

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136291/FO/2023
Date registered valid: 19 June 2023
Proposal: Change of use of public house (sui generis) to dwellinghouse (Class C3)
Address: 100 Ogden Lane, Manchester, M11 1NG
Ward(s): Clayton & Openshaw Ward

Applicant: Mr Noel Igoe
Agent (if any): Dr Kanadi Jagafa, Mason and Marlowe Ltd
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 24 November 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 26 May 2023

Standard consultations:

Printed: 20 July 2023 Expired: 10 August 2023

Neighbour notifications

Printed: 20 July 2023 Expired: 10 August 2023

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This planning application relates to a detached 3-storey red brick ormer public house located on the north side of Ogden Lane, which appear to have been constructed in the late 19th century. The property presents a frontage to the back of pavement and has grey slate pitched roofscape with ornate parapet and chimney stack detailing. The building elevations are punctuated with rectangular window openings and brick and stonework detailing. To the rear the property comprised of a pair of the flat roof single storey extensions separated by and recess. The property formally comprised of a ground floor bar area and ancillary accommodation with basement storage. Residential accommodation was located within the upper floors. The site has a rear and side rear yard area. A public car parking areas is situated adjacent to the blank eastern elevation.



Fig.1 – Views of the application building

Description of development

The development involves a change to residential use without external alterations or reconfiguration of internal rooms. The internal layout would comprise:

Basement – Storage

Ground floor- Living room, play room, kitchen, dinning room, WCs and shower rooms

First floor - Four bedroom, shower room and WC

Second floor - Four bedroom, shower room and WC

External garden areas would be formed with in curtilage gated car parking. Utilising the existing access from Ogden Lane. Cycle and bin storge has been identified in the rear garden area.

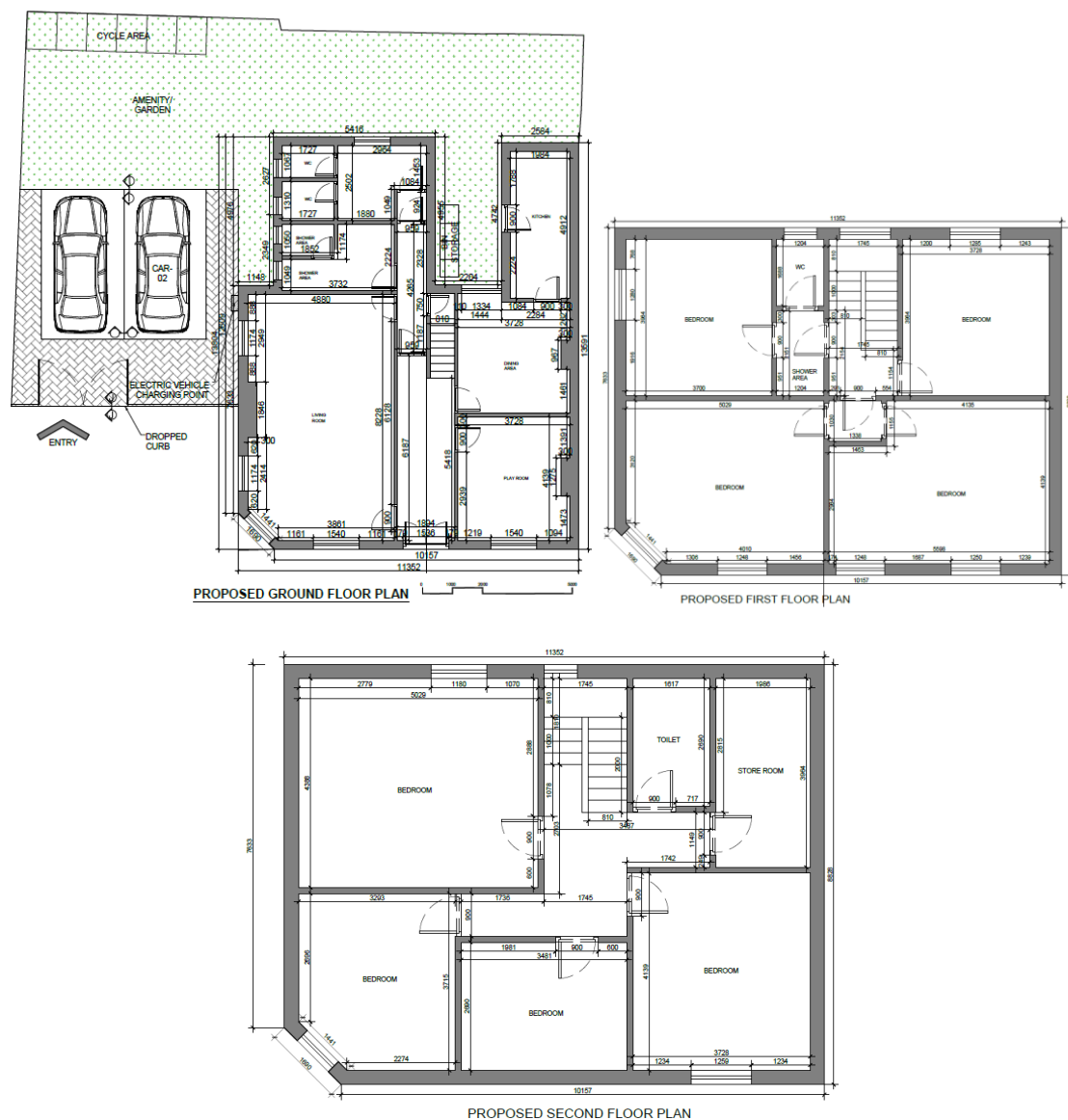


Fig. 2 – Internal layout

Consultations & Notification Responses

Local residents – One email has been received that supports the development.

Environmental Health – The following comments have been received:

- i. The development should be related to a scheme of noise attenuation.
- ii. The waste / recycling scheme should fully accord with Council guidance.
- iii. The development should incorporate an EV charging point.
- iv. A 'watching brief' condition is recommended address land contamination if encountered.

Highway Services – The following comments have been received:

- i. Pedestrian access would remain as existing. The existing car parking would be utilised accessed via retained dropped kerbs. The car parking spaces should ensure that cars can be entirely parked within the site, i.e., the spaces should achieve the Council's minimum standards.

- ii. Vehicular access in forward gear is acceptable.
- iii. Each driveway space should provide a minimum of 3.0m x 6.0m in line with MCCs standard minimum dimensions.
- iv. The applicant should be advised that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines.
- v. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users.
- vi. Highways records indicate that the car parking is located on the adopted highway and stopping up procedures should be followed. [The applicant has provided land registry details confirming ownership of the leasehold. Any subsequent requirements for 'stopping up' would need to be undertaken outside the consideration of this planning application.
- vi. The development should be supported with 100% secure cycle storage.
- vii. The development should be supported with in- curtilage bin storage and transfer arrangements.
- viii. Any requirements for highways licenses for scaffolding, skips etc should be agreed with the Council as local highways authority.

Greater Manchester Police Design for Security – No objection but the following comments are made:

- i. The eastern gable elevation is exposed and vulnerable to crime and anti-social behaviour. It is recommended this be addressed through the erection of a low boundary or defensive planting.
- ii. The ground floor windows on the front elevation directly abuts the public footway (Ogden Lane), potentially leaving them vulnerable to crime. It is recommended that these windows are protected and ornamental metal bars to the lower half or a perforated screen has been suggested.
- iii. It is recommended that all new security fixture and fittings meet Secured by Design standards.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 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 have been considered in relation to the current application. 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, the following three overarching objectives need to be pursued mutually:

- i. 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.
- ii. 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.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates 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. The following aspects of the Framework.

- i. Section 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, it is important that: a sufficient amount and variety of land can come forward where it is needed; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Consideration should be given to the size, type and tenure of housing required by different groups in the community. It requires support for the development of entry-level exception sites suitable for first time buyers. In this case, it is considered that the proposed development would positively contribute to the quality, diversity and supply of housing in the local area and secure a new and sustainable use for the building. The development would thereby accord with section 5.
- ii. Section 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. It is considered that the development would achieve satisfactory natural surveillance. The development is capable of incorporating measures to deliver appropriate security and reductions to the risk of crime. On this basis it is considered that development would be satisfactorily related to section 8.
- iii. Section 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:
 - a) Appropriate opportunities to promote sustainable transport modes;
 - b) Safe and suitable access to the site for all users; and
 - c) Any significant impacts from the development on the transport network or on highway safety can be mitigated to an acceptable degree.

The application site is located in a sustainable location in terms of the proximity of local services and public transport. Proportionate car parking would be provided with satisfactory arrangement for cycle storage. On balance it is considered that section 9 would be positively accorded with.

- iv. 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. It also encourages the use of previously developed or 'brownfield' sites. It is considered that section 11 would be positively responded to by securing the re-use of an existing building with the incorporation of satisfactory layouts. The development would thereby be satisfactorily related to section 11.
- v. Section 14: Meeting the challenge of climate change, flooding and coastal change. The site is located in Flood Zone and is not significantly vulnerable to flood risk. Section 14 would thereby be accorded with.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG is relevant to key planning issues of significance to applicants and local authorities. The assessment of the proposed development has been related to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Flood Risk Planning and Flood
- v. Health and well-being
- v. Noise

The core principles and policy guidance contained within the National Planning Policy Framework and Planning Practice Guidance have been directly related to the assessment of the potential impact of the development on residential amenity. Particular consideration has been given to the benefits of delivering a sustainable residential development and measures to and waste management. Generated noise would commensurate with residential occupation. The above principles have been appropriately accorded with for the reasons set out below.

The Places for Everyone Plan - Is a Joint Development Plan Document and provides 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 on the Plan. The Examination of 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 is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The following policies are relevant:

- i. JP- S1- Sustainable development
- ii. JP- S2 – Carbon and energy
- iii. JP- S5 – Flood risk and the water environment
- iv. JP- H1 – Scale, distribution and phasing of new housing.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice through: the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents and responding to the diverse needs of all members of the community and the protection and enhancement of the built and natural environment;
- b. Minimises emissions, ensures efficient use of natural resources and reuses previously developed land wherever possible;

c. Improves access to jobs, services, education and open space whilst reducing the need to travel and securing good access to sustainable transport provision.

It is considered that the proposed development would contribute positively to the above objectives and make a positive contribution to the formation of a sustainable community. It would be beneficial to the diversity of local housing supply and secure the re-use of an existing building. It would provide accommodation that would improve access to employment and educational opportunities. Policy SP1 would be positively responded to.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester should meet high standards of urban design. Opportunities for good design, which enhance the overall image of the city should be fully realised. In this case, it is considered that the applicant has positively responded to the requirements of policy EN1 through proportionate interventions to the original building that improves its character and appearance. Policy EN1 would thereby be accorded with.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) – As stated the development would facilitate the retention of an existing building, thereby retaining its embedded energy and limiting materials and resources to the implementation of its conversion. Its energy performance would be improved through compliance through the potential installation of new windows and measure to secure its insulation. The development would thereby be appropriately related to policy EN4.

Policy EN 14 (Flood Risk) - States that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application site is located in Flood Zone 1 and there is not a significant risk of flooding or specific requirement for drainage in support of the development.

Policy EN19 (Waste) – It is considered that satisfactory waste management and recycling arrangements can be put in place during the construction and operation phases of the development to secure compliance with policy EN19.

Policy H1 (Overall Housing Provision) - Sets the objectives for the delivery of new housing in Manchester. It encourages the re-use of previously developed sites, secure high quality urban design and an appropriate mix of housing tenure. It is considered that the development would satisfactorily relate to these objectives.

Policy H 5 (Central Manchester) - States that Central Manchester, over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. Notwithstanding priority for family housing provision in this area, the development would deliver the conversion sustained operation of the building thereby positively contribution to the local housing supply. Policy H5 would thereby be appropriately responded to.

Policy T1 (Sustainable transport) – Relates to the delivery of sustainable, high quality, integrated transport system and a modal shift away from car travel to public transport, cycling and walking and preparation for carbon free modes of transport. In this case, the development would be supported with satisfactory car parking provision and arrangements for cycle storage. The site is in a sustainable location with access to local bus routes. The development thereby responds positively to policy T1.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- c. Effects on amenity, road safety and traffic generation;
- d. Accessibility in relation to inclusive access for people with disabilities and access via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

Policy DM1 points a - h (inclusive) have been related to the assessment of the proposals regarding its potential impact on residential amenity and the contextual relationship of the development to the surrounding built environment. The development would be supported with private amenity space and suitable waste management arrangements. Traffic generation would be predictable and offset by on site car parking, cycle storage and proximity to bus routes. Satisfactory internal space would be achieved. Policy DM1 would thereby be accorded with.

Unitary Development Plan (Saved UDP) Policies -The following saved Unitary Development Plan policy is also considered to be relevant:

Policy DC26 (Development and noise) - Has been related to the proposals contribution to the local noise environment and how existing noise sources, including noise from neighbouring industrial / commercial uses, may impact on the proposed housing.

Policy DC26.4 requires that where an existing noise source might result in an adverse impact upon a proposed new development, consideration is given to measures to deal with it satisfactorily.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

It is considered that the design is capable of accommodating satisfactory noise insulation and noise would be commensurate with a larger, single occupancy residential use. The noise attenuation condition requested by Environmental Health has been related to the development by condition to ensure compliance with policy DC26.

Manchester Residential Quality Guidance (MRQG) - Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. The guidance states that the delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. In this case, due to the number of proposed bedrooms, the development would not accord with a space criterion within the MRQG. However, it is considered that the proposed bedroom sizes would exceed what might usually be expected for a conversion to residential use.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. In this case officers and the applicants (through their appointed representatives) engaged in discussions regarding the future use of the property and the internal and external layout the

development, including arrangements for car parking. This discussion facilitated the satisfactory assessment of the development based on the submitted and supplementary details.

Principle of the development - An internet search has found that the application property was not in use and a public house in 2009 and this use has not been reinstated in the intervening period (Fig.3). In these circumstances it not considered that a reinstatement of a public house use is likely. The principle of the development is considered to be acceptable as it would deliver a contribution of local housing supply and secure a sustainable use for building that otherwise would fall into disrepair. Given the character of the surrounding area, residential use is considered to be appropriate in this location.

The applicant has provided the title deed demonstration leasehold ownership of the land within site edged red. Appropriate notice has been served on the Council as freeholder regarding the land to be used to access the site. Issues relating to rights of access across this land and any requirements for stopping up should be addressed outside the consideration of the planning application.



Fig.3 – Internet image showing the application property in 2009.

Future use of the apartments - A condition has been included for purposes of clarity and to confirm that the authorised development relates to the formation of one 8 bedroom dwellinghouse (Class C3). A separate condition has been included to facilitate the appropriate future use and management of the authorised apartments limiting their future occupation to Class C3 (a) not precluding occupation by two unrelated people sharing a property, i.e., occupation as a small or large scale HMO would not be permitted. This condition is considered necessary to secure the appropriate future management of the development.

Permitted development – In order to manage the operation of the site and maintained a development that is appropriately related to its context, condition have been included removing rights to building extensions and/or insert additional windows.

Residential space standards – As stated, due to the number of proposed bedrooms, the development would not accord with a space criterion within the MRQG. However, it is considered that the proposed bedroom sizes would exceed what might usually be expected for a conversion to residential use. The proposal would represent a sustainable development, in terms of re-use of existing space and its location and relationship to public transportation links. The proposed development would thereby positively contribute to sustainable growth in Manchester and thereby respond positively to the Manchester Residential Quality Guidance.

Residential amenity – The reconfiguration of the internal space would utilise existing windows thereby maintaining the existing circumstances in terms of the relationship to neighbouring houses. It is also noted that the properties to the north and west of the site present gable elevations without windows towards the application property. A condition has been included to ensure that bathroom and WC windows are obscurely glazed to an appropriate specification. The development would also deliver relatively spacious accommodation. To ensure the appropriate management of the site, conditions have been included removing permitted development rights relating to change of use to Class C4 occupation, extensions and insertion of additional windows.

Crime and security – The constraints of the site would not facilitate the formation of a defensible space adjacent to the eastern elevation as requested by GM Police, i.e., such a space cannot be formed with the site edged red. However, to address expressed security concerns a condition has been included requiring the approval of a scheme of security measures including the safeguarding of ground floor windows to Ogden Lane.

Boundary treatment – The western and northern boundaries are defined by brick walls. The eastern boundary is enclosed by a concrete panel wall that has fallen into disrepair and requires replacement. The existing fencing and gates to the vehicular access to Ogden Lane is unauthorised and inappropriate in a residential context. The above condition has been included to ensure the approval of a scheme to deliver the satisfactory enclosure of the western boundary and the provision of railing fencing panels and inward opening gates to the car parking area accessed via Ogden Lane. The above arrangement would improve the appearance of and security of the site and be beneficial to residential amenity.

External lighting – A condition has been included to manage undue glare from light installed as part of the development.

Inclusive access – The configuration internal floor level and of the application in relation to the back of footpath and external spaces adjacent to the rear entrance would prevent the formation of level thresholds.

Car parking, servicing and highways issues – The development would utilise an existing double drop kerb to access an existing hard surface car parking area within a gated and enclosed side garden area. Subject to the appropriately positioned gates, the development is capable of accommodating suitably sized car parking spaces. A condition has been included relating to the surfacing and demarcation of these spaces as part of the development. The amount of car parking is considered to be proportionate and appropriate, particularly as the area is served by public transport and cycle storage would be provided.

Cycle storage – The applicant has indicated that cycle storage will be provided. A condition has been included to ensure the approval of the appearance and specification of a secure cycle store.

EV charging points – The provision of an EV charging point has been confirmed. A condition has been included to ensure the approval and installation of the charging point to an appropriate specification.

Waste management – The applicant has provided details of a location for a bin enclosure. The submitted details need to be supplemented with details of mixed recycling and food waste. It is considered that this provision can be accommodated through a condition, which also includes a

requirement for approval of the bin enclosure specification. The bin collection point has been identified.

Noise attenuation – Noise associated with the development would be commensurate with residential occupation. With the exception of traffic noise, it is not apparent that the surrounding noise environment is affected by industrial type noise sources. Notwithstanding the above, the levels of residential occupation, the condition requested by Environmental Health has been attached to secure appropriate noise attenuation.

Construction Management Plan (CMP) – Given the scale of the development and nature of conversion works, it is not considered that a CMP is required. Given the enclosed external space within the site, the development could be implemented without unduly impacting on the highway. Guidance requested by Highways is attached as an informative.

Conclusion - The proposed development would continue to provide a sustainable use for a building that would be affected by structural decline. The proposed use would be appropriate in a predominantly residential area. The development is therefore acceptable and satisfactorily related to planning policy and guidance subject to the attached conditions.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

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. In this case officers and the applicants (through their appointed representatives) engaged in discussions regarding the future use of the property and the internal and external layout the development, including arrangements for car parking. This discussion facilitated the satisfactory assessment of the development based on the submitted and supplementary details.

Condition(s) to be attached to decision for approval

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received by the City Council as local planning authority on 17 February 2023, 24 October 2023 and 22 November 2023:

Planning application forms (amended by revised Certificate B received on 18 July 2023)

Existing location plan Ref: A3 dated 20/10/23

Existing site plan Ref: A3 dated 20/10/23

Proposed site plan Ref: A3 dated 20/10/23

Proposed basement plan Ref: N10/R5

Proposed ground floor plan Ref: N11/R5

Proposed first floor plan Ref: N12/R5

Proposed second floor plan Ref: N13/R5

Proposed roof plan Ref: N14/R5

Proposed front elevation Ref: N15/R5

Proposed rear elevation Ref: N16.R5

Proposed right side elevation Ref: A3 Dated 14/08/2023

Proposed left side elevation Ref: A3 Dated 14/08/2023

Proposed setting out plan Ref: A3 Dated 14/08/2023

Design and access statement

Justification statement (for loss of public house supplemented by email from Mason and Marlowe dated 15 August 2023).

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

3) The planning permission hereby granted relates to the use of 100 Ogden Lane as an eight bedroom dwellinghouse (Class C3).

Reason – In the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment)

(England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) 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 or outbuildings shall be erected other than those expressly authorised by this permission.

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

6) 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 referenced: Proposed site plan Ref: A3 dated 20/10/23; Proposed ground floor plan Ref: N11/R5; Proposed first floor plan Ref: N12/R5; Proposed second floor plan Ref: N13/R5; Proposed roof plan Ref: N14/R5; Proposed front elevation Ref: N15/R5; Proposed rear elevation Ref: N16.R5; Proposed right side elevation Ref: A3 Dated 14/08/2023; Proposed left side elevation Ref: A3 Dated 14/08/2023 and Proposed setting out plan Ref: A3 Dated 14/08/2023.

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

7) Before the occupation of the development windows to bathrooms / shower rooms and WCs as so indicated on the approved drawings ref: Proposed site plan Ref: A3 dated 20/10/23; Proposed ground floor plan Ref: N11/R5; Proposed first floor plan Ref: N12/R5; Proposed second floor plan Ref: N13/R5; Proposed roof plan Ref: N14/R5; Proposed front elevation Ref: N15/R5; Proposed rear elevation Ref: N16.R5; Proposed right side elevation Ref: A3 Dated 14/08/2023; Proposed left side elevation Ref: A3 Dated 14/08/2023 and Proposed setting out plan Ref: A3 Dated 14/08/2023 shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

8) Upon occupation of the development, the car parking shown on drawing referenced Proposed ground floor plan Ref: N11/R5 shall be surfaced, demarcated and made available for use and maintained in situ at all times thereafter.

Reason - To ensure that development is supported with appropriate car parking and in the interests of residential amenity pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

9) Before the occupation of the development, details of the design, specification and charging capacity of the electric vehicle charging point as shown on drawing referenced Proposed ground floor plan Ref: N11/R5 shall be submitted to and approved in writing by the City Council as local planning authority. The charging points shall be installed upon occupation of the development and maintained in situ at all times thereafter.

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 SP1, EN16 and DM1 of the Core Strategy for the City of Manchester.

10) Before the occupation of the development, details the design, appearance and specification of all boundary treatments, including fencing and inward opening gates to service the car parking area accessed via Ogden Lane, shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented before the occupation of the development and maintained in situ at all times thereafter.

Reason – In the interest of residential amenity, site security and to reduce the risk of crime, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

11) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision of measures to improve on-site security and to reduce the risk of crime, including the protection of ground floor windows presented to Ogden Lane. The scheme shall review existing security arrangements and detail related improvements that can be incorporated into the development. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

12) Before the occupation of the development, a scheme of acoustic attenuation shall be submitted to and approved in writing by the City Council as local planning authority to safeguard against noise transfer to, from and between the authorised basement apartments and reduce harmful noise and disturbance from any other identified noise sources. The approved scheme shall be implemented before the occupation of the basement apartment and retained in situ thereafter.

Reason - To secure a reduction in noise transfer to, from and between the authorised basement apartments and reduce harmful noise and disturbance from any other identified noise sources, in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester.

13) Before its installation, any external lighting required in support of the development shall be related to a scheme to be submitted to and approved in writing by the City Council as local planning authority. Lighting shall only be installed in accordance with the approved scheme and maintained in situ unless any lighting installed as part of the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority is harmful to adjoining and nearby residential properties. In such

circumstances and within 14 days of its written request, a scheme for the elimination of glare and/or light spillage shall be submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be implemented to a timescale agreed with the City Council as local planning authority and maintained in situ thereafter.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

14) Before the occupation of the authorised development, details of the capacity, design and appearance of the bin store as on drawing referenced: Proposed ground floor plan Ref: N11/R5 shall be submitted to and approved in writing by the City Council and local planning authority. The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of bin, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

15) Before the occupation of the authorised development, details of the capacity, design and appearance of the cycle store as on drawing referenced: Proposed ground floor plan Ref: N11/R5 shall be submitted to and approved in writing by the City Council and local planning authority. The approved details shall be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

16) In the event that ground contamination, groundwater contamination and/or ground gas 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 remediate the land (the 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 agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action taken in the interests of public safety, pursuant to DM1 and EN18 of the Core Strategy for the City of Manchester.

17) The second floor centrally positioned windows as shown on drawing Ref: Proposed second floor plan Ref: N13/R5 and Proposed front elevation Ref: N15/R5 shall be installed in accordance with the approved details prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

Informatives

- 1) Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3
- 2) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

57 Lee Street, Manchester, M11 1NW
2 Brinklow Close, Manchester, M11 1NB
4 Brinklow Close, Manchester, M11 1NB
2 Tinningham Close, Manchester, M11 1NB
4 Tinningham Close, Manchester, M11 1NB
6 Tinningham Close, Manchester, M11 1NB
104 Ogden Lane, Manchester, M11 1NG
9 Youth Close, Manchester, M11 1PA
102 Ogden Lane, Manchester, M11 1NG
3 Brinklow Close, Manchester, M11 1NH
1 Brinklow Close, Manchester, M11 1NH
55 Lees Street, Manchester, M11 1NW
53 Lees Street, Manchester, M11 1NW
51 Lees Street, Manchester, M11 1NW
49 Lees Street, Manchester, M11 1NW
7 Brinklow Close, Manchester, M11 1NH
5 Brinklow Close, Manchester, M11 1NH
100 Ogden Lane, Manchester, M11 1NG

Appendix 2 – Planning constraints

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