

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138527/FO/2023

Date registered valid: 22 November 2023

Proposal: Erection of 2 x two storey dwellinghouses (Class C3) in the grounds of the existing property, together with associated parking, landscaping and boundary treatment

Address: Land Adjacent To 30 Melling Street, Manchester, M12 4PH

Ward(s): Longsight Ward

Applicant: Mr Kawa Hussain

Agent (if any): Ms Dawn Cooper, DaC Design

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29.01.2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Standard consultations:

Printed: 29 November 2023

Expired: 20 December 2023

Neighbour notifications

Printed: 2 January 2024

Expired: 23 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

The application site was formerly the large side and rear garden to no. 30 Melling Street. A high waneylap fence set between concrete panels has been erected to form a rear garden directly to the rear of no.30 Melling Street with an access route to it alongside the gable of this dwellinghouse. The garden area on the plan to the rear of no.30 Melling Street does not reflect the area of the rear garden which is currently on site, which is smaller due to the angled nature of the rear boundary. The western boundary also partly comprises the same boundary treatment, but also has a high black railing boundary treatment to the alleyway alongside no.28 Melling Street. The site comprises areas of grass, shrubs and trees, with a single storey pitched roof detached garage accessed from a long driveway accessed from Melling Street. The front boundary comprises a privet hedge with a set of double gates to the driveway. There is a gated access to the rear boundary on Farrant Road.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located within a predominantly residential area, with the western end of Melling Street being formed of terraced houses with pitched roofs, with the eastern end of the street comprising semi detached houses and quasi semi detached houses with hipped roofs. There is a rehabilitation centre to the south east of the site and a mosque at the junction of Pink Bank Lane and Elgar Street.

Description of development

Consent is sought for erection of two detached 2 storey 3 bedroom dwellinghouses with associated parking, landscaping and boundary treatment, in the former side garden to no.30 Melling Street. The site area covers 425sq.m. The garden area formerly part of no.30 Melling Street was separated from the retained existing garden area to the rear and side of no.30 Melling Street in recent years.

An open plan arrangement with kitchen lounge and dining area is proposed at ground floor level, with three bedrooms at first floor of each proposed dwellinghouse. The two storey detached dwellinghouses would be contemporary in design, but would comprise traditional materials with the use of facing brickwork, a grey tiled roof, dark grey Upvc window frames and metal cladding to frame the windows to the front elevation.

The proposed development would retain the high black railing boundary treatment to the alleyway alongside no.28 Melling Street, the front boundary privet hedge to Melling Street, and gated access to the boundary on Farrant Road. Boundary treatment comprising 1.8m waneylap panels set between concrete posts is proposed to form the rear garden boundary treatment to each property. The boundary treatment to the side boundary with no.41 Farrant Road would be 1.8m in height and would finish at the building line at the front of the proposed dwelling. The existing low brick wall which runs from the front face of the garage at no.41 Farrant Road to the back of pavement would be retained to ensure that there would be visibility for manoeuvring vehicles.

The access from Melling Street would be in a similar location to the existing access, and a double gated access on Farrant Road would be opened up to provide vehicular access to the proposed dwellinghouse facing Farrant Road. A designated bin area for 4no. 140L bins per dwelling including green waste, pulpable recycling, mixed recycling and general waste is shown on the site layout.

Consultations & Notification Responses

Local Residents- 4 emails (2 no. from 1 address) objecting to the proposed development have been received on the following grounds

- Their house is lower than this site, and their family sit in backyard. If this building is built, it will affect their privacy. The raise concerns in regard to Melling Street becoming busier with traffic as they have young children. They advise they are ill and need rest most of day time, and raise concerns about more activity in the street and noise pollution. They advise they object this planning very strongly.
- They do not want any building to be built up near to them in the street, as it is already very crowded. They raise concerns regarding the height of the property building, and raise privacy issues.
- The proposed development would add to the severe car congestion already prevalent on their street due to the garages of Nutsford Vale, which have only served to make more congestion on Melling Street, which have at least twenty garages and although yellow lines have been placed on Pink Bank Lane, they have several dumped cars of damaged value on their street, they have been there between three and six months and they are at pains to get the council to remove them as one is moved another one is dumped.
- Most of their neighbours cannot park outside their own front doors and there are at least eight people that do not own a car, but the highway in front of their dwellings is constantly parked with cars and there is never ever any space to park or allow space for relatives of friends to park near the relatives house.
- The size of the proposed housing would continue to reduce the already scant amount of available sunlight being able to reach the street which rises in the east and sets in the west and comes from the back of 30 Melling Street they already have a large block of flats on the bottom of Pink Bank Lane that blocks the sunlight.

- The increased traffic activity would serve as an unnecessary danger to pedestrians and children that frequent the affected streets. Not only that but the animals as well in how many deaths there have been due to the over congested street in the last seven months.

Greater Manchester Ecology – The site has no nature conservation designations, legal or otherwise, nor is it likely to impact on such a site.

The trees on the site could potentially support protected species such as nesting birds and roosting bats. The nests of all wild birds are protected from destruction by the Wildlife and Countryside Act, 1981 (as amended) and bats and their roosts are also legally protected. Having studied the aerial photos/street view images of the site, the majority of trees appear to be immature or small specimens (ornamental fruit trees for example) which reduces the likelihood that they will be suitable for roosting bats. They state that it is not considered reasonable therefore to request a bat survey in this instance.

Based on the above, they make the following recommendations:

- Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected species.
- Work that will impact on habitats where nesting birds may be present (for example work to buildings, clearance of trees and other vegetation including undergrowth like bramble), should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken.
- A landscape plan should be secured which ensures that adequate compensatory tree planting is provided to make up for the proposed loss of trees from the site.
- Planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application.

Environmental Health-

initially raised a potential issue with respect to waste and recycling arrangements for the proposed northern plot, as it would appear from the submitted plans that the route from the external bin store to the street collection point is along an alleyway that serves the adjacent terraced properties. It is not clear from the application whether access and use of the alleyway would be a permanent arrangement, and this may be an issue if the land including the alleyway is redeveloped in the future, unless the applicant can demonstrate that there is adequate space at the front of the property for an alternative location for the bin store. If this point can be satisfactorily addressed they recommend any approval has conditions attached relating to the submission of a demolition/construction management plan, the storage and disposal of refuse, the provision of electric vehicle charging points, and contaminated land.

Highway Services –

TRIP GENERATION AND JUNCTION CAPACITY:

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

SITE ACCESSIBILITY: The site is well accessed by sustainable modes. Regular bus services are routed along Northmoor Road and provide connections to The Trafford Centre, Gorton and Belle Vue. The closest railway facility is located at Belle Vue and provide connections to Manchester Piccadilly, New Mills Central and Sheffield.

PARKING AND ACCESS: It is noted that on-street parking does occur along Melling Street and Farrant Road outside of properties with no driveways. Highways welcome in-curtilage parking in this location. One car parking space will be provided for each property within the site's curtilage, thus equating to a provision of 100%. Parking space dimensions are provided for guidance to ensure that vehicles / pedestrians do not impact on the adopted highway. The existing property's parking space will move adjacent to the property. Therefore, a new dropped kerb access will be required. Vehicular access to the new property fronting Melling Street is gained directly from Melling Street. It is assumed that a new dropped kerb access will also be required. The existing dropped kerb does not appear to line up with the proposed driveway. Areas of redundant dropped kerb should be reinstated to footway. There should be appropriate space of raised kerb between the two new driveways on Melling Street. Additionally, there should be a sufficient space of raised kerb between the edge of the western most driveway and the edge of the kerb. Should the planning application be approved, the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Melling Street and will require a crossing licence/agreement.

A new driveway is proposed off Farrant Road for the southern most property. It is noted that this located close to an existing driveway no. 41 and the access to Lighthouse building. Highways would have concerns with a driveway in this location due to conflict with vehicles accessing and egressing no. 41 and the Lighthouse Building. The existing wall forming the boundary to Lighthouse Building would also cause concerns as this will impinge on the visibility from the proposed driveway.

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

CYCLE PARKING: In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit. Details on the proposed cycle parking arrangements should be submitted for comment.

BOUNDARY TREATMENTS: It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

REFUSE AND SERVICING: Designated refuse storage has been accommodated for each individual dwelling with kerbside collection noted from Melling Street and Farrant Road. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway.

CONSTRUCTION MANAGEMENT: A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality. It is also requested the applicant provides a dilapidation survey as part of the Construction Management Plan document. The survey should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site. The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams.

It is recommended that the above is conditioned and attached to any planning permission that may be granted.

Flood Risk Management – 08.10.2024. Object to the application on the basis that their historic maps indicate the proposed development appears to be partly situated directly above a culverted main river (Gore Brook), and the proposed design does not consider the culverts location. As this section is classified as statutory main river, the developer will need to consult with the Environment Agency prior to approval, to confirm if the proposals are acceptable.

The following information needs to be provided as a minimum to remove their objection:

- The River Gore Brook runs within close proximity to the site, site investigation works and correspondence with the EA must be provided to confirm that this culvert is not located within the site boundary and that the proposed building does not encroach into the culvert easement.

Further comments 10 January 2024

The following information has been considered:

- Uploads to the Planning Portal 09th – 22nd November 2023

- The consultee response from EA to LPA:

o From: Sue Wills <sue.wills@manchester.gov.uk> Sent: Wednesday, January 10, 2024 8:11 AM To: Flood Risk Management <floodriskmanagement@manchester.gov.uk>; Laura Peacock <Laura.Peacock@manchester.gov.uk>; Owen Beddow <Owen.Beddow@manchester.gov.uk> Subject: Re: Urgent Planning application 138527/FO/2023 consultation - 30 Melling Street

They withdraw their Objection for the following reason:

The LLFA have previously highlighted the 1984 asset mapping available to them indicates a risk that the culverted main river crosses the site. The EA are statutory regulator for main rivers and therefore any objection on main river grounds requires a referral to the EA to lead the matter.

The EA consultation response states that “if there is no reliable historic mapping which to support the concerns raised... the EA consider it may prove unreasonable to request in this instance that the applicant/developer undertakes a full on-site and potentially intrusive survey to determine confidently the exact positioning of the sub-surface culvert.”

The LLFA's 1984 mapping cannot be considered to constitute 'reliable' asset mapping for main rivers as per the EA's response above. The 1984 mapping is at a coarse scale, hand-drawn, upon and closer inspection shows the 1984 route runs under Farrant Road, consistent with EA, UU and MCC Highway Structure mapping indicating that the asset lies to the south of the site.

The EA state their GIS spatial mapping of environmental constraints shows this is not cause for concern. As main river regulator, their main river asset mapping should take precedence.

On the basis that:

- the EA have had sight of our comments and provided the consultee response,
- the EA's recommendation for a watching brief and triggerable planning condition is upheld by the LPA and included in the Decision Notice,

They withdraw our Objection and recommend no drainage condition for this application. The proposal can be approved, and they suggest the following informative to be included within the Decision Notice:

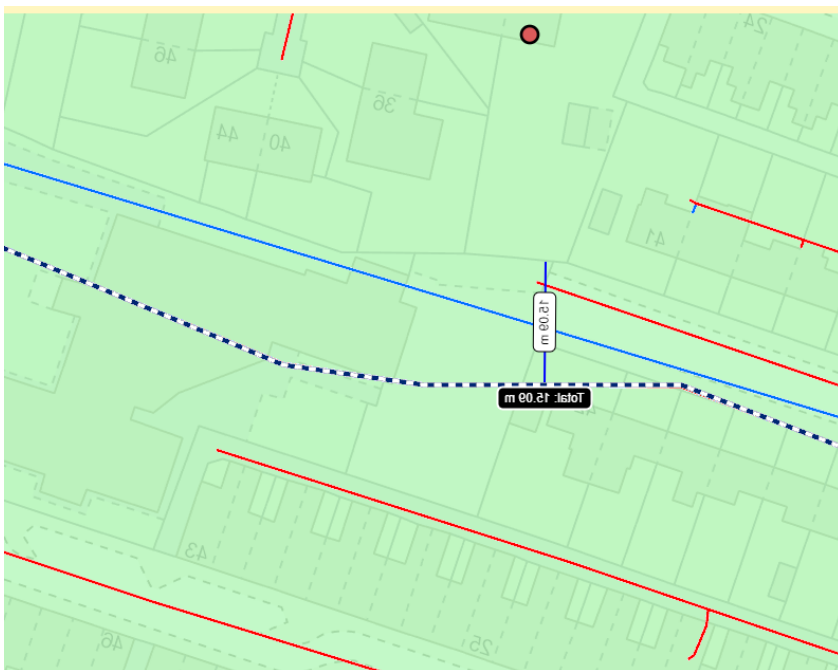
INFORMATIVE:

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

MCC records highlight an underground culverted watercourse is located within close proximity to 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.

Environment Agency – advise they have looked into whether the proposed development boundary falls within proximity of a main river (Gore Brook).

As per the screen extract below taken from the EA's own GIS spatial mapping of environmental constraints it would appear whilst a main river (Gore Brook) is situated nearby to the proposed development site (see white and blue dashed line from snip), it not situated within the site boundary itself or within the 8-metre bylaw distance which the GMMC region utilises for the purpose of Flood Risk Activity Permit related matters. The river appears to be ~15m from the southern-most boundary of the proposed development site based on the EA's GIS.



Whilst the above observation would suggest that proximity to main river is not something which is a cause for concern in this instance, they note that EA GIS mapping is not necessary 100 % accurate as to the exact positioning of surface watercourses, particularly whereby the watercourse is a relatively small feature and situated within sub-surface culvert as appears to be the case in the instance of the watercourse in question. They further note the comments from the LLFA which make reference to historical mapping that has led them to believe the potential for interaction with the brook. From a check of the submissions made for 138527, the

EA cannot see that the applicant/developer has submitted any mapping which would suggest the brook is situated within the boundary of the proposed development, so it may be worth checking with the LLFA as to what historical mapping it that they are referring to in their response.

Unless there is reliable historic mapping which supports the LLFA's concern, noting the quantum of the proposed development and considering that built form/more intrusive construction (house construction) is to be set back from Farrant Road, they consider it may prove unreasonable to request in this instance that the applicant/developer undertakes a full on-site and potentially intrusive survey to determine confidently the exact positioning of the sub-surface culvert. Instead in this instance of the proposed developer, it may be more poignant to require the developer to undertake a watching brief during construction and potentially support requirement this with a triggerable planning condition i.e. *'if unforeseen conditions are encountered on-site which could affect the viability of the proposed development works will stop until....'*

United Utilities – Recommend that the applicant considered their drainage plans in accordance with the drainage hierarchy and provides detailed advice if a connection for surface water to the public sewer is required, together with water and waste services information.

Design for Security – have the following comments.

The house that fronts on to Farrant Road required fencing and/or a gate to either side of the property to prevent access from the front to the rear garden.

The house that fronts on to Melling street should retain the existing hedge to the west boundary or replace the hedge with defensive planting.

The houses should be built to the Secured By Design standards.

Arboricultural officer – No comments received

Policy

Legislative and Policy Context

The National Planning Policy Framework

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019, July 2021, and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, there are three overarching objectives, which need to be pursued mutually. Firstly, the economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth. Secondly, the social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community. Lastly, the environmental role should protect and enhance the natural, built and historic environment. The Framework reiterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making.

Section 5 'Delivering a sufficient supply of new homes' states that in order 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, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay' (paragraph 60). With regards to affordable housing, paragraph 65 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 96) which promote social interaction, be safe and accessible and enable and support healthy lifestyles.

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (paragraph 109). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 115). Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 111). All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 115).

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 123). Decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places. (paragraph 128).

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential

for achieving this' (paragraph 131). Planning decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping (paragraph 135). The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 140).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 157).

Section 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, sites of biodiversity ,minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline 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.

Places for Everyone

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

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Noise

This section states that Local Planning Authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- 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:
 - engineering: reducing the noise generated at source and/or containing the noise generated;
 - 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;
 - 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;
 - mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design

This section states that where appropriate the following should be considered:

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

Health and Well Being

This section states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation); Travel Plans, Transport Assessments in Decision Taking. This section states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
 - improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

Relevant Local Policies

The Development Plan

The Development Plan consists of: - The Manchester Core Strategy (2012); and - Saved policies of the Unitary Development Plan for the City of Manchester (1995)

The Core Strategy was adopted in July 2012 and is the key document in the Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved and 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 as directed by the National Planning Policy Framework (NPPF). Section 38(6) of the 2004 Act requires planning applications to be determined in

accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF also refers to this requirement. The relevant policies within the Core Strategy are as follows:

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' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. Policy H1 prioritises residential development on previously developed land, in particular through the re-use of vacant housing or other existing buildings.

Policy H5 'Central Manchester' states that over the lifetime of the Core Strategy will accommodate around 14% 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 Regional Centre (Hulme and the Higher Education Precinct) as well as within Hulme , Longsight and Rusholme district centre as part of the mixed-use schemes.

Policy EN1 'Design principles and strategic character areas'. states that all development in Manchester will be expected to follow the seven principles of urban design (character, continuity and enclosure, public realm, ease of movement, legibility, adaptability and diversity) and have regard to the strategic character area in which the development is located. The proposed development has addressed the principles set out in policy EN1.

Policy EN4 'Reducing CO2 emissions by enabling low and zero carbon development' the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies. Policy EN 8 'Adaptation to Climate Change' states that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.

Policy EN14 'Flood Risk' advises that in line with the risk-based sequential approach, that development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA). Furthermore that a Flood Risk Assessment will be required for development on sites greater than 0.5ha within Critical Drainage Areas. All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide. Manchester contains many sections of rivers which are culverted or 'hidden'; where these are indicated in the SFRA beneath the proposed development site, further investigation will be required, and the development proposal should take this into account; where feasible and appropriate development should seek to open up culverted/hidden rivers to reduce the associated flood risk and danger of collapse, taking advantage of opportunities to enhance biodiversity and Green Infrastructure. This site is in Flood Zone 1 and the issue is dealt with in greater detail elsewhere in this report.

Policy EN15 'Biodiversity and Geological Conservation' states the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City, with particular

consideration to sites of biodiversity value including Sites of Biological Importance (SBIs) and Local Nature Reserves (LNRs). Policy EN15 requires developers to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate. Measures to respond to ecological enhancement and biodiversity are considered in detail elsewhere in this report.

Policy EN16 'Air Quality' states 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 and at Manchester Airport. 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. When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality, alongside other plan objectives. This includes cumulative impacts, particularly in Air Quality Management Areas.

The proposed works have the potential to lead to temporary impacts to air quality due to dust creation as part of the construction processes to be undertaken. Measures to manage air quality impacts during construction process would be fully addressed as part of the construction management plan for the site.

Policy EN18 'Contaminated Land' states that the Council will prioritise remediation of contaminated land. This matter is considered in detail elsewhere in this report.

Policy EN19 'Waste' states proposals must be consistent with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). The applicant has a waste management strategy for the site which will ensure that residents adhered to recycling principles. Compliance with this strategy will form part of the conditions of the planning approval.

Policy DM1 'Development Management' all development should have regard the following specific issues:

- 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 proposals which would be sensitive to existing environmental conditions, such as noise;
- Community safety and crime prevention;
- Design for health; - Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

These matters have all been considered and assessed as part of the detailed analysis of the application. In addition to the proposal has been assessed against the Council's space standards. As set out within the issues section of this report below, the application is considered to accord with these policies.

Manchester Residential Quality Guidance (2016)

This is 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.

Providing for Housing Choice – Supplementary Planning Document and Planning Guidance (2008)

This document sets out in detail the Council's Affordable Housing Strategy and sets out the rationale for the target proportion of affordable housing and tenure mix. Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015) Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. There are four objectives in order to achieve this vision which relate to quality and function of green and blue infrastructure; its use as a component of new development; improving access and connectivity and promoting wider understanding and awareness of its benefits.

Residential Growth Strategy (2015-2025)

The Strategy aims to ensure that there is the right quality, mix and type of housing in the right locations to meet demand and changing demographics, develop neighbourhoods of choice and improve equality amongst the City's residents in terms of housing choice, quality and affordability in order to develop strong communities.

Issues

Principle

The site is located within a predominantly residential area and as such there is no objection in principle to the site being redeveloped for residential purposes.

Residential Amenity/ Loss of privacy

There would be 20m from rear windows in the northern elevation of the dwellinghouse fronting onto Farrant Road to the rear windows of no.28 Melling Street and 14.5 m to the rear windows of no.30 Melling Street. Furthermore, these would not be directly facing.

However, there would be 12m between the rear facades of the two houses which are proposed. It is therefore recommend that conditions are attached to any approval in relation to the Farrant Road fronting property, to require the obscure glazing of the bathroom window at first floor level in the rear elevation, and that both bedroom windows at first floor level on the rear elevation (one of which is a secondary window) are obscurely glazed to a height of 1.7m above internal floor level to protect the privacy of the future occupiers of both of the proposed dwellinghouses.

Massing /loss of light

The proposed dwellinghouse facing Melling Street has been sited to follow the building line of the semi-detached dwellings to the east to enable off street parking to be provided, rather than following the back of pavement building line of the terraced housing to the west of the adjacent alleyway. This, however, has led to proposed floorplate of the northern dwellinghouse, projecting 1.37m to the south of the rear façade at no.30 Melling Street , and being set for the most part to the rear of the terraced house at no.28.It is acknowledged that the proposed development would lead to some loss of sunlight and give rise to some overshadowing of the rear yard of no.28 Melling Street in the morning . However, as the rear yard area is separated from the proposed dwellinghouse by an alleyway (2.95m in width) and the proposed dwellinghouse has a hipped roof arrangement to reduce massing, it is not considered that the

impacts to residential amenity would be so significant as to warrant the refusal of the proposed development.

Design

The proposed dwellings are contemporary in design but would incorporate a traditional palette of materials (brick elevations, a grey tiled roof with the use dark grey cladding to the to frame the windows on the front elevation). The application seeks to reflect the height of the adjacent semi-detached houses to the east and would incorporate a hipped roof arrangement which is present in the adjacent semi-detached dwellings.

There is a clear and strong building line formed by the terrace at the western end of Melling Street , but the alleyway at the side of no.28 Melling Street forms a break point, with no.30 and 32 Melling Street being set back from the street by front garden areas . This change is also compounded by the change of property style from terraced to semi detached and quasi semi detached housing, and with the associated change from pitched to hipped roofs. Due to variety of house types the introduction of two detached houses of the design proposed, which incorporates traditional materials in a contemporary design, is considered to be an acceptable approach.

Siting

The siting of the detached dwellings in the location proposed, i.e. following the front building line of no.30 Melling Street in regard to the northern property, and no.41 Farrant Road relation to the southern dwellinghouse, with blank side gables in close proximity to adjoining garden boundaries, is considered to be acceptable for the reasons outlined regarding impacts to residential amenity above. Bifold glazed doors at ground floor level to the Farrant Road fronting property serving the lounge are proposed ,which overlook a reasonable sized side garden area bounded by 1.8m boundary treatment.

Ground conditions

No Phase I desk top or Phase II site investigations have been submitted to accompany this application. Furthermore, the existing old garage on the site may be formed from asbestos containing materials. A contaminated land condition is therefore recommended to be attached to any planning approval.

Standard of accommodation

The proposed dwelling, which is described in the Design and Access Statement as a two storey, three bed four person house, would have a floor area of 84 square metres with an internal garage space (16.5 sq.m). This is in accordance the space standards for such a property within the Manchester Residential Quality Guidance, and is considered to be acceptable.

Access

A new driveway is proposed off Farrant Road for the southern most property. It is noted that this located close to an existing driveway no. 41 and the access to Lighthouse Care facility . Concerns regarding a driveway in this location due to conflict with vehicles accessing and egressing no. 41 and the Lighthouse Care Facility is noted. Furthermore, that the existing wall forming the boundary to Lighthouse Care facility would impinge on the visibility from the proposed driveway is also noted.

The applicant has submitted updated plans, which confirm the retention of the existing low brick wall which forms the shared front garden boundary of no.41 Farrant Road and this site, which will allow drivers to view traffic travelling from Northmoor Road down Farrant Road, which is a cul de sac , terminating in the access to the Lighthouse Care facility .

The Lighthouse Care facility currently has off street parking for 12 cars, and as such traffic flows would not be high in number. As such, given the applicant has no control over the location or height of the perimeter boundary treatment to the care facility, and there is no change in relation to boundary treatment proposed to the existing circumstances, impacts to traffic safety need to be fully considered. It is considered that the traffic movements associated with proposed development would be low in number, but that consideration as part of the finalised design of the landscaping scheme to the front of the proposed house to the southern area of the site, should explore the incorporation additional hard surfacing or a 'grasscrete' style product which would enable a vehicle to manoeuvre and leave the site in forward gear, thereby reducing the potential impact to highway safety.

Car Parking

The site was formerly the side and part of the rear garden of no.30 Melling Street with a detached garage. Each dwelling house would have an integral garage and off street parking space with access from Melling Street or Farrant Road respectively.

Furthermore, the submitted layout plan show that it would be possible to provide an off street space to serve no.30 Melling Street, which falls within the applicant's ownership. It is proposed to attach condition to ensure that the proposed integral garage accommodation is retained for the purposes of parking a vehicle, given the concerns area parking issues in the locality. Furthermore, a condition is recommended to require that each dwellinghouse has an electric charging point installed prior to the occupation of the property.

Cycles

Cycle storage for 1.no cycle is shown within one of the proposed integral garages, but this arrangement could also take place in the integral garage of the dwellinghouse facing onto Farrant Road.

Refuse

A designated bin area for 4no. 140L bins per dwelling including green waste , pulpable recycling, mixed recycling and general waste is shown on the site layout.

The submitted plans show four bins in the rear garden of the each of the proposed houses. Whilst observations in the comments received query the need for a further access to the alleyway to enable refuse collection from the house facing onto Melling Street , bins could be taken through the proposed garage accommodation to the street for collection on Melling Street. It is proposed that the plan showing the proposed location of bin storage and the completed waste proforma are conditioned.

Noise

Although many of the objections received cite noise as a reason for objection to the proposed development, the proposal relates to the creation of two, three bedroom family houses. It is therefore not expected that the proposed development would give to significant levels of noise which would give rise to residential disamenity in this locality. It is acknowledged that construction works can give rise to noise, but that this would be for a limited time , and the hours of working can be controlled through conditions.

Landscaping /Trees

The siting of the house fronting onto Farrant Road would necessitate the removal of 2no. bay trees and two fruit trees. The submitted landscaping plan shows the retention of a Douglas Fir

and a silver birch to the eastern boundary of the site, with two replacement fruit trees and two replacement bay trees. Furthermore, it is also proposed to replace the cherry tree to the Melling Street frontage with a new cherry tree. Whilst this only provides a like for like replacement of the trees which have been identified on the submitted plans as needing to be removed, due to the scale of the development and constrained nature of the site, this is considered to be a satisfactory approach in this instance.

Biodiversity

The submitted scheme has not identified measures which could be incorporated to improve biodiversity at the site. It is therefore recommended that a condition to require the submission of measures to improve biodiversity at the site, such as the incorporation of bat and bird boxes is required to be submitted prior to above ground works.

Boundary treatment

The proposed development would retain the high black railing boundary treatment to the alleyway alongside no.28 Melling Street, the front boundary privet hedge to Melling Street, and gated access to the boundary on Farrant Road. 1.8m wanelap panels set between concrete posts is proposed to form the rear garden boundary treatment. The side boundary with no.41 Farrant Road would be 1.8m in height and would finish at the building line at the front of the proposed dwelling. The existing low brick wall which runs from the front face of the garage at no.41 Farrant Road to the back of pavement would be retained to ensure that there would be visibility for manoeuvring vehicles.

Disabled Access.

The proposed development would incorporate ramped access to the front entrances.

Conclusion

The proposed scheme offers an opportunity to bring forward family housing. All issues have been set out in the report, including where necessary mitigation to ensure the schemes delivery.

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 the right to a fair hearing and to this end the Committee 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 of the application 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. The original submission raised initial concerns regarding the location of a culvert, and this matter has been satisfactorily resolved and the appropriate conditions have been attached.

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:

Location and Existing site plan ref: P01 rev.B
Melling Street House Plan as proposed P03 rev.B
Melling Street House elevations as proposed plan ref P04 rev.B
Farrant Street Plans as proposed plan ref: P05
Farrant Road House elevations as proposed plan ref: P06
Received 9TH November 2023

Landscape and Boundary Treatments plan ref: P02 rev.C received 29.01.2024

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 (2012).

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

- The routing of construction traffic;
- Detail the quantification/classification of vehicular activity associated with the construction including commentary on types and frequency of vehicular demands together with evidence (appropriate swept-path assessment);
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- Specify the working hours for the site;

- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete;
- Identify advisory routes to and from the site for staff and HGVs.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (2012).

4. Notwithstanding the references to materials in documents in condition no.2; prior to above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out 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 of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

5. The car parking indicated on the approved plans development be surfaced, demarcated and made available for use prior to the new dwellings hereby approved being occupied. The car parking shall then be available at all times whilst the dwellings are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the dwellings are occupied, pursuant to policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no garage shall be used for any purpose which would preclude its use for the parking of a motor vehicle and no development shall be undertaken that would preclude vehicular access to the garage.

Reason - The loss of garage parking space could result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

7. Prior to above ground works , details of the location and specifications of the provision of electric vehicle charging points to each dwellinghouse hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation being occupied, and thereafter managed and maintained in accordance with the approved details.

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 Manchester Core Strategy (2012).

8.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 requires further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

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

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN 18 of the Manchester Core Strategy (2012).

9. The development shall be implemented in accordance with waste management strategy and locations for bin storage shown on Landscape and Boundary Treatments plan ref: P02 rev. C received 29.01.2024, and shall remain in situ whilst the use or development is in operation.

Reason - To protect the amenity of the occupants of the residential accommodation once the development hereby approved is occupied, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

10. No site clearance works, including works to trees or shrubs, shall commence between 1 March and 31 August in any year, unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation that no bird nests are present has been submitted to and approved in writing by the City Council as local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to policy EN15 of the Manchester Core Strategy (2012).

11. a) Prior to occupation of the development, and notwithstanding the details on Landscape and Boundary Treatments plan ref: P02 rev.C, a finalised detailed soft and hard landscaping

scheme including incorporation of additional hard surfacing /'grasscrete' style product which would enable a vehicle to manoeuvre and leave the curtilage of the Farrant Road dwellinghouse site in forward gear, together with planting densities and species relating to the soft landscaping scheme (for both dwellinghouses) shall be submitted to and approved in writing by the City Council as local planning authority.

b) The approved landscaping scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in the development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within the development.

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 Manchester Core Strategy (2012).

12. In this condition "retained tree" means an existing tree annotated as being retained on the Landscape and Boundary Treatments plan ref: P02 rev.C received 29.01.2024, and specified in condition no.2 and particulars; and paragraphs (c) and (d) below shall have effect until the expiration of 5 years from the date of the first occupation of the development for its permitted use.

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

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

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

13. Prior to any above ground works, a scheme for delivering biodiversity enhancement at the site (including the provision of bird boxes/sparrow terraces and bat boxes/bricks) , shall be submitted to and approved in writing by the City Council as the local planning authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings, and retained at all times thereafter

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Manchester Core Strategy (2012).

14. A Watching Brief shall be undertaken in relation to culverted watercourses during the construction period. In the event that unforeseen conditions in connection with culverted watercourses are encountered on the site at any time before the development is occupied, during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to mitigate matters in association with the culverted watercourse, 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 agreed mitigation measures.

Reason – To ensure that the presence of any culverted watercourse is detected and appropriate remedial action is taken to prevent the increased risk of flooding, pursuant policies EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

15. The boundary treatment shall be implemented in accordance with shown on plan ref: Landscape and Boundary Treatments plan ref: P02 rev.C received 29.01.2024, before the dwellings are first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

16. The bathroom window at first floor level in the rear elevation of each of the dwellinghouses hereby approved, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, and maintained in perpetuity.

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy (2012).

17. The bedroom windows at first floor level in the rear elevation of the Farrant Road facing dwellinghouse shall be obscurely glazed to a height of 1.7m above internal floor level to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, and maintained in perpetuity.

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy (2012).

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in 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 people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

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

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings specified in condition 2.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

21. Notwithstanding the Town and Country Planning (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 buildings shall be undertaken save where it is 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 (2012).

22. Prior to the commencement of any above ground works, finalised detailed designs (including cross sections) of the windows reveals on the elevations of the dwellinghouses shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out 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 of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1. Construction/demolition works shall be confined to the following hours :

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

2. Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. The applicant must seek ecological advice should they find or suspect that the proposals will impact on protected species.

3. The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Manchester Core Strategy (2012).

MCC records highlight an underground culverted watercourse is located within close proximity to 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.

Appendix 1 – List of consultees & neighbours notified

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

36 Melling Street, Manchester, M12 4PH
24 Melling Street, Manchester, M12 4PH
34 Farrant Road, Manchester, M12 4PF
Farrant House, 44 Farrant Road, Manchester, M12 4PF
8 Melling Street, Manchester, M12 4PH
4 Melling Street, Manchester, M12 4PH
35 Farrant Road, Manchester, M12 4PF
83 Northmoor Road, Manchester, M12 4PE
79 Northmoor Road, Manchester, M12 4PE
75 Northmoor Road, Manchester, M12 4PE
87 Northmoor Road, Manchester, M12 5RT
22 Melling Street, Manchester, M12 4PH
16 Melling Street, Manchester, M12 4PH
40 Farrant Road, Manchester, M12 4PF
37 Farrant Road, Manchester, M12 4PF
36 Farrant Road, Manchester, M12 4PF
32 Farrant Road, Manchester, M12 4PF
31 Farrant Road, Manchester, M12 4PF
30 Farrant Road, Manchester, M12 4PF
29 Farrant Road, Manchester, M12 4PF
28 Melling Street, Manchester, M12 4PH
20 Melling Street, Manchester, M12 4PH
2 Melling Street, Manchester, M12 4PH
18 Melling Street, Manchester, M12 4PH
14 Melling Street, Manchester, M12 4PH
12 Melling Street, Manchester, M12 4PH
10 Melling Street, Manchester, M12 4PH
42 Farrant Road, Manchester, M12 4PF
41 Farrant Road, Manchester, M12 4PF
39 Farrant Road, Manchester, M12 4PF
33 Farrant Road, Manchester, M12 4PF

81 Northmoor Road, Manchester, M12 4PE
77 Northmoor Road, Manchester, M12 4PE
6 Melling Street, Manchester, M12 4PH
40 Melling Street, Manchester, M12 4PH
38 Melling Street, Manchester, M12 4PH
34 Melling Street, Manchester, M12 4PH
32 Melling Street, Manchester, M12 4PH
26 Melling Street, Manchester, M12 4PH
38 Farrant Road, Manchester, M12 4PF
30 Melling Street, Manchester, M12 4PH
5 Melling Street, Manchester, M12 4PH
33 Melling Street, Manchester, M12 4PH
21 Melling Street, Manchester, M12 4PH
9 Melling Street, Manchester, M12 4PH
Top Flat, 71 Northmoor Road, Manchester, M12 5QE
71 Northmoor Road, Manchester, M12 5QE
17 Melling Street, Manchester, M12 4PH
15 Melling Street, Manchester, M12 4PH
11 Melling Street, Manchester, M12 4PH
3 Melling Street, Manchester, M12 4PH
27 Melling Street, Manchester, M12 4PH
25 Melling Street, Manchester, M12 4PH
23 Melling Street, Manchester, M12 4PH
73A Northmoor Road, Manchester, M12 5QE
19 Melling Street, Manchester, M12 4PH
7 Melling Street, Manchester, M12 4PH
35 Melling Street, Manchester, M12 4PH
31 Melling Street, Manchester, M12 4PH
29 Melling Street, Manchester, M12 4PH
73 Northmoor Road, Manchester, M12 5QE
69 Northmoor Road, Manchester, M12 5QE
13 Melling Street, Manchester, M12 4PH
1 Melling Street, Manchester, M12 4PH

Appendix 2 – Planning constraints

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