

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137938/FO/2023
Date registered valid: 21 December 2023
Proposal: Erection of a part single/part 3 storey building to form two commercial units (Use Class E) on the ground floor with 9 no. apartments on upper floors together with car parking and boundary treatments
Address: 283 Mauldeth Road, Manchester, M19 1HL
Ward(s): Burnage Ward

Applicant: Mr Cowen, DPH 2 Ltd
Agent (if any): Mrs Plamena Yotova-Nedkova, Debtal Architecture Ltd
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 12 March 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 2 February 2024

Standard consultations:

Printed: 21 December 2023

Expired: 14 January 2024

Neighbour notifications

Printed: 21 December 2023

Expired: 14 January 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/area

This application relates to three low rise commercial premises at the junction of Burnage Lane and Mauldeth Road. Only one of the units appears to be trading as a bookmakers, with the remaining two vacant. To the north of the site there is a convenience store, while to the east, on the opposite side of Burnage Lane there is a mix of commercial uses. To the south, on the opposite side of Mauldeth Road, there is a public house, namely the Victoria Inn. To the west there are a number of semi-detached dwellings on Mauldeth Road and Glendale Avenue.



Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant is proposing to demolish the commercial premises and erect a part single/part 3 storey building on the site to form two commercial units (Use Class E, 1 x 217m² and 1 x 210m²) on the ground floor with 9 apartments on upper floors together with associated car parking and boundary treatments.

Consultations & Notification Responses

Local Residents/Businesses – Four letters have been received from local residents, three in support and one objecting, the comments are summarised below:

- This development will be a very worthwhile improvement of the site, which is a very prominent site right on the main junction in Burnage village. The existing shops are very dilapidated, and the new scheme looks to be a very welcome improvement. My only concern is the parking provision - there are only 4 spaces for 9 flats, and this isn't the city centre so it's likely a majority of residents would have cars (even though public transport links are good here, with several bus routes, and the nearby train station). Extra cars would end up parked on Mauldeth Rd or nearby residential side streets. If the plans were altered to add a few more spaces that would be perfect.
- There is already not enough parking in this area. People frequently park cars on yellow lines and block driveways and bus stops. More shops will make this worse. Creating 9 new flats with only 4 car parking spaces will also make this worse.
- At present the disused and dilapidated buildings are a blight on our community. It's a disgrace the way they are now. The development will make the site much better and bring people into the area.
- Plans look impressive this is a great opportunity to smarten up the junction and provide a boost to the district centre.

Highway Services – Have made the following comments:

- The submitted application form states that the proposals would result in a 103m² reduction in retail floor area. In consideration of the scale of residential development, it is accepted that the anticipated uplift in peak-period trips is likely to be minimal.
- The site is located in an established mixed residential/retail area with access to various facilities/services. A number of bus services operate in close vicinity of the site at Burnage Lane and Mauldeth Road. Mauldeth Road Railway Station is also located within walking distance.
- Plans show that the access will be widened with 4.8m clearance at the proposed gate entry point to allow for two-way vehicle movement. This is considered acceptable by Highways.
- Proposed parking bay dimensions have been provided and considered acceptable by Highways.
- Given the sustainable location of the site and that all 2/3 bed apartments will have an allocated parking space, the proposed level of parking provision is considered acceptable by Highways.
- 100% EV provision is shown which is welcomed by Highways.
- A total of 14no. internal cycle parking spaces are proposed to cater for residents and staff which is considered acceptable by Highways.
- 5no. Sheffield stands are proposed on an area of private hardstanding at Mauldeth Road. Whilst this is welcomed by Highways, the cycle stands must be carefully placed to ensure they do not result in bicycles overhanging and blocking the adjacent footway or block visibility for drivers egressing the site.
- The applicant has confirmed that vehicle types/frequencies associated with ground floor commercial operations are unclear at this stage. As such, highways request that deliveries and servicing associated with such units are managed as part of a Delivery and Servicing Management Plan to ensure that such operations can be effectively managed and undertaken internally given the proximity of a busy signal-controlled junction and surrounding TROs.
- The applicant has confirmed that bins will be placed out for collection along the building wall at Mauldeth Road. There is a sufficient area of private hardstanding to the back of footway and so pedestrian movement would not be affected.

Environmental Health – Suggests the imposition of a number of conditions designed to protect public health and residential amenity.

MCC Flood Risk Management – Suggests the imposition of a condition requiring the provision of a suitable surface water drainage scheme.

United Utilities Water PLC – Have reiterated the comments of the Flood Risk Management Team.

Greater Manchester Ecology Unit – The overall potential for roosting bats in the building has been assessed by the surveying ecologist as low. In line with good practice guidelines, the ecologist has recommended that for buildings with low roost suitability one presence/absence survey is carried out. If the development is likely to disturb a potential bat roost then a bat survey should be carried out before the application is determined.

Policies

The National Planning Policy Framework (December 2023) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

In addition to the above, Section 5 (*Delivering a sufficient supply of homes*) is of relevance:

Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 70 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Places for Everyone Joint Development Plan Document – 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 will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

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.

Core Strategy Development Plan Document – 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. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - 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 and protect and enhance the built and natural environment.

Policy H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and 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 H6, *South Manchester* – South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. 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.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance 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, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Design for health.
- 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.

Issues

Principle of the Proposal – There is no objection to the redevelopment of this site, given the condition/appearance of the existing premises and its prominent location. Notwithstanding this, the impact upon existing levels of residential and visual amenity must be assessed, along with any impact upon the highway network.

Space Standards – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester's space standards for residential developments.

The amount of floor space proposed for each flat and that required under the guidance is detailed below:

- 4 x 1 bed 2 person flats – 52 to 56m² (Space Standard – 50m²)
- 2 x 2 bed 3 person flats – 67 to 69m² (Space Standard – 61m²)
- 2 x 2 bed 4 person flats – 79 to 81m² (Space Standard – 70m²)
- 1 x 3 bed 5 person flat – 94m² (Space Standard – 86m²)

As demonstrated above, it is considered that the proposal complies with Manchester's space standards.

Design – The proposed building would have a contemporary appearance. It would be part single/part three storeys in height, with the tallest elements concentrated around the Mauldeth Road/Burnage Lane junction. Indicative images show that a mix of terracotta cladding and timber/composite cladding would be used on the elevations to give the building a more modern feel and it would be topped with a flat roof.



Overall, the design of the building is considered appropriate in this prominent location.

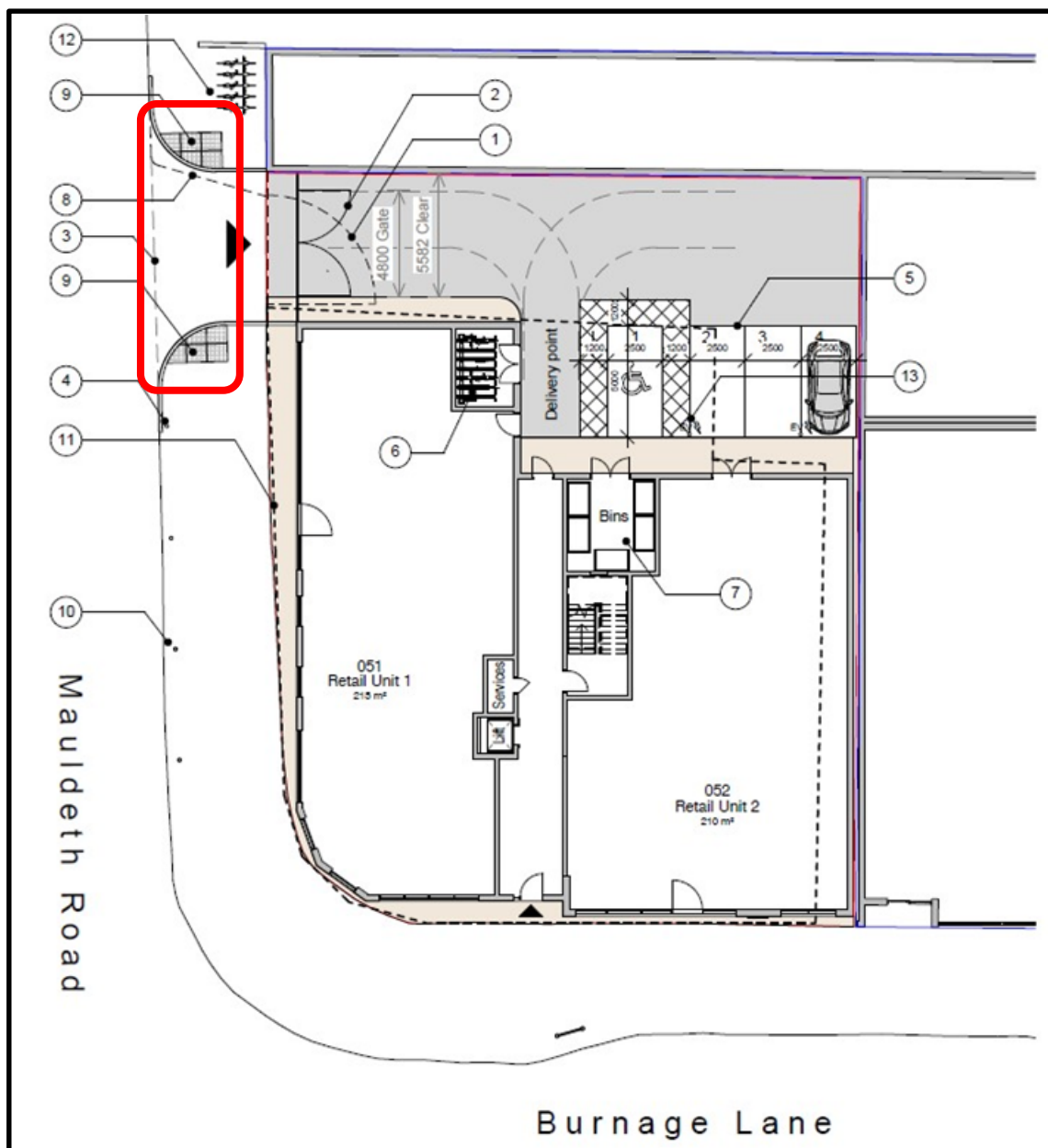
Scale and Massing – Though standing at a maximum of three storeys, the building has been designed to be comparable with the nearby public house and the commercial properties on Burnage Lane. The incorporation of a flat roof has allowed the overall height to be kept to a minimum whilst also allowing for the provision of two floors of residential accommodation above the ground floor commercial units.

Furthermore, as can be seen above and below, the use of contrasting materials and recessed elements and roof terraces has broken up the overall massing of the proposed building. In addition, the second floor elements have been brought in from the sides so as to limit the impact on the adjoining properties, particularly the nearest dwellinghouses.



The scale and massing of the proposal is considered acceptable for the is location.

Siting – As can be seen below, the proposed building would be no further forward than the existing premises. As such, the siting of the development is considered acceptable.



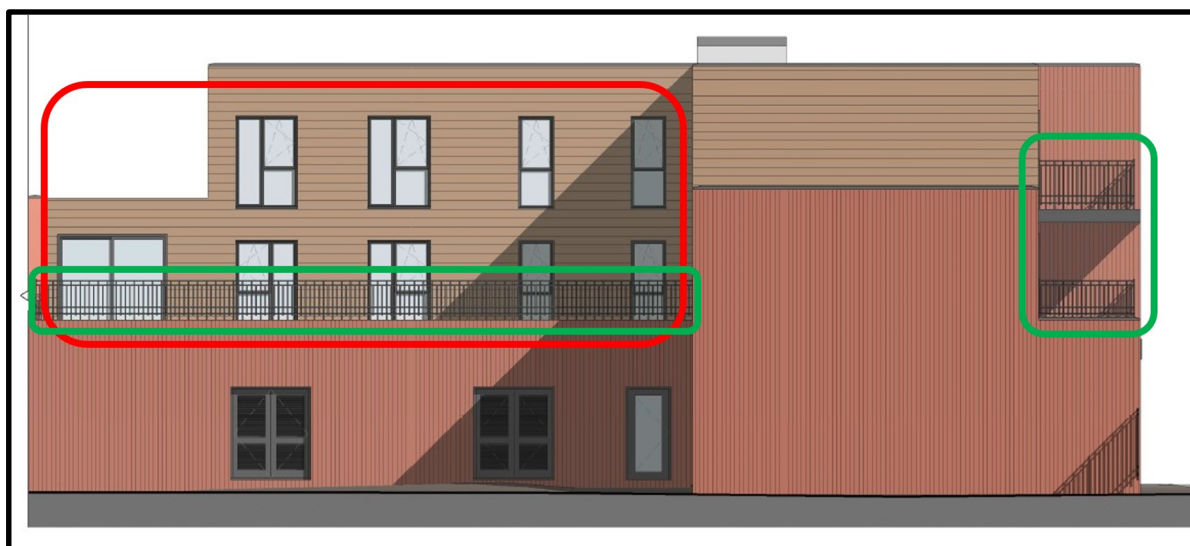
Pedestrian and Highway Safety – Given the amount of floorspace on offer and the number of units proposed it is not considered that the vehicle movements to and from the site would be so significant so as to prove detrimental to the existing levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Notwithstanding the above, at the request of Highways Services, it is felt prudent to require the applicant to provide tactile crossing points on either side of the vehicle accessway and this has been included on the latest layout drawing, shown highlighted in red above. Its provision will be the subject of condition no. 24.

Residential Amenity – A number of factors have been assessed in order to judge the impact of the proposal upon residential amenity:

Sunlight and Overshadowing – Given the modest height of the proposed development and the fact the taller elements have been moved away from the nearest residential properties it is not considered that the proposal would lead to excessive overshadowing of the dwellings on Mauldeth Road or Glendale Avenue.

Impact upon Privacy – There are a number of windows in the rear elevation which face towards no 2 Glendale Avenue (circled in red below). However, as these windows are approximately 45 metres away from the main rear elevation of that dwelling and the storage building shown below (circled in yellow) is to be retained, it is not considered that these windows would lead to a reduction in the levels of privacy enjoyed by the residents of no. 2 Glendale Avenue.



There are three separate balconies (circled in green) which would face the dwellings on Mauldeth Road and Glendale Avenue. The longer of the three would be sited approximately 19 metres away from the common boundary with no. 2 Glendale Avenue but given the presence of the retained storage building it is not believed it would lead to the overlooking of the rear garden. The remaining two balconies front Mauldeth Road and they would only have limited and oblique views of any nearby rear gardens.

In light of the above it is not considered that the proposal would have a detrimental impact on existing levels of privacy.

Notwithstanding the above, it is considered prudent to attach conditions requiring the second floor window in the north elevation of apartment 250 to be obscurely glazed and the flat roof adjoining apartments 250 and 251 to be prevented from being used as external amenity space, both in order to protect existing levels of residential amenity.

Noise – Given the relatively small number of units proposed and the small-scale nature of the commercial units, it is not considered that the proposal would be an inherently noise generating development.

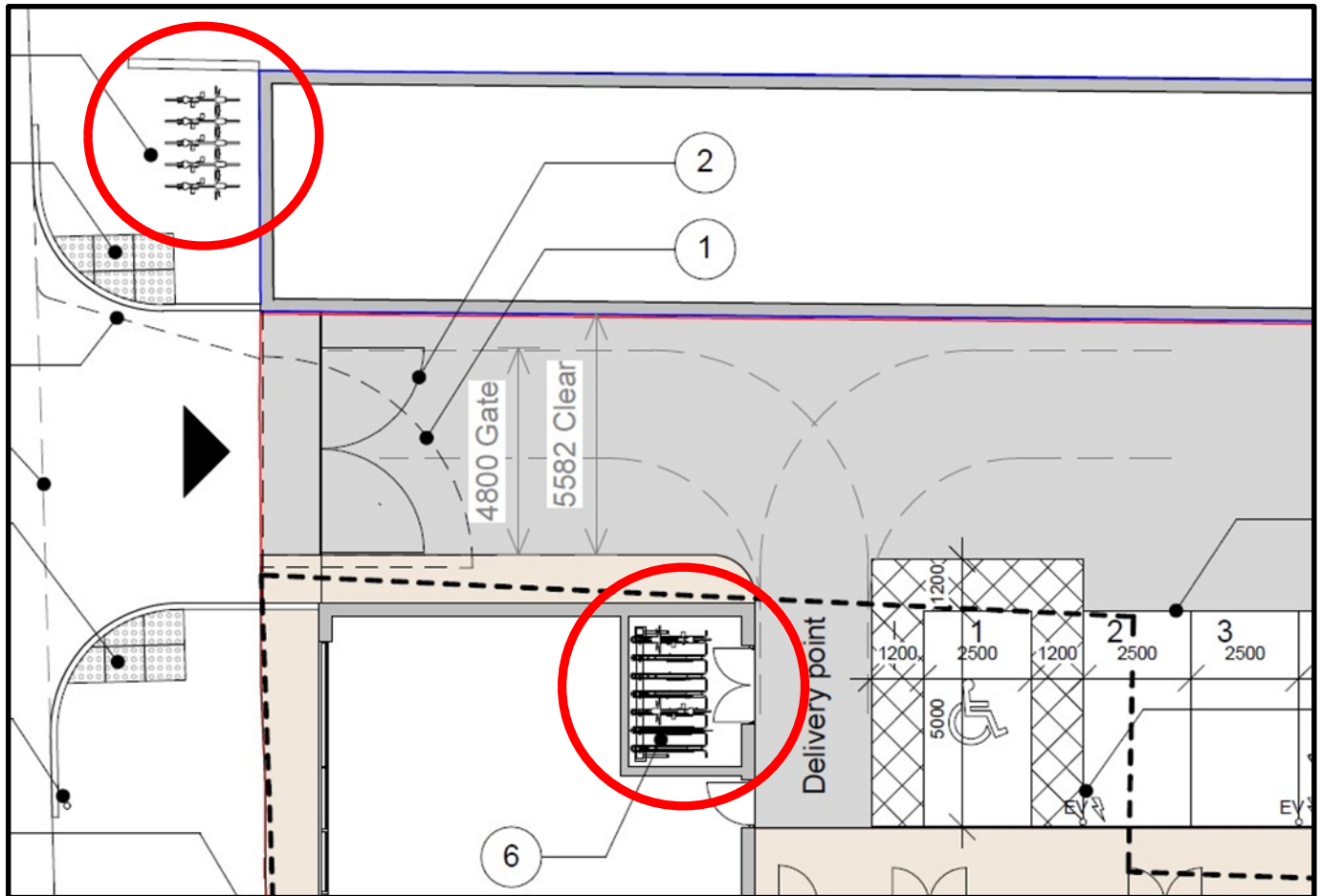
In conclusion, it is not considered that the proposal would have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of those properties closest to the application site.

Visual Amenity – Given the design, scale and massing of the proposal it is not considered that the proposed building would have a detrimental impact upon the levels of visual amenity currently enjoyed along Mauldeth Road and Burnage Lane.

Car Parking – Given the level of public transport on offer in the area the level of car parking on offer, i.e. four spaces, is considered acceptable in this instance. This is recognised by Highway Services.

Electric Vehicle Charging – The applicant has confirmed that all four of the parking spaces would be fitted out with charging points. A condition is suggested which would require the charging units to be installed prior to occupation. This level of provision is considered acceptable.

Cycle Storage – Internal and external cycle stores are proposed which would provide 14 and 5 spaces respectively. This level of provision is welcomed.



Air Quality – During the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. Assuming dust control measures are implemented as part of the proposed works, the significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities is predicted to be negligible. It is considered that the imposition of a Construction Management Condition would ensure that appropriate dust management measures are implemented during the construction phase.

It is recognised that during the operational phase of the development there is the potential for air quality impacts as a result of vehicle exhaust emissions associated with traffic generated by the proposal, i.e. the comings and goings of residents and visitors to the site. However, given the number of units proposed, the overall significance of potential impacts is considered to be low.

It is considered that the proposal would not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it.

Ecology – It is acknowledged that the overall potential for roosting bats in the building is low. However, given the concerns of Greater Manchester Ecology Unit a condition requiring further surveys is suggested in this instance.

Sustainability – The submitted energy statement has indicated that the proposed development would comply with Building Regulations Part L which is the equivalent of Code level 4 in the Code for Sustainable Homes. To ensure that the energy statement is implemented in full condition no. 20 is suggested in this instance.

Drainage – The conditions designed to protect against flooding, as requested by Flood Risk Management and United Utilities, would be attached to any approval granted.

Waste Management – Environmental Health have requested the imposition of condition requiring the submission and then implementation of a suitable waste management strategy. As a result, condition no. 15 is suggested in this instance.

Crime and Security – A *Secured by Design* condition would be attached to any approval issued to ensure the proposal offers secure accommodation.

Other Legislative Requirements

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

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

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

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

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

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

- a) Site Location and Block Plan - DA19009.6. 001, received on 29 August 2023
- b) Proposed GA Plans - DA19009.6. 004.1, received on 23 November 2023
- c) Proposed Elevations - DA19009.6. 005.1, received on 23 November 2023
- d) Existing and Proposed Streetscenes - DA19009.6. 006, received on 29 August 2023
- e) Proposed 3D Views - DA19009.6. 303, received on 29 August 2023
- f) Proposed Site Plan - DA19009.6. 305.2, received on 16 February 2024
- g) Roof Plan - DA19009.6. 306, received on 23 November 2023
- h) Design and Access Statement, received on 29 November 2023
- i) Noise Impact Assessment (ref. TB1702232NR), received on 29 August 2023
- j) Energy Statement, received on 29 November 2023
- k) Preliminary Bat Roost Assessment Report, received on 23 November 2023
- l) Phase 1: Preliminary Risk Assessment, received on 29 August 2023

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

3) Notwithstanding the submitted drawings, above-ground construction works shall not commence until samples and specifications of all materials, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

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

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3 , H1, H6 and H11 of the Manchester Core Strategy and the guidance contained within National Planning Policy Framework including section 16.

5) Above-ground construction works shall not commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured 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. 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 Manchester Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

6) Prior to the demolition of buildings on the site, two additional bat activity surveys during the period between May and September shall be undertaken and the results submitted to and approved in writing by the City Council as local planning authority, together with details of any necessary mitigation package if bats are found to be present. The development shall be implemented in accordance with any mitigation measures which are identified as being required.

Reason -To minimise the risk of accidental harm of a European Protected Species (Habitats Regulations 1994), pursuant to policy EN15 of the Manchester Core Strategy.

7) Above grounds works shall not commence until details of biodiversity enhancements (e.g. bird boxes and bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

8) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to Policy DM 1in the Manchester Core Strategy.

9) Prior to the use of the commercial units hereby approved, details of the opening hours shall be submitted to and be approved by the City Council as local planning authority. Thereafter the commercial units shall operate in accordance with the approved hours in perpetuity.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy.

10) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

- a) 0730hrs to 2000hrs - Mondays to Saturdays,
- b) no deliveries/waste collections - Sundays and Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy.

11) a) Prior to the commencement of the development hereby approved, details of any external lighting scheme shall be submitted to and be approved by the City Council as local planning authority.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy.

12) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. 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 occupation of the development 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 acceptable 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 safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy and Saved UDP Policy DC26.

13) a) The residential accommodation hereby approved shall be acoustically insulated in accordance with the recommendations of the Noise Impact Assessment (ref. TB1702232NR), received on 29 August 2023. The acoustic insulation shall remain in perpetuity and be maintained in accordance with the approved Noise Impact Assessment.

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.

Reason - In the interests of residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy and Saved UDP Policy DC26.

14) 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 Policy DM1 in the Manchester Core Strategy and Saved UDP Policy DC26.

15) a) 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 Policy DM1 in the Manchester Core Strategy

16) a) The development shall be carried out in accordance with the Phase 1: Preliminary Risk Assessment, received on 29 August 2023. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

b) Upon completion of the works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to ensure that the Remediation Strategy has been implemented in full.

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 Manchester Core Strategy.

17) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car parking shall then be available at all times whilst the site is occupied.

Reason - To ensure there is adequate car parking for the development proposed, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

18) Above-ground construction works shall not commence until details of the electric vehicle charging units to be incorporated into the development have been submitted to and approved by the City Council as Local Planning Authority. The approved electric vehicle charging units shall then be installed and thereafter maintained prior to the occupation of the development hereby approved.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

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

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policies EN14 and EN17 of the Manchester Core Strategy.

20) The development hereby approved shall be implemented in full accordance with the measures as set out within the Energy Statement, received on 29 November 2023, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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

21) Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved by the Council. The Construction Management Plan shall contain the following:

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in the Manchester Core Strategy.

22) Prior to the occupation of the development hereby approved, the cycle storage facilities, as shown on drawing DA19009.6. 305.2, shall be installed and thereafter maintained so long as the development is in situ.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

23) Before the development hereby approved is first occupied a detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those residing at the development, including the provision of e-bike charging points,
- ii) a commitment to surveying the travel patterns of staff (associated with the commercial element) during the first three months of use of the development and thereafter from time to time,
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car,
- iv) measures for the delivery of specified travel plan services,
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

24) Prior to the occupation of the development, a detailed scheme of off-site highway works, in order to provide improvements to the pedestrian crossing point on the pavement, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- a) Provision of a dropped kerb/tactile paving provision at the site access

The approved scheme shall be implemented and be in place prior to first use of the commercial element of the development hereby approved and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy.

25) Before first occupation the second floor window in the north elevation (Flat 250 on drawing no. DA19009.6. 004.1) shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

26) The flat roof to the side of Apartment nos. 250 and 251, as shown on drawing no. DA19009.6. 004.1, shall at no time be used as external amenity space.

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

Informatives

1) Informative for Condition 8 - The applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated May 2022. Details should also be provided in relation to replacement air.

2) Informative for Condition 12 - If the commercial units hereby approved are to be used as a pub, bar, nightclub etc the acoustic insulation scheme may need to include different measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

3) Informative for Condition 15 - The proforma/ Waste Management Strategy must include the following information:

- a) Estimated volumes and types of waste produced by the development;
- b) Details of internal and external stores for both waste and recycling, including any plans and designs;
- c) Location of the proposed collection point and details of the route the collection vehicle will take;
- d) Details of how waste will be transferred between stores and to the collection location; and
- e) Details of number and capacity of bins proposed and collection frequency.

Other details as per 'Waste Proforma v1.0' - refer to guidance at:

http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

10 units or below = low rise

11 or above = high rise

4) Informative for Condition 19 - In order to discharge condition no. 9 the following additional information has to be provided:

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment;;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;

- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

5) The applicant should be advised that any requirements for licensing, hoarding/scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk.

Appendix 1 – List of consultees & neighbours notified

Highway Services
 Environmental Health
 MCC Flood Risk Management
 Greater Manchester Police
 Greater Manchester Ecology Unit
 United Utilities Water PLC

Flat 3, 2B Avon Road, Manchester, M19 1FW
 Flat 2, 2B Avon Road, Manchester, M19 1FW
 Flat 1, 2B Avon Road, Manchester, M19 1FW
 203A Burnage Lane, Manchester, M19 1FE
 275 Mauldeth Road, Manchester, M19 1HL
 206 Burnage Lane, Manchester, M19 1FL
 204 Burnage Lane, Manchester, M19 1FL
 205A Burnage Lane, Manchester, M19 1FE
 285A Mauldeth Road, Manchester, M19 1FF
 Co Operative Group Ltd, 180 Burnage Lane, Manchester, M19 1EF
 GND, 203 Burnage Lane, Manchester, M19 1FE
 195B Burnage Lane, Manchester, M19 1FE
 195C Burnage Lane, Manchester, M19 1FE
 229 Burnage Lane, Manchester, M19 1FN
 219 Burnage Lane, Manchester, M19 1FN
 211 Burnage Lane, Manchester, M19 1FN
 4 Glendale Avenue, Manchester, M19 1FF
 285 Mauldeth Road, Manchester, M19 1HL
 281 Mauldeth Road, Manchester, M19 1HL
 266 Mauldeth Road, Manchester, M19 1GR
 196 Burnage Lane, Manchester, M19 1FL
 217A Burnage Lane, Manchester, M19 1FN
 205 Burnage Lane, Manchester, M19 1FE
 191 Burnage Lane, Manchester, M19 1FE
 186 Burnage Lane, Manchester, M19 1EF
 227A Burnage Lane, Manchester, M19 1FN
 223A Burnage Lane, Manchester, M19 1FN

229A Burnage Lane, Manchester, M19 1FN
277 Mauldeth Road, Manchester, M19 1HL
268 Mauldeth Road, Manchester, M19 1GR
225 Burnage Lane, Manchester, M19 1FN
223 Burnage Lane, Manchester, M19 1FN
221 Burnage Lane, Manchester, M19 1FN
217 Burnage Lane, Manchester, M19 1FN
213 Burnage Lane, Manchester, M19 1FN
8 Glendale Avenue, Manchester, M19 1FF
6 Glendale Avenue, Manchester, M19 1FF
2 Glendale Avenue, Manchester, M19 1FF
12 Glendale Avenue, Manchester, M19 1FF
10 Glendale Avenue, Manchester, M19 1FF
209 Burnage Lane, Manchester, M19 1FE
207 Burnage Lane, Manchester, M19 1FE
203 Burnage Lane, Manchester, M19 1FE
195 Burnage Lane, Manchester, M19 1FE
193 Burnage Lane, Manchester, M19 1FE
184 Burnage Lane, Manchester, M19 1EF
176 Burnage Lane, Manchester, M19 1EF
195A Burnage Lane, Manchester, M19 1FE
193A Burnage Lane, Manchester, M19 1FE
191A Burnage Lane, Manchester, M19 1FE
279 Mauldeth Road, Manchester, M19 1HL
270 Mauldeth Road, Manchester, M19 1GR
208 Burnage Lane, Manchester, M19 1FL
202 Burnage Lane, Manchester, M19 1FL
182 Burnage Lane, Manchester, M19 1EF
227 Burnage Lane, Manchester, M19 1FN
215 Burnage Lane, Manchester, M19 1FN
178 Burnage Lane, Manchester, M19 1EF

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