MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137733/FO/2023
Date registered valid:	17 August 2023
Proposal:	Erection of 4no. dwellings (cottage flats) (Class C3) with associated landscaping and car parking
Address:	Land On The Corner Of Old Market Street And Domett Street
Ward(s):	Harpurhey Ward
Applicant:	Natalie Weatherill, Jigsaw Homes North
Agent (if any):	Jessica Ward, Bernard Taylor Partnership Ltd
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**20 December 2023.**

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 4 September 2023

Standard consultations:
Printed: 22 August 2023 Expired: 12 September 2023

Neighbour notifications
Printed: 22 August 2023 Expired: 12 September 2023

Site notice
Posted: 04.09.2023 Expired: 25.09.2023

Press advert
Published: 29 August 2023 Expired: 12 September 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The development will entail a total of 4no. 1-bedroom 2-person cottage flats. This scheme will provide housing on currently vacant land and contribute towards the high demand for housing in the Moston area of Manchester.

The site is located in within the boundary of the Harpurhey ward of the Manchester city region, to the north-east of the city centre. The site is well connected with bus stops , and amenities on Old Market Street, which runs along the north boundary of the site.

The site is made up of a grassed area on the corner of Domett Street and Old Market Street. Beyond the sites south boundary is further grassed area and public pathways, in addition to large clusters of trees.

There are surrounding two storey terraces properties adjacent to the site and a substantial residential scheme under construction on the adjacent plot.

Description of Area

With the exception of a small local centre containing a number of local shops and services a short distance to the west along Old Market Street and a public house (Ye Golden Lion) which adjoins the site to the east, the immediate area is predominantly residential in character.

comprising a combination of two storey dwellinghouses and to the west, large purpose built apartment blocks.

Description of development

The proposal includes the erection of 4no. dwellings (cottage flats) (Class C3) with associated landscaping and car parking.

Consultations & Notification Responses

The occupies of the surrounding properties were consulted and no representations were received.

The proposal was advertised in the local press and a site notice was erected close to the site informing the public the proposal was affecting an right of way and was within the public interest.

The Highways Team- were consulted and raised no objection to the proposal and recommended conditions relating to EV parking- Highway works S278/S184 works and construction management plan to be attached to the consent.

Environmental Health- were consulted and raised no objection to the proposal and recommended a construction management plan, noise attenuation, refuse, air quality and contaminated land.

The Flood Team- were consulted a drainage condition and an informative to be added to the consent to ensure the development is built in a manner to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.

The Ecology Unit- After further ecology details were provided. The ecology unit made 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. An informative has been added to the consent.

Clearance of the site should follow the Reasonable Avoidance Measures for hedgehog (and other small animals) detailed in paragraphs 50 and 51 of the ecology report.

Planning policy encourages enhancements. In addition to resolving the BU loss on site, the species enhancements recommended in paragraph 56 of the ecology report should be secured via a suitably worded condition.

United Utilities -raised no objection to the proposal subject to sustainable drainage systems be incorporated into the scheme in line with the advice contained within the letter from United Utilities sent to the applicant.

Issues

Policy

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable. 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.

Policy H1 goes on to state that the Regional Centre is a priority area for residential schemes in order to support regeneration and drive regional growth.

Policy H3 states further that north Manchester, over the lifetime of the Core Strategy, 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.

Principle

Further policy support is also given within policies SP1 and H1 which seek to encourage development on previously developed land, whilst the NPPF advocates a presumption of sustainable development particularly where existing resources can be utilised and shared.

In this case, the site would regenerate an untidy area of brownfield land, add to the housing mix in the locality and is appropriately situated within a sustainable location, within the context of an established residential area on the edge of a local centre, where existing resources and infrastructure can be shared.

The site is also situated within close proximity to a high frequency transport routes along Rochdale Road and Old Market Street respectively and whilst family housing would be preferable, policy support is given to higher density developments in locations such as that proposed - particularly due to the regenerative benefit offered. For these reasons, the principle of the proposed development is considered acceptable. The more specific elements of the proposal and the impact upon the surrounding environment are explored further below.

Residential Amenity

Policies DM1 and SP1 of the Core Strategy advocate that consideration should be given to effects of development upon the amenity, living conditions and well-being of residents.

In this instance, the proposed development will introduce a residential use into the context of a residential area, whilst removing a non-conforming commercial use from the locality.

The proposed building will lie adjacent to a two-storey residential estate and opposite an established residential environment. It would therefore constitute an appropriate land use in the locality.

In terms of the impact as a result of the scale and mass of the proposed block, it is not believed there would be any significant, detrimental impact in terms of any over-dominance, or overshadowing since the proposed building is of a lesser scale and footprint to the existing building.

With respect to any overlooking, it is considered that the interface distance and window positioning is satisfactory and unlikely to lead to a significant impact upon living conditions.

At the rear, the proposed development will overlook a blank gable of a parade of shops. The side elevation of the proposal are blank gables. One facing the rear gardens of the residential dwelling houses on Westgate Avenue. In terms of window-to-window positioning, the nearest facing windows are on the opposite side of Domett Street where a newly erected residential development has taken place. Overall due to the positioning and relationship of the windows there are no issues associated with overlooking as a result of the proposal.

In order to protect any potential impact upon the living conditions of nearby occupiers, conditions are recommended as a safeguard with respect to acoustic insulation, waste management and a Class C3 use restriction in order to prevent any potential over-intensification of use if the flats were to be occupied as HMOs.

Design, Scale and Appearance

The proposed cottage flats will match the existing context in regard of materiality and pitched roofs and brick work. The combination of walls and fencing provide a level of privacy, separating the private, semi-private from the public.

In terms of appearance, the applicant has adopted a simple, contemporary approach. Only indicative materials have been provided, although it is suggested that the building will be of mainly brick construction. A condition has been included which will require the submission and approval of all external materials proposed.

Site Layout

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester (SPD) require that consideration be given to layout of new developments, ensuring that they respond to the surrounding context and maximise frontages with the street scene (Including main road routes) and other important features of sites.

In this case, the building occupies approximately two thirds of the site and has been designed to provide the principal frontage on Domett Street. This will add interest and maintain the continuity of the street-scene. The proposed block is laid out to respect existing building lines as far as possible and will provide an active frontage to the road it fronts.

The proposed development maximises the potential of the site, includes a landscaping setting, including a small area of landscaping to the rear and a landscaped perimeter, including within the building recesses. This will provide separation between the street and the proposed living accommodation.

In terms of access, the vehicular access off Domett Street and will serve a surface car park. A cycle store for 100% provision is to be internally at the rear of the ground floor.

Internally, the proposed apartments are in line with the spirit of the Council's space standards referred to within the Manchester Residential Quality Guidance, with the development incorporating 4 units comprising 1 bed 2 persons apartments.
A refuse store will be located at the rear of the ground floor, next to the cycle store and can be accessed internally and serviced via the car park.

The site provides one parking space per cottage flat, as well as a sheltered bike store. Each unit also has the necessary hard standing space for the storage of four bins and access to a sharded garden space to the rear. Planting and greenery has been added and will soften the appearance of the car parking area. With no existing trees on the site originally, new trees are proposed to increase the number of trees in the area than there was previously, and a landscaping condition has been added to the consent.

Impact on the Highway

Given the scale of the development proposals and accessible location, Highways anticipate that the proposals are unlikely to generate any highway safety or network capacity concerns.

The site is located in an established residential area and is well accessed by bus with services running along Old Market Street. The submitted design and Access Statement also demonstrates that the site is located in close proximity to various services and facilities.

The proposals will be constructed on a parcel of land which accommodates an informal path allowing pedestrian movement between Old Market Street and Domett Street. The path is not a Public Right of Way and is not adopted. As an alternative route is provided by the existing footways surrounding the site, Highways has no concerns.

The proposed dwellings will be supported by 1no. (100%) off-street car parking spaces located in a car-park which is accessed from Domett Street. One disabled bay is proposed. This level of provision is considered acceptable by Highways.

The applicant should confirm that all parking spaces have been dimensioned in alignment with MCC standards at min. of 2.4m x 4.8m. Additional 1.2m side and rear clearance is also required for disabled bays and an Electric Vehicle Charging Point (min 7Kw) for each space is required. Appropriate conditions addressing these issues have been added to the consent.

In line with MCC guidelines, cycle parking provision is proposed within the rear yard areas at a provision of one per dwelling. Such provision is acceptable within the proposed sheds although this should be supported by a cycle rack and with the shed to be secured. Further details have been conditioned as a result of highways comments.

Off Site Highways Works

The proposals will require the creation of a new access into the proposed car park from Domett Road. Highways request that access is provided via a dropped-crossing arrangement in order to maintain pedestrian amenity. Highways request that as part of the application, footways along the site boundary are resurfaced as these appear to be in poor condition. The works should also include tactile paving provision at the Domett Street/Old Market Street junction. The applicant has in principle agreed to adhere to highway recommendations and the applicant provided

further details which shows appropriate levels of visibility can be achieved at the site access and along old market Street. The boundary wall at the site access shas also been amended in order to provide appropriate pedestrian visibility.

A swept-path assessment has been undertaken for an estate car which shows that the two southern parking spaces can be accessed/egressed appropriately. The plans also show the location of the existing Domett Street build-out in the context of the site access and demonstrates that the build-out would not hinder access/egress.

Furthermore, highways commented the bins will be stored within the curtilage of each dwelling within dedicated refuse storage areas. Bins will be presented for collection from the highway.

Landscaping

Typical of highly urbanised environments and developments of a higher density, the location and context of the site does not enable substantial areas of landscaping to be incorporated. The proposal does however allow for a partial landscaped setting which offers comparable, if not more, than other nearby flat developments.

The proposal allows for the incorporation of a small communal pockets of soft landscaping within the site and soft landscaping around to the Old Market Street and Domett Street perimeter. This will allow for a setting to the building, defensible space and a buffer between neighbouring properties. On this basis, the balance of landscaping and amenity provision is considered satisfactory.

Waste Management

The location of the bin storage areas are acceptable. However, environmental health recommend the Waste Management Strategy should include details of internal stores for both waste and recycling, including any plans and designs. To ensure the arrangement is adhered to, an appropriate condition has been included.

Ecology

The ecology report (LM Ecology July 2023) follows the best practice guidelines and by suitably qualified ecologists. No protected species or signs of protected species were recorded during the survey work, although species such as hedgehog could potentially be present in the local area.

In addition to the above, the Ecology Unit made 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.

Furthermore, clearance of the site should follow the Reasonable Avoidance Measures for hedgehog (and other small animals) detailed in paragraphs 50 and 51 of the ecology report.

Planning policy encourages enhancements. In addition to resolving the BU loss on site, the species enhancements recommended in paragraph 56 of the ecology report should be secured via a suitably worded condition. An appropriately worded condition has been added to the consent.

Crime and Security

Greater Manchester Police assessed the proposal and commented the proposal shall reach a secured by design accreditation and the condition seeking a reduction the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy has been added to the consent.

Ground Conditions

The application has been accompanied by a Phase 1 Geo-environmental report which includes an appraisal of ground conditions. Further detail is required with respect to site investigation, final risk assessment, any necessary remediation measures and verification of any necessary of site works. An appropriate condition to this effect has been included.

Surface Water Drainage

The application site is located in flood zone 1 'low probability of flooding'. An outline drainage strategy has been submitted to show an appropriate surface water drainage scheme. A condition has been included to which will require further details, including hydraulic drainage calculations in relation to overland flow routes and a further condition detailing how the drainage scheme will be subsequently maintained.

Climate Change

As the proposal would result in a modest number of residential units within the context of a principally residential environment, the impact upon climate change is not considered significant. This is particularly so, given the current commercial use of the building which previously accommodated multiple businesses and servicing demands.
The site is located near 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.

A condition require requires the provision of vehicle electric car charging points, as well as the need for such a measure will serve to limit the impact the upon climate change.

Furthermore, the applicant submitted an environmental statement in support of the proposal. The contents of the documents state, ‘the proposed design provides compliance with Building Regulations ADL1 2021, and with the application of heat pumps for hot water ensures reductions which exceed Manchester City Council’s Core Strategy 2012. The use of high-efficiency heat pumps reduces carbon emissions by 58% and provides a primary energy reduction of 18% when compared to new Building Regulations Part L 2021. An overall 58% improvement in CO2 emissions and a 18% improvement in primary energy above the Building Regulations baseline is proposed to support our application. The project significantly exceeds energy policy EN6 2010 regulations by 95%. The proposal complies with National Planning Policy Framework (2021), Manchester City Council’s Core Strategy 2012 - 2027 (2012) policies EN4 - EN7 and Principles of The Guide to Development in Manchester SPD 2007.

Construction Management

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

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 polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Alterations to the scale, siting and appearance of the proposed dwellings have been sought through the course of the application. The proposal is considered to be in accordance with the Development Plan and therefore determined in a timely manner.

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

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

DS-BTP-00-LP-DR-A-3784_101
DS-BTP-00-SP-DR-A-3784_104
DS-BTP-00-SP-DR-A-3784_105.8

DS-BTP-00-SP-DR-A-3784_106
DS-BTP-00-E-DR-A-3784_107.3
DS-BTP-00-SP-DR-A-3784_108.3
DS-BTP-01-ZZ-DR-A-3784_170.3
DS-BTP-01-E-DR-A-3784_171.3
DS-BTP-01-ZZ-DR-A-3784_172.2
Envirocheck Agency and Hydrological Information
Envirocheck Agency Data Currency Sheet
Energy Council Energy Statement Ref: Z57880 Document,
UCML Utility Study Level 1 by BTP Architects
Old Market Street, Blackley Phase 1 Preliminary Risk Assessment
The Location Plan,
Drainage Strategy C-900 P01, Flood Map and the Ground Survey Information 1,2,3,4,5,6, and 7,
Tree Survey Letter from Elizabeth McBride Consultant Ecologist and Tree Surveyor LM Ecology,
Biodiversity Net Gain Assessment by LM Ecology, stamped as received on the 1 August 2023,

BIODIVERSITY METRIC 4.0 CALCULATION TOOL Spreadsheet, stamped as received on the 12 September 2023.

Design and Access Statement REV D, stamped as received on the 17 August 2023.

The Waste Management Plan and the Proforma,, stamped as received on the 10 August 2023.

DS-BTP-00-ZZ-DR-A-3784_108.5 Rev 5 and DS-BTP-00-SP-DR-A-3784_105.11 Rev 11, The Visibility Assessment By Ashley Helme, stamped as received on the 11 December 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 of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) a. Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

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

b. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

5) The development hereby approved shall not be occupied or used until the Council as Local Planning Authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

6) The car parking areas indicated on drawing numbered DS-BTP-00-SP-DR-A-3784_105.8, received by the City Council as Local Planning Authority on the 1 August 2023, shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being 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.

7) No part of the development shall be occupied until space and facilities for bicycle parking within the sheds, have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

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.

8) Notwithstanding details submitted, prior to the first occupation of the residential development hereby approved, 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 any of the residential units.

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

9) Notwithstanding details submitted, no above ground development shall take place 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 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.

10) Notwithstanding the indicative details submitted, no above ground development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as Local Planning Authority. The approved 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, 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.

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

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

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

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

12) The consent herby approved shall be carried out in accordance with the Biodiversity Net Gain Assessment by LM Ecology, stamped as received on the 1 August 2023. The proposal shall include compliance with:

* Clearance of the site should follow the Reasonable Avoidance Measures for hedgehog (and other small animals) detailed in paragraphs 50 and 51 of the ecology report.

* Resolving the biodiversity unit loss on site, the species enhancements recommended in paragraph 56 of the Biodiversity Net Gain Assessment

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

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

The scheme shall also include:

o Surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.
o Evidence of Drainage Hierarchy adherence.
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 Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Provide at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area.

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 Details of how the scheme shall be maintained and managed after completion.

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

14) The consent herby granted shall be carried out in accordance with the Environmental Standards Statement titled,' Energy Council Energy Statement Ref: Z57880 Document, stamped as received on the 1 August 2023 to ensure detail energy efficiency and carbon reduction measures to be incorporated within the development. The development shall only be implemented in accordance with the agreed details.

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.

15) Before above ground development commences, a scheme for acoustically insulating the residential accommodation against noise from Old Market Street and neighbouring public house shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The approved noise insulation scheme shall be completed before any of the residential units are occupied.

Upon completion of the development and prior to first occupation of the apartments hereby approved, a verification report shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to validate the works undertaken conform to the recommendations and requirements contained within the report. The report should contain details of post completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations contained within the report shall be detailed, along with any measures required to ensure compliance with the internal noise criteria.

Reason - To safeguard the amenities 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, H1 and DM1 of the Core Strategy.

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

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

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out before development commences and a report prepared outlining what measures, if

any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

17) 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.

18) Prior to the first use of the use of the development, electric car charging point shall be installed within the site, in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first use of the development and made available and thereafter retained for as long as the development is in place.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings.

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

20) Prior to the first occupation of the development, the ground and first floor rear bathroom windows, shown on drawing number DS-BTP-01-ZZ-DR-A-3784_170.3, DS-BTP-01-E-DR-A-3784_171.3, DS-BTP-01-ZZ-DR-A-3784_172.2, received on the 1 August 2023, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

21) Before the commencement of above ground construction works, details of highways works that are required as part of the implementation of the development, for the avoidance of doubt, including:

* Details of how the footways along the site boundary are resurfaced, excludes tree pit works to the highway trees. The works should also include tactile paving provision at the Domett Street/Old Market Street junction.

Shall be submitted to and approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details, which shall be maintained in situ at all times thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, EN19, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

22) Before the commencement of above ground construction works, details of window reveals across the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - In the interest of visual amenity pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

Informatives

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

2) The applicant will be required to enter into Section 278/184 agreement for the alterations to the existing highway. This will require agreement/technical approval with MCC'sHighways Statutory Approvals Teams via the following online application: https://www.manchester.gov.uk/directory_record/451887/permission_to_work_on_the_highways__section_278_agreements/category/355/highways_and_pavements
.

3) Construction 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

4) MCC records highlight that the underground Pike Fold Drain culvert is located within close proximity to the site (approximately 20 m to the north-west 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.

5) 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Greater Manchester Ecology Unit
United Utilities Water PLC

2 Gilman Close, Manchester, M9 8DG
11 Domett Street, Manchester, M9 8DF
45 Hexagon Close, Manchester, M9 8RN
43 Hexagon Close, Manchester, M9 8RN
41 Hexagon Close, Manchester, M9 8RN
39 Hexagon Close, Manchester, M9 8RN
Flat 5, 73 Old Market Street, Manchester, M9 8DX
Flat 4, 73 Old Market Street, Manchester, M9 8DX
Flat 3, 73 Old Market Street, Manchester, M9 8DX
Flat 2, 73 Old Market Street, Manchester, M9 8DX
Flat 1, 73 Old Market Street, Manchester, M9 8DX
Unit 6, 73 Old Market Street, Manchester, M9 8DX
Unit 5, 73 Old Market Street, Manchester, M9 8DX
Unit 4, 73 Old Market Street, Manchester, M9 8DX
Unit 3, 73 Old Market Street, Manchester, M9 8DX
Unit 2, 73 Old Market Street, Manchester, M9 8DX
Unit 1, 73 Old Market Street, Manchester, M9 8DX
4 Gilman Close, Manchester, M9 8DG
9 Domett Street, Manchester, M9 8DF

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA