

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136783/FO/2023

Date registered valid: 21 July 2023

Proposal: Proposed part-two & part-three storey residential block consisting of 9 residential units (1 X 1 Bedroom & 8 X 2 Bedroom apartments) with associated car parking, landscaping, and amenity spaces.

Address: Land Adjacent To St Marks Lane, Robin Hood Street, Manchester, M8 9GH

Ward(s): Cheetham Ward

Applicant: Mrs Zahida Chaudhry

Agent (if any): Mr Barry Tang Tang and Associates Ltd - Chartered Architects

Case officer: Janine Renshaw-Livesey
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Recommendation: Approve

Date of recommendation: 29 November 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 3 May 2023

Standard consultations:

Printed: 4 August 2023 Expired: 25 August 2023

Neighbour notifications

Printed: 4 August 2023 Expired: 25 August 2023

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description

The site lies in the Cheetham Hill Area predominantly comprising of residential dwellings, shops and industry. The current site is vacant with overgrown landscaping. The site is bounded by Robin Hood Street, St Mark's Lane and Back St. Marks Lane. The site itself covers 910 sqm.

The Proposal

In the case of this application, planning permission is sought for the erection of a part-two and part-three storey residential block consisting of 9 residential units with associated car parking, landscaping, boundary treatments and amenity spaces.

The 9 no. of apartments comprise of 1 no. 1-bed apartments and 8 no. 2-bed apartments.

Planning History

120984/FO/2018 Erection of three storey building to form 14 x 2 bedroom apartments with associated parking, boundary treatment and landscaping. Withdrawn

118155/FO/2017 Erection of 7 x 3 storey dwellinghouses (Class C3) creation of parking area off St. Mark's Lane together with parking, landscaping and boundary treatment. Withdrawn

Consultations & Notification Responses

Local Residents/Occupiers - In response to the application, 1 objection has been received. The objector raised concerns the site is underutilised, and a larger footprint of built form should be considered given its sustainable location. However, removing dedicated amenity and car parking provision would result in an over intensification of the site, and the development would not comply with local and national planning policy to provide quality residential developments that includes car parking provision and amenity space.

Highway Services - The site is located close to Cheetham Hill Road, with access to frequent bus services.

Vehicular access is to be taken from St. Marks Lane which forms part of Salford City Council's adopted highway. Whilst the footways on St Marks Lane are sub standard it is noted that the route is constrained and any improvements to the footway may be limited. This will likely be explored during the S278 process and a condition has been added to the consent.

Car Parking

The proposed development will provide 9 car parking spaces equating to 100% provision. This level of provision is acceptable to Highways.

It is noted that no DDA spaces are provided for the development. Highways would recommend that one DDA space is provided to service the development.

EV Points

No EV car parking spaces are provided, Highways would recommend that 1 EV parking space is provided.

Cycle Storage

It is understood that 16 cycle parking spaces will be provided in an internal and secure cycle store. This provision is acceptable to highways.

Servicing

Swept path analysis has been undertaken to demonstrate that servicing of the site is achievable, and highway have confirmed this is acceptable.

Environmental Health - No objection. Conditions are recommended in relation to ground conditions, construction management, waste management, acoustic insulation, external equipment and air quality.

Greater Manchester Police (Design for Security) – Made no representation.

Arboriculture - have viewed the relevant documents and commented there is no tree planting proposals for this site and given the available green space on site, the developer should incorporate into their plans. A condition has been added to the consent.

MCC Flood Risk Management - A condition is requested which requires the submission and approval of a detailed surface water drainage scheme and its future maintenance and sustainable drainage method and an informative to be added to the consent due to the close proximity to the Moston Brook Culvert.

United Utilities - Foul and surface water should be drained on separate systems. The drainage for the development should be carried out in accordance with principles set out in the submitted Flood Risk Assessment.

Greater Manchester Ecology Unit (GMEU) - Conditions are required in relation to the protection of bats and birds if they are encountered during works, as well incorporating measures to promote biodiversity and works being carried out outside the bird nesting season.

Salford City Council - Commented part of the site lies within the jurisdiction of Salford and given its location suggested highway conditions be attached to consent. However, further investigations were carried out in relation to the site boundary, and it was confirmed by Highways that the entire lies within the Manchester boundary.

Issues

Local Development Framework

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

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

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

The following policies within the Core Strategy are considered relevant:

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

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

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

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

- o Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- o 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;
- o 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;
- o Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- o Be designed to give privacy to both its residents and neighbours.

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

Developers should take advantage of these opportunities by:-

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

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

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

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international

connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

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

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

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

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

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

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

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

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

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

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

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

Make it Manchester;
Make it bring people together;
Make it animate street and spaces;
Make it easy to get around;
Make it work with the landscape;
Make it practical;
Make it future proof;
Make it a home; and
Make it happen.

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

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

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond

4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Greater Manchester Spatial Framework (GMSF)

GMSF is a joint plan for Greater Manchester that seeks to provide land for jobs and new homes across the city region and will ensure that the right land is available in the right places for such needs.

National Planning Policy Framework (2021)

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

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

Relevant to this application, Section 11 underlines the need to 'Make Effective Use of Land, whilst Section 12 provides design guidance - 'Achieving Well-Designed Places'

National Planning Policy Guidance (March 2014)

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

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

Noise - Local planning authorities' should take account of the acoustic environment and in doing so consider:

- o whether or not a significant adverse effect is occurring or likely to occur;
- o whether or not an adverse effect is occurring or likely to occur; and
- o whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- o engineering: reducing the noise generated at source and/or containing the noise generated;
- o layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- o using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- o mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

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

Air Quality - Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- o Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- o Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- o Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Principle

The principle of the development is considered acceptable and would make efficient use of a vacant site, currently in a poor condition, whilst contributing to local and national residential growth objectives.

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

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

Policies SP1 and H1 seek to encourage development on previously developed land, including the renewal of areas characterised by poor quality housing.

Policy H3 which specifically relates to housing in this part of the city, states that whilst priority will be given to family housing and other high value, high quality developments where this can be sustained. High density housing will be permitted within or adjacent to the regional centre, within district centre or along high frequency public transport routes.

The proposed development represents the opportunity to regenerate an untidy site, remove a non-conforming use from a principally residential area and to diversify the housing stock in the area, including offering an affordable element.

The highly sustainable and accessible nature of the site means the site is well connected to employment, educational and recreation opportunities.

Consideration of the more specific planning issues and the impact of the proposal upon its surroundings and adjoining occupiers, is outlined further below.

Site Layout and Access

The proposal can be accessed by pedestrians via Robin Hood Street and St. Mark's Lane. The car park can be accessed via St. Mark's Lane. The development offers 100% onsite parking. In order to promote an environmental approach, the scheme will also include 18 secure bicycle storage units for residents.

All entrances into and out of the building will be controlled via a key card system. Bicycle storage is only accessible from within the apartment block. Bin storage will have secure access from the rear at St. Mark's Lane. The apartment block has one lift accessing all floors.

Design, Scale and Appearance

The massing and scale of the proposed apartment block has been considered in relation to the context of buildings within the immediate area. The proposal is of similar height of neighbouring buildings facing Cheetham Hill Road.

The proposal is sensitive to neighbouring buildings and land with windows and entrances facing Robin Hood Street, St. Mark's Lane and the St. Mark's Churchyard. The windows from the communal hallways are only for ventilation purposes.

The proposed apartment block is situated towards the Southwest of the site to allow for sufficient number of parking spaces for vehicles with access from St. Mark's Lane. Providing access from both Robin Hood Street and St. Mark's Lane will additionally provide an active frontage.

The proposal would accord with current access standards contained within Part M of the Building Regulations.

Density/Balance of Accommodation

The proposed development seek to create 9 residential units comprising of 1 no. 1-bed apartments and 8 no. 2-bed apartments.

The apartment sizes accords with the Council's space standards and also represents an appropriate density of accommodation in this part of the city.

Redevelopment of the Site and Contribution to Regeneration

The proposed development would regenerate a relatively unkempt and under used site and lead to the removal of an inappropriate use in the area, given the predominantly residential context.

The proposed development would significantly improve the appearance of a site which could otherwise be left to further deteriorate and will substantially uplift the appearance of the area, by providing a high-quality development which will enhance the appearance of the street-scene.

The façade has been designed to conform to the local vernacular. To blend with its immediate context, the proposal will utilise contrasting facing bricks for all elevations. The façade incorporates a regular vertical rhythm brick relief design. Southwest and Northeast facades have been carefully designed to be sensitive to the neighbouring buildings and land.

Residential Amenity

The proposed development would lead to the loss of a derelict piece of land within a principally residential area and lead to the creation of a use more in keeping with the local context. Potential levels of activity and associated noise and disturbance would therefore be replaced

with activity levels associated within a residential use, and appropriate within the context of a predominantly residential area.

Whilst activity in the form of the car park, cycle store and bin store would be introduced to the rear of the site, frequency of movements for a development containing 9 flats is unlikely to be significant and soft landscaping and a garden area forms a buffer between such areas and the common boundaries.

In term of any overlooking or loss of privacy issues, it is considered that due to the relationship between the proposed building and the nearest, neighbouring residential occupiers, it is not considered that there would be any undue overshadowing, over-dominance or overlooking, as a consequence of the size, design and situation of the building - including the positioning of windows.

The proposed building is of a similar scale to the surrounding buildings. The relationship between the proposed building and the nearest residential properties to the rear is unlikely therefore to undermine levels of amenity as a consequence of its scale and position within the site. Similarly, to the front, the building is set back further from the back of the pavement along Robin hood Street and therefore allows for a greater separation between the proposed building and the building on the opposite side. As these buildings are of a similar scale and the separation distance is proposed to be increased, no undue impact in terms of over-dominance or overshadowing would result.

Impact upon the Highway

The site is considered suitably accessible by public transport via bus services along Cheetham Hill Road

In terms of off-road parking provision, 9 off road car parking spaces are provided within the proposed rear car park, equating to 100% provision. One space is to be served by electric charging point which is a requirement of an attached planning condition. The spaces are complemented by 18 secure cycle parking spaces.

It is considered that the proposal is unlikely to generate a significant increase in the level of vehicular trips which would impact unduly on network capacity.

Waste Management

The details supplied in the D&A statement are insufficient for the storage of waste. However, environmental health requires the waste proforma completing and submitting and the provision will need to be based on our MCC GD04 waste guidance document.

As there are 9 apartments, each individual property will require their own containers for each waste stream rather than shared containers. A revised refuse store drawing identifying each of the containers for each property and a condition has been added to the consent.

Boundary Treatment

The site frontage is enclosed by a brick and metal railing wall. Full details and the specification of the boundary treatment are to be agreed by an attached condition.

Landscaping and Trees

The Tree Section have viewed the relevant documents that accompanied the application and commented there is no tree planting proposals for this site. However, given the available green

space on site, they advised the developer should incorporate into their plans. A condition has been added to the consent.

Ecology

No ecological information appears to have been submitted with the application. However, the site appears to have limited ecological value.

The only issue would be if any trees and scrub overhanging from the adjacent site would be affected by the proposals. A condition protecting nesting birds has been appended. Reference has been made above about a condition requiring landscaping in accordance with details submitted, a separate condition require a further plan outlining biodiversity net gain.

Flood Risk/Surface Water Drainage

In line with Government guidance relating to the provision of sustainable drainage systems (SuDs) for major planning applications, it will be necessary to incorporate appropriate surface water drainage.

A drainage statement has been considered by the Council's flood risk management which shows that proposed system will be designed to control surface water run-off for all storms up to and including the 100 year plus climate change event. Water will be stored on site below ground before being discharged at the agreed flow rate. The proposed development is demonstrated to be safe from flooding and will not increase flood risk elsewhere. In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that a more detailed design of the surface water drainage scheme is submitted as part of the approval, including verification and subsequent monitoring and maintenance.

Air Quality

No air quality assessment has been submitted as part of the application to determine baseline conditions; any assessment should demonstrate there will be no significant impact from the additional vehicle movements on surrounding sensitive receptors. The use of good practice control measures will provide suitable mitigation for the construction phase. Air quality factors are not therefore considered a constraint to planning consent for the development. A condition has been included to ensure the mitigation measures detailed within the assessment, during and post construction are adhered to.

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 development.

Whilst a Phase 1 Desktop Study was submitted as part of the application, the conclusion of which Environmental Health, requires further information is required and it is advised that a Phase 2 Assessment should be completed in accordance with the recommendations contained within Phase 1 assessment. An appropriate condition has been included, which will require the submission and approval of a more detailed site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included.

Crime and Disorder

In order to ensure design measures are introduced to limit the potential for crime and to enhance security for prospective occupiers, a condition has been included to ensure the proposal achieves 'Secured by Design' accreditation.

Climate Change

As the proposal would result in a modest number of additional of residential units within the context of a principally residential environment, the impact upon climate change is considered negligible and likely to be lesser than if a commercial operation was introduced to the site.

The site is located close to a busy, main arterial route and transport corridor, and is therefore unlikely that there would be any significant or harmful contribution to air quality or climate change as a consequence of vehicular movements or ongoing activity.

The proposal includes the provision electric car charging points, cycle storage and through effective mitigation and construction management during the construction phase, the impact upon air quality will be further controlled. Such measures will serve to limit the impact the upon climate change. The development will also incorporate energy efficient measures as part of the development, as outlined in the section below relating to environmental standards.

Environmental Standards

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The application has been accompanied by an Environmental Statement which demonstrates that the proposal would comply with the Policy EN6 of the Core Strategy and exceed the national standards set out in Part L1A of the Building Regulations.

Further, it should be noted that the application site is situated within a highly sustainable location, within an existing residential neighbourhood with excellent access to a range of shops, amenities, transport services and job opportunities. Whilst it would be preferable to reuse the existing building. As the previously highlighted, this is not considered viable. The proposed development represents the opportunity to regenerate the site for a more sustainable use.

Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, a condition is included which requires the submission and approval of a construction management plan which details working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Conclusion

On balance, it is considered that the proposal represents an appropriate and satisfactory form of development that fulfils the criteria set down in policy which seeks to provide quality residential accommodation which will contribute to a vibrant and sustainable neighbourhood.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Condition(s) to be attached to decision for approval

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:

9808/111 G

9808/112 G

9808/121 D

9808/124 A

9808/125 A Boundary Treatment

9808/00/B Location Plan

9808/102 G Site Plan

9808/122 D Street Scene
9808/123 D Street Scene,
Design and Access Statement, stamped as received on the 19 April 2023,

Energy Statement and the AP & EPC Specification Document by Build Energy, stamped as received on the 7 July 2023,

TR01 A Swept Path Analysis, stamped as received on the 17 October 2023,

Sustainable Drainage Assessment by GeoSmart,
Contaminated Land Desk Top Study by Martin Environmental Solutions Limited,
Transport Statement by Sanderson Associates Consulting Engineers, stamped as received on the 21 July 2023,

The Waste Management Proforma, stamped as received on the 5 June 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) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

4) Notwithstanding details submitted, prior to the commencement of development, a construction management/demolition 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;

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

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

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

5) Prior to first occupation of the development hereby approved, the City Council as Local Planning Authority must acknowledge 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.

5) Prior to above ground works commencing, full details of the proposed window design of the buildings hereby approved (including section drawings), shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed 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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

6) No development shall take place until surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards have been submitted to and approved in writing by the Local Planning Authority.

In order to avoid/discharge the above drainage condition the following additional information has to be provided:

- o A finalised drainage layout showing all components, outfalls, levels, finished floor levels and connectivity;

- o Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;

- o Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

- o 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 45% climate change in any part of a building;

- o 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.

- o Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.

- o 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.

- o Hydraulic calculation of the proposed drainage system, including all engineering parameters;

o Construction details of flow control and SuDS elements.

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.

7) 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. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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.

8) Notwithstanding details submitted, no above ground development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

9) The car parking area indicated on drawing numbered 9808/102 G, received by the City Council as Local Planning Authority on 19 April 2023, shall be surfaced, demarcated (including one disabled car parking space) and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the apartments are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

10) The cycle storage arrangements, shall be carried out in accordance with the drawing number 9808/102 G, stamped as received by the City Council, as Local Planning Authority, on the 19 April 2023. The approved scheme shall be implemented prior to the first occupation of the building and shall remain in situ whilst the use or development is in operation.

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

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

11) Prior to the first occupation of the residential development full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy.

12) Notwithstanding details submitted, the apartments hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatment to be erected. The boundary treatment shall be completed prior to first occupation of the apartments hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

13) The development hereby approved shall be carried out in accordance with details contained with the Environmental Standards Statement and the AP & EPC Specification Document by Build Energy, stamped as received on the 7 July 2023, by the City Council as Local Planning Authority. A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

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

14) The hard and soft landscaping scheme (including tree planting) shown on drawings numbered 9808/102 G, received by the City Council as Local Planning Authority on the 19 April 2023, shall be implemented not later than 12 months from the date of commencement of works. 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.

15) Prior to first occupation of the apartments hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

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

16) a) Prior to commencement of the development, an air quality exposure assessment together with any mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

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

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

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

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

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

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

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and

requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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

19) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Cheetham Hill Road and surrounding streets 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 safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

20) 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) none of the apartments hereby approved 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 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 - 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 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.

21) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

22) No removal of or works to any trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of wildlife habitats in the locality, pursuant to policy EN15 of the Core Strategy for Manchester.

23) Within one month of any part of the development first being occupied, a repaving strategy for the public footway adjacent to the site St Marks Lane and Robin Hood Street (including the reinstatement of any redundant access points) and dropped kerbs, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with a timescale and programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of residential and visual amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Informatives

1) MCC records highlight that the underground culverted watercourse (Broughton Brook) is located within proximity to the site (approximately 5m to the north of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

2) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Greater Manchester Ecology Unit
Salford City Council

Robert Crawford (printers), Back St Marks Lane, Manchester, M8 4FW
Flat 4, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 3, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 2, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 1, 591B Cheetham Hill Road, Manchester, M8 5EJ
591A Cheetham Hill Road, Manchester, M8 5EJ
591 Cheetham Hill Road, Manchester, M8 5EJ
3A Robin Hood Street, Manchester, M8 9JG
Flat 2, 589A Cheetham Hill Road, Manchester, M8 9JE
589A Cheetham Hill Road, Manchester, M8 9JE
3 Robin Hood Street, Manchester, M8 9JG
5 Robin Hood Street, Manchester, M8 9JG
1 Robin Hood Street, Manchester, M8 9JG
589B Cheetham Hill Road, Manchester, M8 9JE
Rear Of, 595 Cheetham Hill Road, Manchester, M8 5EJ
Flat 1, 589A Cheetham Hill Road, Manchester, M8 9JE
Flat 3, 589A Cheetham Hill Road, Manchester, M8 9JE
595 Cheetham Hill Road, Manchester, M8 5EJ
589 Cheetham Hill Road, Manchester, M8 9JE
2 St Helier's Drive, Salford, M7 4PP

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA