

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139642/FO/2024

Date registered valid: 27 March 2024

Proposal: Erection of a two storey dwellinghouse (C3 use) with associated hard and soft landscaping, and car parking

Address: Land Between 2A Crossway And 15 Barlow Moor Road, Manchester, M20 6TT

Ward(s): Didsbury West Ward

Applicant: Mr Andrew Twambley

Agent (if any): Mr David Lambert, ARCD Architects

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 May 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 22 April 2024

Standard consultations:

Printed: 10 April 2024 Expired: 1 May 2024

Neighbour notifications

Printed: 10 April 2024 Expired: 1 May 2024

Site notice

Posted: 22 April 2024 Expired: 14 May 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

This application relates to a vacant parcel of land situated on the west side of Crossway and is informally used for car parking. The site is close to the Crossway junction with Barlow Road, which comprises of ground floor retail and commercial uses with actual of potential for upper floor residential use. The application site is immediately adjacent to the boundary of Didsbury District Centre. The properties immediately to the north of the site comprises two storeys with rear extensions within enclosed yards (and are separated from the application site by an alleyway). To the east, is a parcel of land with extensive tree cover. An apparently disused

single storey detached building is situated adjacent to the southern boundary with remaining part of Crossway comprising of traditional two storey terraced houses.



Fig.1 – Views of the application site from Crossway

Description of development

The proposed development comprises the erection of a two storey pitched roof house with a single storey element projecting from the north elevation. The two component parts of the house would incorporate a pitched roof set between gable elevations. The main two story part of the house first part would have a maximum height of 8.3 metres, width of 8.1 metres and overall depth of 7.2 metres. The single element would be set back from the principal building line to allow the formation of driveway enclosed with a sliding gate. It would have a maximum height of 4.7 metres and width of 4.4 metres. It would have an overall depth of 4.6 metres producing a projection of 3.9 metres from the rear building line.

The principal elevation would be partially positioned at the back of footpath. However, in response to the constraints of the site triangular defensive space defined by low walls and railings would be formed. Gated access would be formed to allow access to the rear garden adjacent to the southern elevation. The northern boundary adject to an alleyway would be defined by a brick wall with gates to facilitate the transit of bins form an identified storage area. Amenity space would be formed in a courtyard and incudes a cycle storage area. The elevations would be punctuated by rectangular windows, large glazing panels and patio doors.

The elevations would be composed in red brick work and red sandstone detailing. A slate roof would be formed with PV panels to the rear plane.



Fig.2 – Proposed elevations

The proposed layout comprises:

Internal

- Basement – Gym, games room WC and utility room
- Ground floor – Entrance hall, kitchen/dining/living room, lounge, WC and utility room.
- First floor – Three double bedrooms and one bathroom.



Fig.3 – Internal layout – Basement, ground and first floors.

External

- Car parking and bin storage (accessed from Crossway) enclosed with sliding gate.
- Lightwell to basement (adjacent to driveway)
- Enclosed courtyard with bin and cycle storage.

Site history

138481/FO/2023 - Erection of a two storey dwellinghouse with basement accommodation and associated car parking
 Refused: 11 January 2024

Consultations & Notification Responses

Local residents and businesses – One email of objection of has been received and is summarised below:

- i. Residential amenity - Concern is expressed regarding the close proximity of habit room windows to neighbouring site boundaries and the potential impact on the privacy of residents, including their enjoyment of neighbouring land.
- ii. Impact on trees - The submitted tree survey has been referenced and it is noted that the implementation of the development would necessitate work to trees, including tree removal. The works would affect trees outside the application and the related work has not been agreed , that has not been agreed with the neighbouring landowner.
- iii. The development would result in the substantial coverage of the site with built and very limited amenity space would be provided.

Highway Services – The following comments have been received:

- i. The development would be supported with one car parking space with access and egress via Crossway. The driveway should have minimum dimensions of 3 metres x 6 metres to avoid encroachment on to the highway.
- ii. A new vehicular is proposed to Crossway. The related highways works and reinstatement of the redundant crossing and re-surfacing will need to be addressed via a highways agreement (and related to the development via and off-site highways condition).
- iii. The development should be supported with and electric vehicle charging point with a minimum 7kw charging capacity.
- iv. The proposes provision of two cycle storage spaces should be located in secured and sheltered enclosures.
- v. Confirmation of the boundary treatment to Crossway should be confirmed to secure appropriate visual permeability.
- vi. The arrangement for bin collection via the alleyway to the north of the site are considered to be acceptable.

Environmental Health – The following comments are made:

- i. The development should be related to a construction management plan.
- ii. A condition has been included to ensure that the development would be appropriately insulation against noise from Crossway and Barlow Moor Road. The condition should also address the potential for overheating.
- iii. The development should be supported with a waste and recycling management plan.
- iv. To safeguard air quality, a condition relating to the provision of an EV charging point is recommended.
- v. The development should be related to a condition to address potential land contamination.

Flood Risk Management Team – The development site is in Flood Zone 1. However, the proposed use will have a vulnerability classification of 'More Vulnerable.' Although a flood risk assessment is not required a condition is recommended to ensure the provision of appropriate surface water drainage.

Neighbourhood Team Leader (Arboriculture) - The following comments have been received:

- i. The sycamore tree identified for removal is in poor condition and not worthy of TPO protection.
- ii. All tree work should be accord with BS:5837 to ensure retained trees are not adversely impacted during and agreed construction works. On-site operatives should be familiar with the site specific arboricultural impact assessment.
- iii. The proposed house would slightly encroach into the root protection zones of several of the trees. This encroachment is within excepted margins and the trees would not be significantly impacted.
- iv. A planting plan has not been provided. However, given the constraints of the site opportunities for replanting and soft landscaping would be limited.
- v. During construction, the developer should ensure that the trees are adequately protected during and no machinery, materials or spoils should be stored within the root protection zones.

Transport For Greater Manchester – No comments.

Didsbury Civic Society – No comments received.

Issues

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

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

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

- i. Chapter 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, a sufficient amount and variety of land can come forward where it is needed. The importance of small and medium sized sites to housing requirements is acknowledged along with delivery of development that supports housing for first time buyers. The development provides an opportunity for appropriately designed, small scale residential design. Chapter 5 would be accorded with.
- ii. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder

(and the fear of crime) do not undermine the quality of life or community cohesion. The development has demonstrated that the development would achieve satisfactory natural surveillance and appropriate boundary treatments can be delivered through condition. The development would thereby accord with Chapter 8.

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

- a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users.

It is considered that, given the magnitude of the development, the generation of traffic and vehicular movement would be predictable and capable of being accommodated within the local highway infrastructure. The development would be supported with off-site car parking and cycle storage. The site is in a sustainable location benefitting from access to the local bus network. The development would thereby accord with chapter 9.

iv. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The use of previously developed or 'brownfield' sites is encouraged. The proposal would positively respond to this objective in accordance with chapter 11.

v. Chapter 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is considered that the development would achieve an appropriately designed house of a proportionate scale and massing and a satisfactory relationship to the surrounding context. The development would not unduly harm the amenities of the area and chapter 12 would thereby be accorded with.

vi. Chapter 14: Meeting the challenge of climate change, flooding and coastal change - States that new development should:

- a. Avoid increased vulnerability to the range of impacts arising from climate change;
- b. Help to reduce greenhouse gas emissions, such as through its location, orientation and design.

It is considered that sustainable drainage could be potentially delivered along with design that would deliver satisfactory carbon emissions.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Flood Risk Planning and Flood Risk
- iv. Health and well-being
- v. Air quality
- vi. Land affected by contamination

vii. Noise

The require consultation has been undertaken. It is considered that the development would relate satisfactorily related points (ii) and (iv) as suitable quality of design would be achieve and potential harm to residential amenity could be managed by condition. Similarly, issues relating to drainage, air quality, land conditions and noise can also be addressed by conditioned. It is therefore considered that the above points would be appropriately responded to.

The Places for Everyone Plan is a Joint Development Plan Document - Provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The development would be appropriately related to the following policies:

- i. JP-S1- Sustainable development
- ii. JP-S2 – Carbon and energy
- iii. JP-S5 – Flood risk and the water environment.

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

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

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

The proposal would deliver the development of a brownfield site and thereby represents an appropriate re-use land in a residential area. The development would be appropriately related to the character of built form in the area and would not unduly impact upon local amenity.

Condition would secure emission from the site and ensure that any land contamination issues are addressed. The development would thereby accord with policy DM1 due to the resulting harm to amenity.

Policy EN1 (Design Principles and Strategic Character Areas) - States that opportunities for good design to enhance the overall image of the City should be fully realised to reinforce and enhance the local character and context of the development site. In this case, it is considered that the composition of the development would be appropriately related to the massing and scale of development to the local area. Policy EN1 would be accorded with.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) - Has been related to the assessment of the submitted statement detailing measures to reduce CO2 emissions and to secure energy efficiency.

Policy EN 8 (Adaptation to Climate Change) - States that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. The development has been related to 'fabric-led' design approach, which seeks to exceed the current requirements of building regulations.

Effective and proportionate measures to reduce carbon emissions have been proposed to secure compliance with policies EN4 and EN8.

Policy EN 14 (Flood Risk) - States that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. Suitable surface water drainage would be delivered through a related condition.

Policy EN15 (Biodiversity and Geological Conservation) – States that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity. Proportionate mitigation measures, such as the provision of bat and bird boxes, are conditioned for delivery as part of satisfactory development.

Policy EN 16 (Air Quality) – Requires improvements to air quality that are sought as part of the consideration of development. Given the magnitude of the development, it is not apparent impacts on air quality would be significant. The level of related traffic movement would be limited and impact reduced through the provision of EV charging points and opportunities for the adoption of more sustainable transport modes. Policy EN16 would thereby be responded to positively.

Policy EN18 (Contaminated Land and Ground Stability) - States that any proposal for development of contaminated land must be accompanied by a health risk assessment. The development has not been accompanied with a land condition assessment. However, given the magnitude of the development, it is considered that related issues could be addressed by condition.

Policy EN19 (Waste) - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

It has been demonstrated that appropriate waste and recycling management can be delivered as part of the development.

Policy H1 (Overall Housing Provision) - Relates to the City Council strategy for the delivery of new housing between March 2009 and March 2027 and sets out the criteria for assessing new provision.

Policy H 6 (South Manchester) – States that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. It also states that outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

In this case, the development would make a positive contribution to local housing provision through the re-use of brownfield lands. Policies H1 and H6 would be thereby accorded with.

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

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development and its relationship to the character of the surrounding area;
- c. Effects on amenity;
- d. The accessibility to buildings and neighbourhoods, in relation to inclusive access and sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

It is considered that the development has been related to a suitable design, which would relate appropriately to the surrounding context with an acceptable impact on residential amenity. The operational requirements of the development have been assessed and are capable of being managed through conditions. Satisfactory and inclusive access would be formed. On balance, it is considered that the development has been suitably related policy DM1.

Unitary Development Plan (saved UDP) Policies -The following Unitary Development Plan saved policies are relevant to the assessment of the development:

Part 2

Policy DC7 (New Housing Development) - States that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. Policy DC7 also requires that a satisfactory quality of development is achieved. In this case, satisfactory inclusive access has been demonstrated to secure compliance with policy DC7.

Policy DC26 (Development and noise) - The following elements of policy DC26 are considered to be relevant:

Policy DC26.1 has been related to the proposals contribution to the local noise environment and how existing noise sources, including noise from neighbouring industrial / commercial uses, may impact on the proposed housing.

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

Policy DC26.5 has been related to the assessment of the development, in terms of measures to minimise the impact of noise on future residents, including the incorporation of noise insulation.

The development site is located in a predominantly residential street but also in close proximity to retail and commercial uses. This particularly relevant given the potential noise generated along Barlow Moor Road and its junction with Wilmslow Road. It is considered that any related noise impacts are capable of being addressed through the recommended condition to secure compliance with policy DC26.

Manchester Residential Quality Guidance (MRQG) - Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live. It also seeks to raise the quality of life across Manchester. The guidance is relevant to all stages of the development process, including construction and operational management. The proposed development would meet the relevant space criteria as set out in the guidance. The quality of the design and layout of the development and quality of design would positively contribute to the character of the local area, encourage sustained long-term occupation and thereby secure compliance with the MRQG. The development would exceed the space criteria for a four bedroom, seven person dwellinghouse over three storeys. The quality of the elevation design and magnitude and composition of proposed built form would not be satisfactorily related to the MRQG.

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

In this case, officers engaged in pre-application discussions with the applicant's agent and the re-submitted application responded positively to the advice that was issued. Following confirmation of arrangements to secure inclusive access and the consideration of consultation responses, sufficient information was available to allow the appropriate assessment of the proposed development.

Principle of the development –The submitted development has successfully addressed the concerns of the LPA, which led to the previous refusal of planning permission ref - 138481/FO/2023. The principal of residential development within the application site has the potential to be acceptable.

Siting – The siting of the development has been suitably amended and responds to the character of neighbouring terraced houses. The development has been re-designed to deliver a principal elevation that has strong relationship to the street. The formation of a defensible space with the front elevation is considered to be a justified response to the configuration of the site. A reduction in height to the secondary element of the house (to a single storey) would maintain a sense of space across the site complemented by the formation of a driveway. The related

configuration of built form would improve the relationship of the development to property to the north of the site. The development would have an extensive site coverage. However, the surrounding area is densely developed and comprising of properties with varying levels of amenity space. The area immediately to the west of the site is extensively overgrown and appears to have limited development potential that could be affected by the application proposal. On balance, the siting of the development is considered to be acceptable.

Scale and massing – The proposed level of the ridge and eaves to the main part of the development has been designed to mark a transition in height between neighbouring houses on Crossway and 15 and 17 Barlow Moor Road. The formation of a single storey element to the building would also secure an appropriate relationship to properties to the north of the site, which are two-storey with single storey rear extensions. The massing the house would be reduced by the configuration building materials and the position of the glazing to counterbalance the solidity of external masonry. The position of differing heights would within the building configuration and the related composition of the roofscape would provide further articulation. On balance, it is considered that the development would be suitably proportioned.

Design and impact on the streetscene. – The development would deliver a satisfactory contemporary design informed by the character of neighbouring houses. The brickwork would be relieved by the arrangement of by glazing and the inclusion of stone detailing. The use of slate in the roof composition is a further acknowledgement of the character of surrounding built form. Cohesion is added to the component parts of the roofscape, including the formation of an extended roof plane to the rear. The applicant has sought to give the proposed house appropriate articulation through the inclusion of window reveals and incorporation of exposed soffits. A materials condition has been included to secure the delivery of an appropriate elevation treatment. The layout of the building would secure its sustained occupation.

Inclusive access – The internal layout would provide suitable ground floor access to a wheelchair user. A condition has been agreed confirming the provision of level thresholds to external doorways.

Residential amenity – The residential development of the site is to be acceptable and suitable operational conditions have been included to aid its future management. . The property at 2A Crossway appears to be disused and would therefore not present amenity considerations. Notwithstanding the existing use of the first floor of 15 and 17 Barlow Moor Road, both properties maintain the potential to provide residential accommodation. A reduction in the height of the adjacent section of the proposed development has improved relationship to properties to the north of the site. The only windows positioned in the first floor of the north elevation would relate to a landing and an obscurely glazed bathroom window, thereby ensuring that there would not be an undue impact on residential amenity. The achieved internal space would encourage sustained occupation. The property at 2A Crossway appears to be disused and would therefore not present amenity considerations. It is not considered that the development would unduly impact on residential amenity.

Residential space criteria - The development would exceed the space criteria for a four bedroom, seven person dwellinghouse over three storeys as specified in the MRQG.

Crime and security – Although comments have not been received from GM Police, their comments relating to previous application ref: 138481/FO/2023 have been assessed. It is considered that natural surveillance of the main entrance door has been improved by the provision of a railing gate. Further enhancement of natural surveillance would be achieved through the reconfiguration of the principal elevation and the introduction of ground floor windows. The recommended provision of lighting to the alleyway has been included by the applicant. A condition has been included requiring secured cycle storage enclosure. An informative has

been included requiring that locks and fittings meet secured by design standards. On this basis, it is considered that issues relating to crime reduction and security have been appropriately responded to.

Reducing carbon emissions and sustainable design – The development has been related to 'fabric-led' design approach, which seeks to exceed the current requirements of building regulations. Glazing double designed to harness solar gain, natural ventilation and photovoltaic panels would be provided. It is considered that these measures would be appropriate. Further benefits would be delivered through the provision of EV charging points and cycle storage.

Car parking and highways issues – The provision of a single car parking space would be acceptable in as sustainable location with access to public transport. The driveway incorporates ground level lightwells that would facilitate a car parking spaces that would meet the dimensions required by Highways. The provision of this parking space and its surfacing would be secured by condition. A boundary treatment condition would ensure that the proposed gates would secure appropriate visual permeability. The development would be supported with an EV charging point to meet future needs. A condition has been included to ensure that required off-site highways works are implemented as part of the development. On balance, it is considered that the development would not unduly impact upon the local highway network.

Cycle storage – The proposal would incorporate two cycle storage spaces within the rear garden and would be appropriate. A condition has been included to ensure that cycle storage is undertaken in secure and sheltered enclosure.

Off-site highway works – An informative has been including advising of Highways requirements for works to the highways, including the formation of a new dropped kerb and footpath reinstatement. The implementation of these works as part of the development is secured through the included off-site highways condition.

Electric vehicle (EV) charging points – The submitted drawings indicate the provision of an EV charging point. A condition is included to ensure approval of the specification and appearance of the EV charging point and to ensure its installation as part of the development.

Construction Management Plan (CMP) – Given the constraints of the site and amount of on street car parking in Crossway, it is considered that a construction management plan should be agreed by condition. A suitable pre-commencement condition has been agreed with the applicant.

Waste management – The applicant has indicated an area for the storage of the four waste and segregated recycling bins within the rear garden. The bins would be presented for collection via gates leading to an alleyway situated to the north of the site. As the bins would be screened by boundary walls the proposed storage arrangements would be acceptable and their implementation is conditioned to the development.

Noise – Potential noise impacts would be related to the operation of nearby district centres uses and traffic. A condition has been included to secure appropriate acoustic attenuation (including an assessment for potential for overheating and any related requirements for ventilation and noise insulation). As the design and access statement references the potential provision of an air source heat pump a separate condition has been included requiring acoustic insulation of any required external equipment. The above would provide suitable safeguards to residential amenity.

Land conditions - The development site relates to previously developed land. The applicant has agreed to comprehensive condition that would assess the condition of the land within the

application and provide remediation of any identified issues. Given the size of the site and nature of surrounding uses, it is considered that this approach is appropriate.

Flood risk and site drainage - The application site is located within Flood Zone 1 and has low risk of flooding. The applicant has been advised of the comments of Flood Risk Management Team and United Utilities. It is considered that any additional risk of flooding can be attenuated through the included drainage condition.

Ecology – With the exception of potential tree root systems extending into the site, there would appear to have little ecological value. It primarily comprises of hard surfacing. Retained neighbouring trees would be protected through the implementation of the recommendation of the submitted arboricultural statement. A condition has been included relating to the provision of bat and bird boxes, which would represent proportionate bio-diversity enhancement. A condition has been included to ensure the undertaking of tree work outside the bird nesting season.

Tree removal and landscaping – With the exception of ivy covered boundary fencing, shrubs and trees affected by the development are located outside the application site. The applicant is aware that the consent of the neighbouring landowner will be required before undertaking works to neighbouring trees. Notwithstanding the above, the impact of the works to neighbouring trees, including the removal of a sycamore tree (T5), has been assessed and would not be unduly harmful to the amenities of the area. The development has been related to the detail of the arboricultural statement, including tree protection measures during construction. Given the tight constraints of the site a landscaping scheme involving tree planting is not considered to be acceptable.

Conclusion – It is considered that the siting of the proposed development would be appropriately related to the constraints of the application site and its surrounding context. The proposed design would achieve a coherent design response that would be appropriately related to the character, scale and magnitude of the neighbouring development. The development is therefore considered to be unacceptable.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is

in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

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. Officers engaged in pre-application discussions with the applicant's agent and the re-submitted application responded positively to the advice that was issued. Following confirmation of arrangements to secure inclusive access and the consideration of consultation responses, sufficient information was available to allow the appropriate assessment of the proposed development.

Condition(s) to be attached to decision for approval

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received by the City Council as local planning authority on 27 March 2024:

Planning application forms

Location plan with a red edge Ref: L(-)000

Basement plan as proposed Ref: L(-2) 001

Ground floor plan as proposed Ref: L(-2) 011

First floor plan as proposed Ref: L(-2) 021

Roof plan as proposed Ref: L(-2) 031

Elevations as proposed Ref: L(-4) 011 (East and North)

Elevations as proposed Ref: L(-4) 021 (West and South)

Section as proposed Ref: L(-5) 011

Design and Access Statement by ARCD New dwelling Crossway Didsbury dated March 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, a scheme shall be submitted to and approved in writing by the City Council as local planning authority providing until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed 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 authorised development relates to the erection of one, three bedroom dwellinghouse as detailed in the approved drawings (Class C3).

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

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

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

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

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

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings referenced: Basement plan as proposed Ref: L(-2) 001, Ground floor plan as proposed Ref: L(-2) 011, First floor plan as proposed Ref: L(-2) 021, Roof plan as proposed Ref: L(-2) 031, Elevations as proposed Ref: L(-4) 011 (East and North), Elevations as proposed Ref: L(-4) 021 (West and South) and Section as proposed Ref: L(-5) 011.

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

8) Before the occupation of the development the bathroom window as indicated on the approved drawings ref: First floor plan as proposed Ref: L(-2) 021 and Elevations as proposed Ref: L(-4) 011 (East and North) shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

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

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

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

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

10) Development shall not begin until a surface water drainage layout for the site 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 policy EN14 and EN17 of the Core Strategy for the City of Manchester.

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

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

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

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

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

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

12) Upon occupation of the development the arrangements for waste and recycling as detail in document referenced Ground floor plan as proposed Ref: L(-2) 011 and Design and Access Statement by ARCD New dwelling Crossway Didsbury dated March 2024 (4.2 Waste and recycling) shall be fully implemented and maintained in situ thereafter.

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

13) Before the occupation of the building, the car parking space and other hard surfaces relating to each plot shall be implemented in accordance with the details of drawing referenced: Proposed Site Plan Ref: 20_051/02 Rev A. Upon occupation of the building, the car parking area shall be made available for use in accordance with the authorised use only and maintained in situ thereafter.

Reason - In the interest of pedestrian and highways safety and to ensure the provision of appropriate car parking pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

14) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority confirming the specification of the electric vehicle (EV) charging point as positioned on drawing referenced Ground floor plan as proposed Ref: L(-2) 011. The EV charging points shall achieve a minimum charging specification of 7kw/H and be installed in accordance with positions shown on the approved drawings before first occupation of the development and maintained in situ thereafter.

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

15) Before the occupation of the development details of the appearance and specification of secured of cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The approved cycle storage shall be installed in the position shown on drawing referenced Ground floor plan as proposed Ref: L(-2) 011 before the occupation of the development and maintained in situ thereafter.

Reason - To ensure that adequate provision is made for cycle 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 Core Strategy for the City of Manchester.

16) Before the occupation of the authorised development, full details and specifications of all off-site highways works, shall be submitted to and approved in writing by the City Council as local planning authority. The required works shall be fully implemented prior to the first occupation of any part of the development and maintained in situ thereafter.

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

17) a) Before occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the acoustic insulation of the residential accommodation against noise from Crossway and Barlow Moor Road any other identified noise source. The scheme should assess the potential for overheating and any related requirements for ventilation and noise insulation. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

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

Reason - To secure a reduction in noise from traffic on Barlow Moor Road and Crossway and any other identified noise source and to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

18) a) Before its installation any externally mounted ancillary plant, equipment required in support of the development, including the installation of an air source heat pump, shall be related to a scheme to be submitted to and approved in writing by the City Council as local planning authority. It shall detail measures for noise attenuation and be related to a survey of background noise levels at nearest noise sensitive location. 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 protect residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

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

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

20) The development shall be implemented in accordance with the details of the following documents: Arboricultural Implication Assessment and Arboricultural Method Statement, Proposed development at Crossway Didsbury by Mulberry Ref TRE/CD dated 24 October 2023 (including the details of Appendix Two – Tree Protection Fencing, Tree Survey schedule and Method statement plan Ref: CD/MS/01). Tree protection measures shall be implemented before the commencement of construction works and maintained in situ throughout the construction phase of the development.

Reason - To avoid damage to any retained trees adjacent to and within the site which are of important amenity value to the area and to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy for the City of Manchester.

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

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

22) Notwithstanding the detail of drawing referenced: Ground floor plan as proposed Ref: L(-2) 011; First floor plan as proposed Ref: L(-2) 021; Elevations as proposed Ref: L(-4) 011 (East and North); Elevations as proposed Ref: L(-4) 021 (West and South) and Section as proposed Ref: L(-5) 011 and before the occupation of the development, details of appearance and specification of all boundary wall, railing, fencing and gates shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented before occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

23) Before the construction of above ground construction works a drawing shall be submitted to and approved in writing by the City Council as local planning authority confirming the formation of level thresholds of external doorways. The approved details shall be implemented before occupation of the development and maintained in situ thereafter.

Reason – In the interests of residential amenity and to ensure inclusive access is provided as part of the development, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC7 of the Unitary Development Plan.

24) The development shall be implemented in accordance with the details of environmental performance and carbon reduction and set in document referenced: Design and Access Statement by ARCD New dwelling Crossway Didsbury dated March 2024 (Section 5.0 Sustainability). The implemented measures shall be maintained in situ thereafter.

Reason - To minimise the environmental impact of the development pursuant to policies SP1, EN4-EN7 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

25) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council relating to the appearance, specification and positioning of any external lighting forming part of the authorised development. The scheme shall be implemented as part of the development and maintained in situ thereafter.

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

Informative

1) Guidance for developers can be found via the following:

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

2) The required drainage details shall include:

- i. Evidence of drainage hierarchy adherence;
- ii. Finalised surface water drainage layout including all components, levels and connectivity;
- iii. Evidence of connection approval in principle;
- iv. Maintenance and management plan.

3) The applicant should be advised that any continuing requirements for licensing 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.

4) The applicant will be required to enter into a Section 184 agreement for the resurfacing of the footway and dropped kerbs on Crossway and will require a crossing licence / agreement. This will require the agreement with Council's Highways Applications and Network Resilience. This will be funded at the applicant's expense.

5) Tree work – It is recommended that tree work is implemented in accordance with BS: 5837.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Transport For Greater Manchester
Didsbury Civic Society
MCC Flood Risk Management

2A Crossway, Manchester, M20 6TT
1A Churchwood Road, Manchester, M20 6TZ
17 Barlow Moor Road, Manchester, M20 6TN

29A Barlow Moor Road, Manchester, M20 6TN
21A Barlow Moor Road, Manchester, M20 6TN
19A Barlow Moor Road, Manchester, M20 6TN
Flat 10, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 9, Crossway House, 7 Crossway, Manchester, M20 6TE
23 Barlow Moor Road, Manchester, M20 6TN
Flat 5, 1B Churchwood Road, Manchester, M20 6TZ
Flat 2, 1B Churchwood Road, Manchester, M20 6TZ
Flat 8, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 5, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 2, Crossway House, 7 Crossway, Manchester, M20 6TE
10 Crossway, Manchester, M20 6TT
29 Barlow Moor Road, Manchester, M20 6TN
25A Barlow Moor Road, Manchester, M20 6TN
17A Barlow Moor Road, Manchester, M20 6TN
1B Churchwood Road, Manchester, M20 6TZ
1 Churchwood Road, Manchester, M20 6TZ
11 Crossway, Manchester, M20 6TU
8 Crossway, Manchester, M20 6TT
21 Barlow Moor Road, Manchester, M20 6TN
12 Crossway, Manchester, M20 6TT
27 Barlow Moor Road, Manchester, M20 6TN
25 Barlow Moor Road, Manchester, M20 6TN
19 Barlow Moor Road, Manchester, M20 6TN
15 Barlow Moor Road, Manchester, M20 6TN
Flat 6, 1B Churchwood Road, Manchester, M20 6TZ
Flat 4, 1B Churchwood Road, Manchester, M20 6TZ
Flat 3, 1B Churchwood Road, Manchester, M20 6TZ
Flat 1, 1B Churchwood Road, Manchester, M20 6TZ
Flat 7, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 6, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 4, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 3, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 1, Crossway House, 7 Crossway, Manchester, M20 6TE
9 Crossway, Manchester, M20 6TU
13 Crossway, Manchester, M20 6TU
23A Barlow Moor Road, Manchester, M20 6TN

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH AREA