

Planning

Growth & Development

Delegated officer report for planning application

Application no.	136403/JO/2023
Date registered valid:	3 March 2023
Proposal:	Variation of condition number 2 (approved drawings) of planning permission 129160/JO/2021 to allow for amendments to the design of plots 1 to 4
Address:	27 Trenchard Drive, Manchester, M22 5LZ
Ward(s):	Woodhouse Park Ward
Applicant:	Mr Shobhit Dwivedi
Agent (if any):	DK Seddon Howard & Seddon ARIBA
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	25 April 2023

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Standard consultations:

Printed: 16 March 2023 Expired: 6 April 2023

Neighbour notifications

Printed: 16 March 2023 Expired: 6 April 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/area

The application site measures 1.421m² in size and is located on the western side of Trenchard Drive. It is irregular in shape and consists of nos. 25 and 27/29 Trenchard Drive. No. 25 Trenchard Drive was a former garage that was converted into a dwellinghouse, albeit without the benefit of planning permission, while nos. 27/29 Trenchard Drive, was originally a pair of semi-detached dwellings that was last used as a single residence.

To the north of the site lies the landscaped buffer associated with a Manchester Airport operated long stay car park and to the west is an enclosed grass paddock associated with The Tatton Arms PH which is located further south at the junction of Trenchard Drive and Ringway Road. To the south of the site stands a pair of semi-detached dwellings. To the east of the site, on the opposite side of Trenchard Drive, there is a residential development of 15 dwellings nearing completion (ref. 118924/JO/2018).

The neighbourhood consists predominantly of two storey semi and terraced dwellings, though several commercial properties are located close to the junction of Trenchard Drive and Ringway Road, namely The Tatton Arms PH, the Moss Nook Restaurant (currently vacant) and a detached two storey office premises called Moss Nook House.

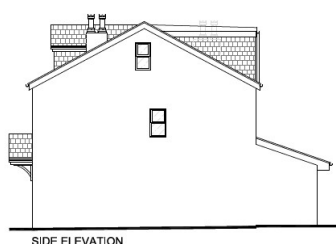
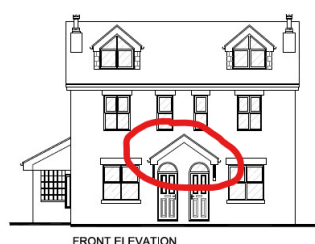
Listed building: no
Conservation area: no
Tree Preservation Order: no

Description of development

The applicant obtained planning permission in September 2020 (126435/FO/2020) for the conversion of the existing dwelling to create 2 no. three bedroom dwellings; and the erection of 2 x 4 bedroom dwellings with associated car parking and landscaping. They then applied to vary the design elevations of plots 1 and 2 (addition of two dormers to the front elevation) under application 129160/JO/2021.

The applicant is now seeking the following further amendments to the design of units 1 to 4.

- Unit 1 and 2 – installation of canopy to front, installation of bi-folding doors to rear, removal of rear door.



- Units 3 and 4 – Installation of canopy to front



Consultations & Notification Responses

Local Residents – One letter has been received from a local resident, who does not object to the dwellings themselves but does object to the balconies on the front elevation of units 3 and 4 due to the impact on privacy.

TREMAR Residents Association – No comments received.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In addition to the above, Sections 5 (*Delivering a sufficient supply of homes*) and 15 (*Conserving and enhancing the natural environment*) is of relevance:

Paragraph 60 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.

Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

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

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 within the Core Strategy are considered relevant:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy T2, *Accessible areas of opportunity and need* – Seeks to ensure that new development is easily accessible by walking/cycling/public transport; provided with an appropriate level of car parking; and, should have regard to the need for disabled and cycle parking.

Policy H1, *Overall Housing Provision* – States that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.
- Character, setting and accessibility of areas and buildings (including conservation areas).

Policy H7, *Wythenshawe* – states that the Council expects Wythenshawe will accommodate only around 3% of new residential development over the lifetime of the Core Strategy. New high quality high density development will be encouraged within the district centres of Northenden, Baguley and Wythenshawe and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. There is also the potential for additional family housing for sale.

Policy EN1, *Design Principles and Strategic Character Areas* – This policy 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. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy DM1, *Development Management* – This policy 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:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be

Issues

Principle of the Proposal – Given the previous approval in September 2020 the principle of this proposal is considered acceptable. Notwithstanding this, the impact of the proposal on the existing levels of residential/visual amenity within the vicinity of the site and any potential impact on pedestrian/highway safety along Trenchard Drive and Emerald Road must still be assessed.

Design – The proposed changes to the elevations, as described in “Description of Development” above, are considered acceptable and would not diminish the overall appearance of the proposal.

Siting – The siting of the proposal remains as previously approved and as such is considered acceptable.

Space Standards – The proposal still conforms to the City Council’s space standards.

Residential Amenity – The amendments to the design of the four dwellings would not impact upon the levels of residential amenity currently enjoyed within the vicinity of the site.

The comments of the local resident are noted in respect of the balconies. However, the front elevations of units 3 and 4, are approximately 16 metres away from the front boundary of the site opposite and given the presence of a belt of mature trees (protected by a Tree Preservation Order) and the fact that both sites are separated by the public realm, it is not considered that the balconies in the front elevations would lead to a reduction in privacy. It is noted that this feature was present in the originally approved scheme which were also previously considered acceptable.

Visual Amenity – Given the design, scale and massing of the proposal, along with the front boundary treatment, it is considered the proposal would complement and not adversely impact the visual amenity of the area.

Pedestrian and Highway Safety – The proposal would not have a detrimental impact on the levels of pedestrian and highway safety enjoyed along Trenchard Drive.

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 to resolve any problems arising in relation to dealing with the planning application.

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 planning permission reference 126435/FO/2020, that date being 25 September 2020

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:

- a) Drawing no.13673/OS, stamped as received on 6 March 2020
- b) Drawing no. 01a, stamped as received on 6 March 2020
- c) Drawing no. 02a, stamped as received on 6 March 2020
- d) Drawing no. 07b, stamped as received on 13 August 2020 (as partially amended by Drawing 10b, stamped as received on 3 March 2023)
- e) Drawing no. 08d, stamped as received on 3 March 2023
- f) Drawing no. 09b, stamped as received on 3 March 2023
- g) Drawing no. 10b, stamped as received on 3 March 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) DISCHARGE UNDER APPLICATION CDN/21/0261 Above-ground construction works shall not commence until samples and specifications of all materials, including window frames, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

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 any dwelling shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the exceptional circumstances of a proliferation of HMO's 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 provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1, H7,H8 and DM1 of the Manchester Core Strategy.

5) DISCHARGE UNDER APPLICATION CDN/21/0261 Above-ground construction works shall not commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

6) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from the local road network and Manchester Airport 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 scheme shall be completed before any of the dwelling units are occupied.

Upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has 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 Policy DM1 in the Manchester Core Strategy.

7) DISCHARGE UNDER APPLICATION CDN/21/0261 The development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

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

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

8) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

9) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 23 March 2020 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

10) The car parking spaces hereby approved shall be laid out and made available for use before first occupation of the dwellinghouses. The car parking spaces shall remain in-situ for the duration of the development

Reason - In the interests of residential amenity and pedestrian and highway safety, pursuant to Policy DM1 in the Manchester Core Strategy.

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

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

12) DISCHARGE UNDER APPLICATION CDN/21/0261 Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

13) DISCHARGE UNDER APPLICATION CDN/21/0261 Above grounds works shall not commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

14) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to Policy DM1 in the Manchester Core Strategy and the policies and guidance within the NPPF and NPPG.

15) The development hereby approved shall be implemented in full accordance with the measures as set out within the Environmental Statement, stamped as received by the City Council as local planning authority on 23 March 2020. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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

16) No above ground works associated with the four dwellinghouses hereby permitted shall commence until the existing house known as 25 Trenchard Drive has been demolished in full in accordance with the drawing no. 08c, stamped as received on 21 January 2021, and the Design and Access Statement, stamped as received on 1 April 2020.

Reason - In the interests of residential amenity and to prevent the overdevelopment of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

17) DISCHARGE UNDER APPLICATION CDN/21/0261 Prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- a) Evidence of community engagement with adjoining residential occupiers with regard to construction management arrangements. In particular, that residents have been notified in writing with respect to the timescale for the commencement and completion of development, hours of work and site access arrangements.
- b) Details of an emergency telephone number.
- c) Dust suppression measures.
- d) Compound locations where relevant.
- e) Location, removal and recycling of waste.
- f) Parking and routing of construction vehicles.
- g) Sheeting over of construction vehicles.
- h) The washing of contractor wheels and access roads.

Development shall only be carried out in accordance with the approved construction management.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in the Manchester Core Strategy.

Informatives

1) Informative for condition 6 - Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00)	30 dB LAeq (individual noise events shall not exceed 45 dB L _{Amax,F} by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq
Gardens and terraces (daytime)	55 dB LAeq

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. With regards to aircraft, take-offs are more noisy than landings and so data is required for aircraft movements during easterly and westerly conditions. The internal noise criteria are as follows:

2) Bat Roost - Whilst the building to be converted has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

3) Aerodrome Safeguarding - Cranes, whilst they are temporary, can be a hazard to air safety. The developer or crane operator must therefore contact Manchester Airport's Control of Works Office using the details provided below, at least 21 days in advance of intending to erect a crane or other tall construction equipment on the site. This is to obtain a Tall Equipment Permit and to ascertain if any operating restrictions would be required. Any operating restrictions that are subsequently imposed by Manchester Airport must be fully complied with. Email: control-of-works@magairports.com Tel: 0161 489 6114

Appendix 1 – List of consultees & neighbours notified

TREMAR Residents Association

40 Trenchard Drive, Manchester, M22 5NA
38 Trenchard Drive, Manchester, M22 5NA
36 Trenchard Drive, Manchester, M22 5NA
34 Trenchard Drive, Manchester, M22 5NA
32 Trenchard Drive, Manchester, M22 5NA
30 Trenchard Drive, Manchester, M22 5NA
1D Emerald Road, Manchester, M22 5WA
1C Emerald Road, Manchester, M22 5WA
1B Emerald Road, Manchester, M22 5WA
1A Emerald Road, Manchester, M22 5WA
2 Moss Nook Drive, Manchester, M22 5GY
25 Trenchard Drive, Manchester, M22 5LZ
4 Emerald Road, Manchester, M22 5WA
1 Emerald Road, Manchester, M22 5WA
21 Trenchard Drive, Manchester, M22 5LZ
2 Emerald Road, Manchester, M22 5WA
44 Trenchard Drive, Manchester, M22 5NA
42 Trenchard Drive, Manchester, M22 5NA
26 Trenchard Drive, Manchester, M22 5NA
23 Trenchard Drive, Manchester, M22 5LZ

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 - Within Outer Area
Green Belt Land - Greater Manchester Green Belt Local Plan 1984
Airport Noise Index Zone - Noise and Nuisance Index - 50-59
Area Team Boundary - Name: SOUTH AREA