

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139774/JO/2024

Date registered valid: 11 April 2024

Proposal: Variation of Conditions 2 (specified plans) and 7 (car parking) attached to planning permission 136204/FO/2023 to allow change to footprint of dwelling.

Address: Land At The Junction Of Varey Street & Cross Lane, Manchester, M18 8WY

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Ryan Shenton Southway Housing Trust

Agent (if any): Mrs Victoria Jane Saunders Bernard Taylor Partnership Ltd

Case officer: Janet Lawless
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Recommendation: Approve

Date of recommendation: 6 June 2024

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit: 30th May 2023

Standard consultations:

Printed: 25 April 2024 Expired: 17 May 2024

Neighbour notifications

Printed: 25 April 2024 Expired: 17 May 2024

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site that is the subject of this full planning application is located in the Gorton and Abbey Hay ward of the City. It is a rectangular area informally grassed. It is bounded to the south by Cross Lane and to the west by Vary Street. To the rear of the site is Highmead Street which is separated from the site by a gated alleyway. The gardens of the houses on Highmead Street run vertical to the proposal site. The proposal site itself is on a slight raised gradient and is bounded to two sides by low level concrete bollards and 2 metre high decorative metal railings that run the full length of the alleyway along the rear of the site.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The principle of the overall development has previously been approved under reference 136204/FO/2023. The details of which are as follows:

The proposal is just one of the sites across the City that form development sites as part of Project 500. The aim is to secure affordable rented properties that would be managed by a registered provider, in this instance the landlords would be Southwards Housing Association. The proposal is for the erection of a 2 storey residential development in the form of 1 detached three bed house with in curtilage parking and garden area, and one 2 storey building containing 4 x 1 bedroom cottage flats with in curtilage parking landscaping and boundary treatment. Due to the slight mounding of the grassed area currently, and, the requirement to remove the hard surfacing that has been laid during the use of part of the site as an additional seating area for the neighbouring Cotton Tree pub, some excavation work will be required to achieve the correct levels. The properties would comprise of brick and tile matching the materials of the existing properties throughout the neighbourhood.

Description of area

The area is a mix of predominantly residential properties on the side roads and on the opposite side of Cross Lane, and commercial and residential on the frontage of Cross Lane. There is a public house (The Cotton Tree) with a small beer garden area to the east of the site. However, the seating area does not belong to the public house and actually forms part of the development site. The rear of the site comprises of the Gospel church hall and semi-detached and terraced properties on Highmead Street.

Description of development

The application currently under consideration is for amendments to the previously approved scheme to retain the internal floorspace as previously approved, but change the configuration of the footprint, and to insert two additional windows one to the ground floor and one to the first floor to create additional light to the hallway and a bedroom. The two proposed windows will be obscurely glazed.

In addition, the space created from reducing the width of the development means that the two sets of two parking spaces to the Cross Lane frontage will be moved slightly creating a strip of landscaping to the outer parking space to each side.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Highways-No objections subject to the attachment of conditions relating to construction management, Cycle storage, boundary treatments and off- site highway works.

Environmental Health-No objection subject to the attachment of conditions relating to construction management plan, Noise re externally mounted plant and equipment, waste management and electric vehicle charging points.

Neighbourhoods-Trees- No objections to the proposed development and Neighbourhoods are satisfied with the level of landscaping proposed for the scheme.

Flood Risk Management- No objections to the proposed development subject to the attachment of conditions relating to surface water drainage and sustainable drainage methods and management.

Greater Manchester Police- No objections to the proposed development subject to the attachment of a condition relating to secure by design.

United Utilities- No objections subject to the attachment of a condition relating to surface water drainage.

Greater Manchester Ecology Unit- No objections to the proposal, the habitat loss would be negligible, and the proposal is considered acceptable subject to the attachment of conditions relating to the provision of bird boxes and tree and vegetation clearance. As this is a section 73 application, it is exempt from mandatory 10% BNG.

Issues

National Planning Policy Framework - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Section 12 'Achieving Well Designed and Beautiful Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 131).

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

A number of UDP policies have 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.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

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.

Policy H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

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

Policy H4

East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

East Manchester has approximately 30% of the City's available sites (SHLAA 2010). This level of new development will provide significant opportunities to help change the character of the area, support the economic growth of the City-region by providing a more balanced community; and is adjacent to the City Centre, a growing source of employment opportunities. East Manchester includes Central Park and Eastlands, important focus for future growth.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Policy EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required.

Policy DM 1 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:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.

- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Unitary Development Plan - The site is unallocated in the plan.

Guide to Development in Manchester Supplementary Planning Guidance - Recognises the importance of an area's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. The guidance also advises that buildings should relate well to each other and building heights should be carefully considered. In terms of ease of movement, cul-de-sacs are discouraged, the street network should contribute to the character of the area, safe routes for cyclists and pedestrians will be promoted, and public transport should be easy to use. Places with attractive and successful public areas are encouraged with open spaces reflecting and accommodating future uses with children and young people being considered in the design and location of open spaces. Neighbourhoods should contain a mix of housing, safety and security are vital elements of the urban area, the impact of parking areas should be minimised and new developments should maximise access for disabled people.

Point 2.7 states that increased development density can be appropriate where it is necessary to reinforce community identity, promote a more economic use of land, increase demand for local facilities and contribute to safer, self-policed streets. However density levels must be informed by the character of an area and the specific circumstances of a proposal.

Under point 2.12 'Buildings should front onto streets', the Guide states that:

It is important to achieve an adequate level of enclosure if streets and open spaces are to provide a sense of place and help people feel comfortable and safe. Buildings should present their main face and pedestrian entrance to the adjacent main street, to contribute to its vitality and interest. Windows and entrances should ensure that the street is overlooked to promote informal surveillance.

Point 2.45 States that successful neighbourhoods offer a choice of housing to enable residents to continue to live in an area as their needs and aspirations change. Social and private housing should complement each other to deliver choice and balance. Whilst it does not rule out large, thoughtfully designed single tenure housing developments in appropriate locations, these need to link effectively into neighbouring areas and contribute to a balanced neighbourhood overall.

Point 2.49 states that new developments will be expected to meet designing out crime principles. Whilst architecture and design can make a significant contribution to a sense of

security, one of the most effective measures for community safety and crime prevention is the creation of lively environments, in use at different times of the day and night.

Point 8.4 states that developments should promote informal surveillance of the street. Buildings fronting streets, so that pavements are overlooked by windows and entrances, are encouraged as they increase security for street users.

Point 8.6 states that developments should have recognisable uses or internal arrangements which help to foster stewardship, minimise the risk and fear of crime, and accommodate the public without compromising amenity and the safety of users.

Point 10.9 relates to external space and states that all residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:

- A safe play area for children
- Additional storage outside the house
- The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development
- Space in which to relax which helps the overall sense of well-being
- An increased amount of planting which enhances the quality of the natural environment
- The space to provide home grown food which benefits the health of the local community.

Manchester Residential Quality Guidance 2016 -Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

Places for Everyone - GM Spatial Plan

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities have now adopted the Plan following consideration of the Inspectors' Report. There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Background to the proposal

The application site was 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 Council has identified the site as having potential for future new housing development subject to assessment via the planning process. MCC Strategic Housing have agreed the principle of erecting 1 x 3 bed detached house and 4 cottage flats at this site.

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 H4 and H1. This background remains applicable for the variation to planning conditions application that is currently under consideration.

Principle of development - The site lies in a mixed use area with commercial properties taking their place within the street scene along Cross Lane. The remainder of the area and the side roads leading up to the development site comprise of a mix of residential in the form of Victorian terraced properties to modern infill developments and social housing developments on the opposite side of Cross Lane. The residential is predominantly 2 to 2 1/2 storey in height. The development site itself was historically occupied by 2 storey terraced housing which has previously been cleared, and in the interim period between demolition and redevelopment has been informally grassed and used as incidental open space by local residents. However, the potential of redeveloping the site has always been an intent, and it was never a long term prospect to provide external amenity space for surrounding properties. The development proposed would be accessed off Cross Lane for the cottage flats and Vary street for the vehicular access and Cross Lane for the pedestrian access for the detached house.

The principle of residential development on a site that has previously been occupied by housing is considered acceptable. Therefore, housing development within an established residential area is considered acceptable in principle, subject to consideration of the following material considerations as impacts of the proposed development:

Affordable Housing, Residential Amenity, Space Standards, Accessibility, Siting, Scale, Height and Massing Design, Crime and Security, Boundary Treatment, Highways and Car Parking, Electric Vehicle Charging, Construction Management, Waste, Cycle Storage, Noise and Disturbance, Air Quality, Ground Conditions, Flood Risk and Drainage, Landscaping and Ecology.

The variation of condition application currently under consideration has no impacts upon the principle of development, the proposed use as a residential development site is still considered appropriate.

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.

The scheme will be brought forward by The Southway Housing Trust, a Registered Provider of Social Housing 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 social rent, as confirmed within the Affordable Housing Statement. 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 application has been accompanied by an affordable housing statement which confirms that the proposal will provide 100% social 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.

A condition would be attached to any approval granted ensuring that the commitment within the Affordable Housing Statement is adhered to across the lifetime of the homes.

The Variation of condition application does not have any impact upon the affordable housing it would still represent 100% affordable housing.

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. The 1 bed cottage flats range from 50 square metres to 54 square metres and the 1 x3 bed detached property would be 86 square metres.

As such, the design of the proposed houses would achieve the required internal floor space of the properties proposed. The scheme is therefore considered to provide a good standard of accommodation.

The residential space in square metres proposed for each of the properties within the scheme will remain the same for this variation of condition application, with just the cottage flat shape being slightly reconfigured to create an elongated block thereby slightly increasing the depth on the plot, but reducing the width, and as such has no implications for compliance with space standards.

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:

Both the properties to the rear on Highmead Street and the proposed properties would have gardens between the physical buildings, and the separation distance is approx. 18 m minimum increasing to a maximum of 27 m rear building line to rear building line. It is acknowledged that there are windows proposed in the rear elevations of the proposed residential properties, however the ground floor properties would be screened by boundary treatments, and the windows to the first floor would be obscurely glazed, and on the cottage flats would serve the kitchen and the bathroom and on the detached property just the bathroom. As such it is not considered that there would be any detrimental impact of perceived overlooking into and out of the existing and proposed dwellinghouses given these separation distances. The impact would be no greater than if someone was to be standing on the currently undeveloped land looking across at the houses on Highmead Street.

Given the previous dense terraced development that occupied the site prior to clearance, these would have had a smaller yard, and as such would have had a closer relationship back-to-back with the properties on Highmead Street. The properties on the other side of cross Lane are separated by public open space in the form of the busy road that runs between the proposal site and the existing houses, and it is not considered that any potential overlooking would be any greater than already exists within the public realm.

Under this variation of condition application there are 2 additional windows proposed in the rear elevation one to the ground floor which would serve a hallway, and one to the first floor which would serve a bedroom. Both of these windows would be obscurely glazed and would not create any additional issues of overlooking. Therefore, there are no detrimental impacts as a result of the variation of condition 2 -Specified plans.

Overbearing or overshadowing impacts:

Due to the distance between the surrounding properties and the heights of the previous development that occupied the site it is not considered that the proposed development would have such a detrimental impact in relation to overshadowing to merit refusal of the application. Whilst it is acknowledged that the introduction of physical form on a site that residents have become accustomed to being open in nature will remove the open views from the properties on Highmead Street and Cross Lane, the properties have been designed so as to provide physical breaks between the buildings and do not present as a monolithic block as the previous run of terraced housing would have done. Given their heights and separation distances between properties it is not considered that the 2 storey properties would have any great overshadowing impacts on existing developments.

The variation of condition application would have no additional impacts with regards to overshadowing on the neighbouring properties.

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 it would be relative to that which currently exists in this largely residential context. The site is also facing onto the busy road of Cross Lane. In addition, there is a small local centre to the west of the site which also contributes to the existing noise and activity associated with a retail / commercial offer.

The variation of condition application currently under consideration would have no additional impacts with regards to noise and disturbance.

Accessibility

The topography of the site is currently slightly mounded and would require excavation and remediation works. The proposed properties are accessible at the ground floor for the cottage flats, as at 2 storey there would be no provision for a lift, however given the design of the stairs up to the first floor a stair lift would be possible. Once within the flats the sizes of the rooms would allow for disabled occupancy.

- All units within the scheme to be accessible to those with impaired mobility, sensory impairments and learning difficulties. This includes step free routes to all units.
- Inclusive dwelling design to be utilized to allow access into and around the buildings, including Part M of the building regulations and Lifetime homes. The accessibility of the proposed accommodation is not impacted by the variation of condition application.

Siting, Scale, Height and Massing

The front elevations of all proposed dwellings would face towards the existing Cross Lane. The cottage flats are proposed to the central and eastern end of the site following the building line of the adjacent properties. It is therefore considered that the development would have a strong and sympathetic relationship to the street scene, by following the frontage of existing properties along Cotton Lane.

Natural surveillance would be provided via windows to living rooms and bedrooms fronting the existing street. Unit 5 is the detached house in this instance the property would also benefit from windows within the side elevation to offer further natural surveillance to the west of the site.

The overall configuration is considered to be appropriately related to the existing neighbouring housing, and the street scene.

Existing properties sited opposite the application site on Cotton Lane are typical of the social housing provision within the area with small gardens to the frontage and communal areas to the rear. The remainder of the housing stock are Victorian style back-to-back terraced, red brick properties, which are accessible from the street, with walled yards to the rear accessible from gated alleyways.

As such, when the proposal would be viewed in the context of the vernacular of the area, they would match the height materiality and scale that is characteristic of the surrounding area. The departure from the surrounding footprint is that off road parking is provided for the proposed residential units however this is a positive introduction. As such, the proposal would look uniform and would give the scheme a sense of identity.

The application currently under consideration includes changes to the specified plans condition. This involves the slight reconfiguration of the footprint of the cottage flats, it retains the building line of the neighbouring properties. The scale height and massing of the proposed building is not impacted by the variation of conditions.

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 along the southern side of Cotton Lane using front doors, small canopies over the front doors and generous glazing, where appropriate. The gable ends of the proposed buildings reflect the style of existing development within the area whilst providing a contemporary finish with regards to the fenestration. The feeling of height is achieved by the vertical lines of the building, which again replicates the presentation of the existing Victorian terraced properties.

Whilst the agent provided details on the materials to be used- red brickwork, feature red brickwork detailing and thin leading grey concrete roof tiles which would be acceptable in principle, a condition would be attached to any consent granted to confirm the specifications of the palette of materials.

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

The design is not impacted by the variation of condition application, with the materials, fenestration and style still reflecting that of the existing area.

Crime and Security

A Crime Impact Statement (CIS) was not submitted as part of the formal planning application, due to the proposed number of units. Greater Manchester Police were consulted on the proposal and had no comments to make on the proposed development save for the attachment of a condition relating to Secure by Design. A condition to that effect would be attached to any consent granted. The application differentiates between public and private defensible space and with the properties facing onto the street, also provide natural surveillance.

There are no implications relating to crime and security as a result of the variation of conditions.

Carbon Reduction, Climate Change Mitigation and Sustainability

Within the Design and Access Statement the following principles would be followed to achieve a carbon reduction:

- Retaining of existing ecological features such as hedges and trees where possible
- Additional new landscaping to supplement the existing landscape

- 'Fabric first' approach including improved insulation and airtightness of new housing beyond the Part L requirements to reduce energy requirements.
- Widening the choice of quality homes available in the area for social sustainability
- Encouraging reduced car use by providing connections to the existing cycle and pedestrian network.
- Houses to be designed to be adaptable and flexible to changing user needs.
- Integrated use of Sustainable Drainage Systems
- Use of low carbon and renewable materials where possible
- Water efficient appliances and water meters to promote responsible water usage.
- PV panels on roofs
- Possible ground heat source pumps.

Given the small numbers of properties proposed, the measures outlined above are considered appropriate and the fabric first approach detailed with achievements beyond Part L are considered acceptable in this instance. EN6 within the Core Strategy states an Energy Statement should be submitted with a planning application if the development has over 10 units. As the proposal being assessed is for 5 units, an Energy Statement is not required and the conditioning of the above actions are considered sufficient in this case and would provide a good level of environmental performance and improvement.

Furthermore, the landscaping condition would be added to any approval granted ensuring the insertion of soft and hard landscaping, to the benefit of environmental improvement. Across the site the applicant has indicated that all properties will be wired to facilitate the future charging of electric vehicles. A condition has been included to ensure that these charging points are delivered as part of the development.

The variation of condition application would bring about a minor increase in the amount of green space associated with the proposal, as given that the plots would sit deeper within the site rather than wider, the space gained on the Cross Lane frontage now incorporates additional green strips adjacent to the parking areas for the cottage flats. The remainder of the initiatives above would be retained. The development is therefore considered to be in accordance with Core Strategy Policies EN4.

Boundary Treatment

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

- 1.8 metre timber fences would separate the rear gardens of all the properties and would run along the rear of the site, against the common boundary with the alleyway at the rear of the site
- 1.8 metre timber gates are set at the end of the parking spaces and allow access from the front amenity space to the rear
- Brick wall with metal railings (above 600mm would have a level of visual permeability) along the front elevations and to the east and west of the site.

The variation of condition application would have no implications for the boundary treatments as previously approved.

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.

This remains the case with no changes to the requirement of this condition as a result of the variation application.

Highways and Car Parking

Highways were consulted during the consideration of the application and accept the development is unlikely to generate any highway safety, traffic or network capacity concerns and be absorbed on the existing highway network with no capacity or safety concerns. The site is accessible from alternative modes of transport other than the car, and the provision is 100% parking for the properties each parking space achieves the required 3m x 6m space. there were no details submitted relating to the provision of Electric Vehicle charging points, however the applicant has submitted confirmation that they will be including 7kw EV charging points. A condition to that effect would be attached to any consent granted.

The parking provision is not impacted by the variation of condition application beyond an additional area of softscape adjacent to the parking spaces at either end of the site serving the cottage flats. The parking remains at 100%

Waste Management

There is provision within the curtilage of each property for the required 4 bins per household. These will be taken kerb side on collection day which is an acceptable approach already implemented by the existing residential properties within the area. However further information is required with regards to the waste management strategy and as such a condition requiring further information will be attached to any consent granted. There are no changes to the waste management as a result of the variation of condition application.

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. to ensure that a considerate approach is taken by the developers and mitigation is in place a condition is recommended which would require the submission and approval of a construction management plan.

Subject to the approval and implementation of the construction management plan, it is considered that the proposed development would be in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan.

The variation of condition application has no implications with regards to the construction management plan.

Cycle Storage

The applicant has indicated that the proposed houses would incorporate a secured bicycle storage that would be accessible from the street 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 an appropriate condition will be attached to any consent granted, thereby contributing to the provision of sustainable transportation options in accordance with Manchester Core Strategy policies T1, EN4 and EN8.

The variation of condition application has no implications with regards to the secure cycle storage.

Noise and Disturbance

Environmental Health requested a residential acoustic condition and an acoustic condition relating to external plant be placed on any approval granted, as the proposal is sited off Cross Lane and so could be negatively impacted by noise from Cross Lane. There was no Noise Impact Assessment submitted with the application, and as such the information submitted to discharge the above conditions will be assessed at the point of discharge. The proposal complies with saved Policy DC26 subject to these conditions.

The variation of condition application would have no negative implications with regards to noise and disturbance.

Air Quality

No Air Quality information was submitted as part of the proposal. As such, 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 points, no information was submitted in relation to specifications to be used, however the agent has given assurances that EV points will be installed and a condition to that effect will be attached to any consent granted.

There is also the requirement of a Construction management plan to be submitted approved and implemented in accordance with the approved plan would be 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.

The variation of condition application has no impact upon the air quality of the development.

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. A phase 2 site investigation report was submitted as part of the original application. There are no additional implications for the site as a result of the variation of condition application.

Flood Risk and Drainage

Two conditions relating to 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 will be attached to any consent granted.

There are no implications for flood risk as a result of the variation of condition application.

Landscaping

As part of the information provided, an Ecological Appraisal report and a landscaping plan was submitted. These were reviewed by the Manchester City Council Neighbourhoods team (Trees). The neighbourhoods team were happy with the proposal and raised no concerns. A condition would be attached to any approval granted for the landscaping scheme to be implemented as approved.

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.

The variation of condition application would introduce two additional strips of landscaping to either end of the site adjacent to the parking spaces, therefore there are positive implications for the landscaping as a result of the variation of condition application.

Ecology

An ecological survey was submitted as part of the development which was reviewed by the Greater Manchester Ecology Unit and no significant ecological issues were identified. The Team advised issues relating to nesting birds, and biodiversity mitigation measures can be dealt with via a condition attached to any consent granted. GMEU were satisfied that it is very unlikely that there will be any protected species issues associated with this site, and as such they have stated that no further information or measures are required.

There are no specific species issues associated with this site. The proposal in its current form will likely result in a net loss of biodiversity (if measured using biodiversity net gain metrics) due to the increase in negligible value habitats on the site as whilst new tree planting is proposed these are located in the gardens and survival therefore not guaranteed. However, as net gain is not as yet mandatory, if tree planting includes native species and bird and bat boxes provided on the new build, GMEU were satisfied that the development would meet the current guidance under the NPPF. A condition to this effect would be attached to any approval granted. 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.

There are no additional implications for the ecology of the site as a result of the variation of condition application. Given that the current application is a section 73 application it is exempt from the mandatory 10 % Biodiversity Net Gain.

Local Labour Agreement

The internal Work and Skills Team have also advised if social value arrangements are already in place through MCC colleagues than they would act as the local labour agreements in place of a planning condition.

Conclusion

It is considered that there are no negative impacts on the proposed development. 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, highways, ecology 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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner.

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 planning permission reference 136204/FO/2023 that date being 3rd August 2023.

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:

102- Site Clearance Plan received 8th February 2023
106 Rev G Proposed Site Plan received 11th April 2024
107A- Boundary Treatment Plan received 8th February 2023
110- Street Elevation received 8th February 2023
115 Rev A- 1b 2p Cottage Flat received 11th April 2024
120- 3b 4p Detached House received 8th February 2023
7098.2- Landscaping Plan received 8th February 2023
Design and Access Statement received 8th February 2023
Affordable Housing Statement received 8th February 2023
Energy Statement received 8th February 2023

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.

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) 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.
- vii. 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.

5) Before the commencement of above ground construction works, details of highways works to Cross Lane and Vary Street that are required as part of the implementation of the development, for the avoidance of doubt, including:

Footway reinstatement on Cross Lane and Vary Street and installation of dropped kerbs for driveway access from Cross Lane and Vary Street.

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.

6) a) Notwithstanding the details as shown on 'Drawing- Site Plan- 106G', stamped as received by the City Council as Local Planning Authority on 11th April 2024, before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

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.

7) Before the occupation of the development, car parking areas shown on 'Drawing- Site Plan- 106 Rev G, stamped as received by the City Council as Local Planning Authority on 11th 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.

8) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems

(March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Reason- To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

9) 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.

10) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Cross Lane shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

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

Reason- To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

11) 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.

12) Prior to the first occupation of the development the Boundary Treatment shall be implemented in accordance with the approved plans 'Drawing- Proposed- Boundary Treatment,

numbered 107A, stamped as received by the City Council as Local Planning Authority on 8 February 2023. 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.

13) Prior to occupation, the hard and soft landscaping scheme submitted and approved ref: 7098.02 stamped as received 8 February 2023 and site plan 106 Rev G stamped as received 11th April 2024 shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

14) 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.

15) Before the occupation of the authorised dwellinghouses, 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 species and bird and, if appropriate, bat species. The development shall be implemented in accordance with approved scheme prior to the occupation of the authorised properties 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.

16) 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.

17) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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.

18) 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. Any method statement shall then be implemented for the duration of the demolition works.

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

19) 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.

20) Upon first the occupation of the authorised houses, the development shall be fully implemented in accordance with the following document 'Supporting Information- Affordable Housing Statement', stamped as received by the City Council as Local Planning Authority on 8 Feb 2023, which confirms the provision of a total of 5 residential units for Social Rent in relation to the Cross Lane / Vary Street site.

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

Reason - In order to provide affordable housing at the site in accordance with policy H8 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

21) 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, additional fenestration, 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.

22) 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.

23) 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.

24) 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 nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

25) Before first occupation of the building identified as plots 2-5 on the approved plans the windows in the first floor to the rear (northern) elevation of that building, 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit

Gospell Hall, Highmead Street, Manchester, M18 8PJ

2 Highmead Street, Manchester, M18 8PJ

4 Highmead Street, Manchester, M18 8PJ

66 Cross Lane, Manchester, M18 8WY

90 Cross Lane, Manchester, M18 8WY

84 Cross Lane, Manchester, M18 8WY

16 Highmead Street, Manchester, M18 8PJ

10 Highmead Street, Manchester, M18 8PJ

2 Burtinshaw Street, Manchester, M18 8PB

64 Cross Lane, Manchester, M18 8WY

6 Highmead Street, Manchester, M18 8PJ

44 Highmead Street, Manchester, M18 8PJ

38 Highmead Street, Manchester, M18 8PJ

6A Highmead Street, Manchester, M18 8PJ

68 Cross Lane, Manchester, M18 8WY

78 Cross Lane, Manchester, M18 8WY

76 Cross Lane, Manchester, M18 8WY

74 Cross Lane, Manchester, M18 8WY

72 Cross Lane, Manchester, M18 8WY

70 Cross Lane, Manchester, M18 8WY

62 Cross Lane, Manchester, M18 8WY

92 Cross Lane, Manchester, M18 8WY
88 Cross Lane, Manchester, M18 8WY
86 Cross Lane, Manchester, M18 8WY
82 Cross Lane, Manchester, M18 8WY
80 Cross Lane, Manchester, M18 8WY
20 Highmead Street, Manchester, M18 8PJ
18 Highmead Street, Manchester, M18 8PJ
14 Highmead Street, Manchester, M18 8PJ
12 Highmead Street, Manchester, M18 8PJ
46 Highmead Street, Manchester, M18 8PJ
36 Highmead Street, Manchester, M18 8PJ
32 Highmead Street, Manchester, M18 8PJ
8 Highmead Street, Manchester, M18 8PJ
42 Highmead Street, Manchester, M18 8PJ
40 Highmead Street, Manchester, M18 8PJ
34 Highmead Street, Manchester, M18 8PJ
8 Burtinshaw Street, Manchester, M18 8PB
6 Burtinshaw Street, Manchester, M18 8PB
4 Burtinshaw Street, Manchester, M18 8PB
The Cotton Tree, 79 Cross Lane, Manchester, M18 8NY
30 Highmead Street, Manchester, M18 8PJ
Flat Above, 2 Highmead Street, Manchester, M18 8PJ
4A Highmead Street, Manchester, M18 8PJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA