thereafter.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, 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.

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

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

21) No vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

22) Prior to occupation, details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details at all times thereafter.

The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged 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 Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

23) Prior to the commencement of the development (excluding demolition works), a scheme for the provision of affordable housing on the site shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall comprise:

- i. the type and tenure (such tenures being consistent with the definition of affordable housing in Annex 2 of the NPPF or any definition of affordable housing that replaces it) which shall consist of 100% of the dwelling houses;
- ii. confirmation that the affordable dwellings will be made available on affordable housing terms for both first and subsequent occupiers of the affordable housing dwellings (subject to such exclusions and exemptions as may be approved by the City Council); and
- iii. the eligibility criteria to be used for determining who may occupy the affordable housing dwellings (which shall not be required to include any local connection criteria in the case of shared ownership housing).
- iv. The approved affordable housing scheme shall be implemented as part of the development and thereafter observed in perpetuity subject to the exclusions and exemptions set out in the approved affordable housing scheme.

Reason - In order to provide affordable housing at the site and to deliver an identified housing need in accordance with policies H6 and H8 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

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

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

25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

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

26) 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 2010 (or any order revoking and re-enacting that Order with or without modification) the dwelling houses hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/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 2010, 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 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.

Informatives

1)The applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Benton Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

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

3) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:
Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

4) The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals such as hedgehog. Planning consent does not provide a defence against prosecution under this act.

Appendix 1 – List of consultees & neighbours notified

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

First Floor Flat, 195 Ashley Lane, Manchester, M9 4NQ
Ground Floor Flat, 195 Ashley Lane, Manchester, M9 4NQ
Flat 2, 205A Ashley Lane, Manchester, M9 4NQ
Flat 1, 205A Ashley Lane, Manchester, M9 4NQ
20 Benton Street, Manchester, M9 4NG
17 Benton Street, Manchester, M9 4NG
8 Stonehead Street, Manchester, M9 4PN
19 Benton Street, Manchester, M9 4NG
15 Benton Street, Manchester, M9 4NG
13 Benton Street, Manchester, M9 4NG
2 Stonehead Street, Manchester, M9 4PN
6 Stonehead Street, Manchester, M9 4PN
203 Ashley Lane, Manchester, M9 4NQ
199 Ashley Lane, Manchester, M9 4NQ
197 Ashley Lane, Manchester, M9 4NQ
183 Ashley Lane, Manchester, M9 4NQ
201 Ashley Lane, Manchester, M9 4NQ
12 Stonehead Street, Manchester, M9 4PN
10 Stonehead Street, Manchester, M9 4PN
4 Stonehead Street, Manchester, M9 4PN
205 Ashley Lane, Manchester, M9 4NQ
193 Ashley Lane, Manchester, M9 4NQ
181 Ashley Lane, Manchester, M9 4NQ
22 Benton Street, Manchester, M9 4NG
18 Benton Street, Manchester, M9 4NG
16 Benton Street, Manchester, M9 4NG

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) -
Area Team Boundary - Name: NORTH AREA