

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 137181/FO/2023

**Date registered valid:** 6 June 2023

**Proposal:** Change of use of existing vacant basement to form a self contained flat (Class C3), forming 7 flats in total, together with associated elevational alterations.

**Address:** 20 Woodlands Road, Manchester, M8 9LJ

**Ward(s):** Cheetham Ward

**Applicant:** Mr Tofail Ahmed

**Agent (if any):** Mr Subhan Saleem

**Case officer:** Katie Raw  
Tel: 0161 234 4164  
Email: [katie.raw@manchester.gov.uk](mailto:katie.raw@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 28 July 2023

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Dwellings

**Date of site visit:** 27 April 2023 (136084/FO/2023)

### **Standard consultations:**

Printed: 8 June 2023      Expired: 29 June 2023

### **Neighbour notifications**

Printed: 8 June 2023      Expired: 29 June 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**

The application site relates to 20 Woodlands Road within the north Manchester ward of Cheetham. The application site relates to a red brick, end terraced, large villa, three storey dwellinghouse with front dormers. The property consists of 3no. bedsit units and 3no. one bed flats, as approved under planning ref: 051425/FO/NORTH1/97. Amenity space to the front of the property consists of a hardstanding for parking, with bins sited against the front boundary wall of the site. Further amenity space is sited to the rear of the property, accessed through a small gate. The rear amenity space is surrounded by high boundary walls and at the time of the site visit, the rear amenity space was in a poor condition and appeared not to be used by any of the existing residents.

## **Description of development**

The planning application seeks consent for the change of use of existing vacant basement to form a self contained flat (Class C3), forming 7 flats in total, together with associated elevational alterations.

This application is a re-submission of the previously withdrawn application 136084/FO/2023.

The unused basement would be converted into a flat which has three bedrooms (four person), an open plan dining/ living space and bathroom. The flat would have an internal size of 80 square metres.

Access to the new basement flat would be available from an internal stair case from the ground floor of the property, using the main access into the property as do the other flats in the building.

Within the rear amenity space, waste storage and 10no. cycle covered vertical bike hanger shelter would be installed. A secure private gate would also restrict access from the front of the property to the rear.

Elevational alterations to the building would involve the opening up of two existing lightwells to the front of the property, two windows within the side elevation of the property, the insertion of a window in the rear elevation and re-opening space for a rear fire exit door to lead onto the rear amenity space. Windows to be inserted would be PVC windows to match existing and guarding would be erected around the lightwells for safety purposes. These would consist of 16mm thick metal rail guarding.

### *Planning history*

136084/FO/2023- Change of use of existing vacant basement to a form a self contained flat (Class C3), forming 7 flats in total, together with associated elevational alterations.  
Withdrawn 22 May 2023.

051425/FO/NORTH1/97- Conversion of house into 3no. bedsit units and 3no. one bed flats.  
Approved 16 April 1997.

## **Consultations & Notification Responses**

### *Local Residents*

Local residents were consulted and no responses were received.

### *Highway Services*

Highways were consulted on the application and provided the following comments:

#### **TRIP GENERATION AND JUNCTION CAPACITY:**

Given that the proposed development is resultant in 1no. additional residential dwelling, 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 operational capacity demands.

#### **SITE ACCESSIBILITY:**

The site located in an established residential area and is accessed by sustainable modes with frequent bus services operating within walking distance of the site along Cheetham Hill Road.

#### **PARKING AND ACCESS:**

A shared driveway area is provided at the property frontage although no additional car parking provision is proposed as part of the development proposals.

Submitted plans indicate that parking across the driveway will be formalised with provision of demarcated parking spaces which may result in more efficient use of existing car parking provision. Swept-path assessments demonstrate that a car can safely access the northern most parking space but no further assessment of the egress for the northernmost parking space has been undertaken. Further swept path analysis is requested for the further 2 parking spaces.

Highways also request further detail on how existing/proposed resident parking demand is managed/allocated.

#### CYCLE PARKING:

In line with MCC Residential Guidelines, secure and sheltered cycle parking provision is provided within the rear garden area and provides a total of 10 cycle spaces. This level of provision is welcomed by Highways.

#### REFUSE AND SERVICING:

Designated refuse storage within the curtilage of the site is provided with kerbside collection continuing from Woodlands Road. Highways consider this to be acceptable.

#### CONSTRUCTION MANAGEMENT:

Detail should be sought from the applicant in relation to any proposed construction or fit-out arrangements, where there is an impact on the highway. 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](mailto:highwaylicences@manchester.gov.uk).

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 of satisfactory routeing both within the site and on the adjacent highway. The document should also consider contractor parking in the locality. It is recommended that the above is conditioned and attached to any planning permission that may be granted.

#### *Environmental Health*

Environmental Health were consulted on the application and provided the following comments.

#### DEMOLITION/CONSTRUCTION HOURS

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

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

#### NSE4(a)

Residential sound insulation

a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Woodland Road and surrounding streets shall be submitted to and approved in writing by the City Council as local planning authority. There may

be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises such as [premises/site]. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L<sub>Amax,F</sub> by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance.

#### NSE6

External plant/equipment/servicing \* Required if any external plant is to be installed for ventilation to the basement etc

a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

#### REF\*

a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

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

Reason - In the interests of amenity and public health

The proposed number of containers is insufficient and each flat will require their own 140litre containers for each waste stream. Also, the containers should not be stored at the front of the property and I refer the applicant to the waste guidance document GD04 found in the following link

[http://www.manchester.gov.uk/info/500207/planning\\_and\\_regeneration/1962/additional\\_planning\\_guidance/3](http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3)

#### AIR QUALITY 2\*

a) Prior to commencement of the development, a scheme for electric vehicle charging and any other considerations shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

\*The developer should refer to MCC's AQ Guidance Note for EV charge point recommendations with regard to the proposed car parking spaces. If the proposed basement apartment will include an allocated car parking space then an EV charge point will be required.

#### AIR QUALITY 3

a) Prior to commencement of the development, a scheme for a clean air intake shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

#### *Greater Manchester Police*

Greater Manchester Police reviewed the application and had no comments to make.

#### *Flood Risk Management Team*

The following comments were provided by the Flood Risk Team:

The site is within Flood Zone 1 and low risk of surface water flooding and whilst the change of use results in a change in Flood Risk Vulnerability Classification, it does not require any mitigation measures and we APPROVE with no condition required.

#### **Issues**

#### **POLICY**

### *The National Planning Policy Framework (NPPF) (July 2021)*

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 5. Delivering a sufficient supply of homes- States 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 71 considers the need for policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
- ii. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- iii. Chapter 9. Promoting sustainable transport- States that transport issues should be considered from the earliest stages of development proposals and the planning system should actively manage patterns of growth in support of these objectives.
- iv. Chapter 11. Making effective use of land- the NPPF recognises the need for the planning system to promote an effective use of land in meeting the need for homes and other uses. This section emphasises the need to give substantial weight to the value of using suitable brownfield land for new homes, and to promote the development of underutilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- v. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

*The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.*

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

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, as identified in national planning guidance, and have regard to the strategic character area in which the development is located.

Policy EN14 (Flood Risk); states 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). In addition, all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. The City of 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.

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

Policy EN19 (Waste); outlines the council's position on waste management. This includes the requirement that all developers, including those of new waste management facilities within the District, demonstrate the proposal's consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal). It also requires all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met. Additional requirements are further listed.

Policy H1 (Overall Housing Provision); states that the proportionate distribution of new housing, and the mix within each area, will depend on several factors. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester. The policy states that residential development should consider creating mixed communities, development in the right places, follow Manchester's design standards, create appropriate amenity space, the need for parking and cycle provision, prioritising sites close to a high frequency of public transport access and offer residential privacy.

Policy H3 (North Manchester); states that over the lifetime of the Core Strategy, North Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within

Cheetham Hill and Harpurhey district centres as part of mixed use schemes as well as along high frequency public transport routes.

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

### *Unitary Development Plan Saved Policies*

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC7.1 states the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

DC26.1 states the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 states new noise sensitive developments (including large scale changes of use of existing land or buildings) such as housing, schools, hospitals, or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.4 states where the council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following

- a) engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers
- b) layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it and screening by natural barriers or other buildings or non-critical rooms within a building; and
- c) administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit.

Any or all these factors will be considered appropriate for inclusion in conditions on any planning permission

DC26.5 states the council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

*Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.*

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.3 states 'a high-quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities'.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be considered and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line, and contribute to the quality of the environment.

*Manchester Residential Quality Guidance 2016*

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and raise the quality of life across Manchester. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management. The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures.

## ISSUES

### *Principle of Development*

The submitted development application is for the change of use of existing vacant basement to form a self contained flat (Class C3), forming 7 flats in total, together with associated elevational alterations.

This application is a re-submission of the recently withdrawn application: 136084/FO/2023. The previous application proposed a separate access to the basement flat from the rear of the property. This raised concerns in relation to safety and was echoed by consultees of Greater Manchester Police. Concerns were also raised in regard to parking. The issues were not overcome prior to the application being determined and as such the application was withdrawn and subsequently re-submitted under the current application.

The current application is considered acceptable as the previous issues from 136084/FO/2023 have been overcome.

The change of use from the vacant basement to a three bed, four person dwelling (C3) would create a new dwelling for a family. This is considered acceptable to help overcome the current housing shortage across Manchester and would be pursuant to Policy H1 and H3 within the Core Strategy (2012). Given the rest of the building is used for a C3 purpose, the precedent for residential dwellings is already established within 20 Woodlands Road and the proposal would therefore be commensurate with the current use of the property. As such, the proposed use is considered acceptable for this location.

However, consideration must be given to the impact on the neighbouring properties' residential amenity, impact on the visual amenity of the area, the proposal's appearance, highways considerations and environmental considerations.

### *Residential amenity*

The proposed accommodation would afford future residents an acceptable quality of living accommodation. Future residents would be provided with a good level of amenity, with all habitable rooms served by windows, which is especially important given the flat would be at basement level. The property would not give rise to overlooking, and the proposed metal railings placed around the lightwells at the front of the property, would ensure the basement windows along the primary elevation of the property be protected, would safeguard the privacy of future occupiers, and would reduce the potential for litter falling into the view of the windows. A rear door would be created; however, this would be for fire exit purposes only, and is recommended this is conditioned accordingly. The entrance to the flat would be available internally through the main front door at the property. This has been amended following concerns from the previous application that an entrance door to the proposed flat to the rear of the property could give rise to security concerns. As such, the entrance into the property is considered acceptable in terms of residential amenity.

The floor area of the proposed flat equates to 80 sqm. The flat is listed as being 3 bed, 4 persons and according to the Manchester's Emerging Space Standards a minimum of 74 sqm internal space should be provided. As such, the current proposal exceeds the space standards and is such considered to provide an acceptable amount of space to the future residents.

Future residents of the proposal, in addition to other residents within the building have access to rear amenity space at the property, available from a gate to the side of the property, against the

eastern boundary of the site. At the time of the site visit, the rear amenity space was in a poor state of repair. As proposed, the space would hold the bins and 10no. cycle covered vertical bike hanger shelter. During the original conversion of the building, a landscaping condition was placed on the approval 051425/FO/NORTH1/97, however the space to the rear has become an unkempt space. As such, a landscaping condition would be attached to any approval granted to ensure the space would be improved to provide private usable amenity space. This is necessary since the proposed development would have views onto the rear space and since the bins and cycle storage would be placed in this area, the area would experience an intensification of use. Although it is noted cycle storage would be provided in the rear of the property, no further details of the cycle storage have been provided for consideration. It is therefore proposed that a condition be attached to any approval to require the submission of finalised details of the type and location of the provision. Similarly, a condition to require further details of a bin store to house the bins is recommended. A secure private gate would be installed and would ensure cycle storage and access to the rear of the property was restricted. GM Police were consulted on the application and raised no concerns with the scheme.

The proposed residential accommodation is compatible with neighbouring uses and would not have any adverse impact on the amenity of the surrounding land-uses.

### *Visual amenity*

There would be no adverse visual implications as a result of the change of use to the neighbouring properties. The basement has been vacant and so the change to a residential flat would create a more active role in the streetscene. The improvement works to the rear of the property would also improve visual amenity for other residents in the building.

On the basis of the above, the proposed development would not give rise to any adverse residential or visual amenity impacts and is consistent with Core Strategy policies SP1, DM1 and EN1, the Guide to Development in Manchester SPD, and provisions of the NPPF relating to achieving a good standard of amenity.

### *Design*

The insertion and opening up of new windows on the basement level would be considered appropriate in size and location. The materials to be used would be in keeping with the materials used currently in the rest of the building and so would be considered acceptable.

Based on the above, the application proposal would comply with Core Strategy policies SP1, DM1 and EN1, the Guide to Development in Manchester SPD, and relevant provisions of the NPPF relating to design.

### *Highways considerations*

Highway Services were consulted on the application and were happy that the additional residential dwelling would not give rise to any adverse operational capacity demands to the highway. Highways were happy that the site is in an established residential area and is accessed by sustainable modes with frequent bus services operating within walking distance of the site along Cheetham Hill Road.

A shared driveway area is provided at the property frontage, although no additional car parking provision is proposed as part of the development proposals.

Submitted plans indicate that parking across the driveway will be formalised with provision of demarcated parking spaces which may result in more efficient use of existing car parking provision. Swept-path assessments demonstrate that a car can safely access the northern most parking space, but no further assessment of the egress for the northernmost parking space has been undertaken.

During the course of the application, the agent submitted a further swept path analysis to cover the other 2 parking spaces at the site. Highways had sight of the revised document and considered the arrangements to be acceptable.

Further detail on how existing/proposed resident parking demand is managed/allocated was sought. The following response was provided from the agent:

“At the moment, there is only one tenant which has a car. All the tenants in the existing building have been long term and stayed within the building for over 5 years etc. The way the parking would be managed is via a system of some flats including a parking space in the tenancy agreement whereas other tenancy agreements will make it clear that the parking is not included. That way it is fair and controlled”.

This has been considered, and the management approach is welcomed and considered to be acceptable.

The level of cycle storage provided is considered to be satisfactory, although additional information is required to understand the form the cycle storage would take.

The storage of bins to the rear of the property and being collected from Woodlands Road, as is currently the case is considered a satisfactory approach.

It is noted that a construction management plan has been requested by a consultee, but given the limited works to the property, the condition is considered onerous and is therefore not recommended to be attached to any approval.

### *Environmental considerations*

Environmental Health were consulted on the application and requested several conditions be placed on any approval granted.

The request to condition the demolition/ construction hours is noted. However, given the application is only for a change of use with minor external works, this is considered onerous and is therefore not recommended to be attached to any approval.

It is, however, recommended that a residential sound insulation condition would be attached to any approval granted and the agent confirmed agreement to this condition via email on 21 June 2023.

An external plant condition was requested by a consultee that if any external plant is to be installed for ventilation to the basement. Via email on 12 July 2023, the agent confirmed no external plant would be required and as such this condition is not proposed to be attached to any approval.

A waste condition has been requested and the agent has confirmed acceptance. The number of containers at present is considered insufficient in regard to the additional residential unit and a condition would be attached to any approval granted to ensure satisfactory waste storage at the property. A separate bin store condition would also be attached to ensure the bins are enclosed, to ensure the rear amenity space is kept in a good condition.

Conditions relating the provision of measures in connection with air quality have been noted, but are considered onerous given the works to be undertaken.

### *Conclusion*

The proposed use is one that is compatible with the surrounding area and brings a vacant basement into use. Given this, it is not considered that the proposal would have a detrimental impact upon residential or visual amenity. Any changes in design are sympathetic to the surrounding residential area.

### **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**

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner. Appropriate conditions have been attached to any approval granted.

**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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 6 June 2023.

-Drawing- Proposed- Basement Plan, numbered Sheet 3, stamped as received by the City Council as Local Planning Authority on 6 June 2023.

-Drawing- Existing & Proposed- Floor Plans, numbered Sheet 7, stamped as received by the City Council as Local Planning Authority on 6 June 2023.

-Drawing- Location Plan, numbered Sheet 1, stamped as received by the City Council as Local Planning Authority on 6 June 2023.

-Drawing- Site Plan, numbered Sheet 5 Rev B, stamped as received by the City Council as Local Planning Authority on 26 June 2023.

-Drawing- Existing & Proposed- Elevations, numbered Sheet 4 Rev B, stamped as received by the City Council as Local Planning Authority on 26 July 2023.

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

3) Notwithstanding the 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Woodland Road and surrounding streets shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal

noise criteria.

Reason- To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

6) Prior to the occupation of the development hereby approved, full details of a secure and ventilated bin storage area, including location and details of elevations, shall be submitted to the City Council as local planning authority for prior approval in writing. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

7) Prior to first use, details of the specifications, elevations, siting and appearance of the secured cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

8) Prior to occupation, a hard and soft landscaping treatment scheme shall be 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.

9) 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.

10) The rear fire exit door in connection with the proposed self contained flat (Class C3a) shall be used as a rear fire escape and for no other purpose.

Reason- In the interests of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

### **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](mailto:highwaylicences@manchester.gov.uk).

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health  
Greater Manchester Police  
MCC Flood Risk Management

15 Woodlands Road, Cheetham, Manchester, M8 9LF  
54 Chiselmurst Street, Manchester, M8 9LP  
52 Chiselmurst Street, Manchester, M8 9LP  
24 Woodlands Road, Cheetham, Manchester, M8 9LJ  
22 Woodlands Road, Cheetham, Manchester, M8 9LJ  
19 Woodlands Road, Cheetham, Manchester, M8 9LF  
18A Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 3, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 2, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 1, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 6, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 5, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 4, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ  
17 Woodlands Road, Cheetham, Manchester, M8 9LF  
Flat 3, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ  
56 Chiselmurst Street, Manchester, M8 9LP  
51 Chiselmurst Street, Manchester, M8 9LP  
38 Woodlands Street, Manchester, M8 9LL  
18 Woodlands Road, Cheetham, Manchester, M8 9LJ  
14 Woodlands Road, Cheetham, Manchester, M8 9LJ  
16 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 4, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 2, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ  
Flat 1, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ  
40 Woodlands Street, Manchester, M8 9LL

## **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  
Area Team Boundary - Name: NORTH AREA