

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135383/JO/2022

Date registered valid: 3 November 2022

Proposal: Variation of planning condition 2, 10 and 11 attached to planning permission referenced 125990/FO/2020 to make elevational alterations including alterations to window details, boundary treatment and street trees

Address: Land Off Oldham Road (A62), Dulverton Street, Holyoak Street And Droylsden Road, Manchester

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Jon Sharp Casey Group

Agent (if any): Mr Andrew Leaver TP Bennett

Case officer: Jennifer Atkinson
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Recommendation: Approve

Date of recommendation: 16 January 2023

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Dwellings

Date of site visit:

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 15 November 2022 Expired: 6 December 2022

Site notice

Posted: Expired:

Press advert

Published: 22 November 2022 Expired: 13 December 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This 1.10 hectares site is bounded by Oldham Road (A62) to the north, Droylsden Road to the east, the Lidl car park and Holyoak Street to the south and Dulverton Street to the west. The site consist of two individual parcels of land which are open grassland and a two storey building formerly occupied by the YES Group (now demolished). The site is located in the Newton Heath and within the boundaries of its district centre.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The surrounding area is a mixture of residential and commercial developments. There are residential properties to the north along Oldham Road. A single storey Farmfoods and associated car park to the east off Droylsden Road. A Lidl food store and associated car park together with Newton Silk Mill, commercial buildings and yard space associated with Martins Craft Bakery and Heart and Graft Coffee to the south. The partially derelict former Rosedale Building is located to the west of the site with residential properties and the commercial heart of the district centre beyond this.

The Rochdale Canal is located to the rear of the Lidl Supermarket to the south The area is highly sustainable. The Newton Heath and Moston tram station is a short walk from the application site which provides connections to the city centre as well as Manchester Victoria Train Station and north towards Oldham and Rochdale Town Centres. Newton Heath District Centre is characterised by a number of shops, supermarkets, services and takeaway facilities

within a short walk of the application site, largely linear in format and either side of Old Church Street.

Description of development

Variation of planning condition 2, 10 and 11 attached to planning permission referenced 125990/FO/2020 to make elevational alterations including alterations to window details, boundary treatment and street trees

Consultations & Notification Responses

Local residents/public opinion No comments received

Highway Services advise that the boundary treatments are acceptable from a highway perspective.

Policy

Manchester Core Strategy (2012) – relevant policies are SO1, SO2, SO6, SP1, T1, T2, H1, H2, H4, H8, EN1, EN3, C1, C2, C4, EN4, EN5, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19 and DM1.

Unitary Development Plan for the City of Manchester (1995) relevant policies include DC7, DC26, DC19, DC20 and E3.3.

National Planning Policy Framework

Other legislative requirements

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Issues

The applicant has applied to make the following changes to the planning permission. The changes are as follows:

- Amendments to the boundary treatments;
- Brick lintels changed to standard lintels on all dwellinghouses
- Window reveal depth reduced on all dwellinghouses
- UPVC Gutters and RWPs face fixed

Low level spandrel added to all first and second-floor windows, colour Mid Grey (RAL 7045 or similar).

- Reduction in number of street trees
- Alternative parapet capping to flat roof areas amended

Amendment of boundary treatments

The alterations to the boundary treatment would result in the driveway and pedestrian gates being omitted. In order to ensure that the extent of hardstanding does not dominate the frontage, brick piers have been added to the end of the driveways and the pathway to the front entrance.

The change is considered to be acceptable on the basis that the frontage is still broken down by the new piers.

Brick lintels changed to standard lintels on all dwellinghouses

Lintels at the head of windows have been changed from brick head lintels to standard lintels. The change is not considered to be ideal, with the preference being for a brick head to the window, in this instance the magnitude of the change would not be sufficient to warrant refusal of the application.

Window reveal depth reduced on all dwellinghouses

It is proposed that the window reveal depth be reduced from a near full brick (182.5mm) to a near half brick (95mm) depth. The change is not considered to be ideal, with the preference being for a full reveal, in this instance the magnitude of the change would not be sufficient to warrant refusal of the application.

Gutters and RWPs face fixed

Gutters and rainwater down pipes (RWDPs) which were formally set into the brick masonry leaf and concrete effect tiled roof are proposed to be replaced with traditionally face fixed proprietary products. Face fixed RWPs and gutters will be proprietary 65mm square section UPVC black products.

The change is not considered to be ideal, with the preference being for the rainwater goods to be set into the masonry, in this instance the magnitude of the change would not be sufficient to warrant refusal of the application

Low level spandrel added to all first and second-floor windows, colour RAL 7045 or similar mid grey

All windows to dwellinghouses at first and second floor levels will be provided with a low-level insulated spandrel panel (finish could RAL 7045 or similar), in place of the clear glazed panel currently proposed.

In order to maintain the sense of a full height window, the panel below would be replaced with a glazed back panel in a colour to be agreed. This is considered to be acceptable as it will retain the overall aesthetic to the building.

Reduction in number of street trees

It is proposed to omit 16no. formerly proposed street trees around the block of dwellinghouses defined by Oldham Road to the north, Droylsden Road to the east, Holyoak Street to the south

and Newton Street to the west. 4no. street trees will remain at the entrance to the site on Newton Street as this is considered to be the gateway to the site and therefore has most impact for placemaking within the design proposals. A further assessment of existing trees is ongoing to establish their health, maturity and value.

Alternative parapet capping to flat roof areas amended

Parapets to flat roof areas were previously illustrated with full PPC aluminium capped parapet covers. These are proposed to be retained as PPC aluminium covers to the street facing half of the parapet, with the internal half replaced with a waterproof membrane which will pass over the roof, up the internal face of the parapet and beneath the aluminium component of the parapet. This amendment will not be visible from the street scene but will be visible to occupiers of the dwellinghouses.

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:

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. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the appearance of the building along with other matters arising from the consultation and notification. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

- 1) The development must be begun not later than the 29 May 2023.

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:

Drawings and documents approved as part of application 135383/JO/2022

T8130 D 0 020 Rev I4, T8130 D 0 030 Rev I2, T8130 D 0 040 Rev I2, T8130 D 0 054 Rev I2, T8130 D 0 251 Rev I1, T8130 D 2 151 Rev I1, T8130 D 2 251 Rev I1, T8130 D 2 252 Rev I1, T8130 D 2 253 Rev I1, T8130 D 4 151 Rev I1, T8130 D 5 151 Rev I1, T8130 D 5 251 Rev I1, T8130 D 7 151 Rev I1, T8130 D 7 251 Rev I1, T8130 D 10 151 Rev I2, T8130 D 10 251 Rev I2, T8130 VS 0 001 Rev I2, T8130 VS 0 003 Rev I2, T8130 VS 0 004 Rev I2 and T8130 VS 0 005 Rev I2 received by the City Council, as Local Planning Authority, on the 3 November 2022

Drawings and documents approved as part of planning permission 125990/FO/2020

Drawings

T8130 D 0 001 Rev P1, Ref: T8130 D 0 002 Rev P1, T8130 D 1 151 Rev P4, T8130 D 1 152 Rev P4, T8130 D 1 251 Rev P3, T8130 D 1 252 Rev P5, T8130 D 1 261 Rev P2), T8130 D 1 262 Rev P1, T8130 VS 0 002 Rev P2, and T8130 VS 0 006 Rev P2) stamped as received by the City Council, as Local Planning Authority, on the 29 April 2020

3538 101 Rev D stamped as received by the City Council, as Local Planning Authority, on the 30 April 2020

Supporting information

Pe-construction TV signal impact study prepared by Astbury, Daylight and sunlight report (ref. 1090-SW-20-0115) prepared by GIA, Preliminary Ecology Appraisal prepared by Urban Green (ref. UG390_eco_pea_01) stamped as received by the City Council, as Local Planning Authority, on the 17 January 2020

Transport Assessment prepared by Curtins (ref. 74056-CUR-00-XX-RP-TP-001 V02), Interim Travel Plan (ref. 74056-CUR-00-XX-RP-TP-002 V02), Flood risk assessment and drainage strategy prepared by Curtins (ref. 0 74031-CUR-00-XX-RE-C-92000), phase 1 preliminary risk assessment (ref. 074031-CUR-00-XX-RP-GE-001 Rev V01) and ground investigation report (ref. 074031-CUR-00-XX-RP-GE-002 Revision: V01 prepared by Curtins stamped as received by the City Council, as Local Planning Authority, on the 22 January 2020

Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police and Archaeology report prepared by ARS stamped as received by the City Council, as Local Planning Authority, on the 14 February 2020

Heritage Assessment prepared by Kathryn Sather and Associates, Broadband connectivity survey (SPO-1857), Arboricultural Impact Assessment (ref. UG390_ARB_AIA_01 Rev 02) prepared by Urban Green ,Noise impact assessment (ref. 27467/N/A/Rev02) prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 February 2020

Ventilation strategy report prepared by PSD (ref: CF/CA/1857/VS_Issue 1 -dated February 2020), Planning Policy Compliance Statement prepared by Euan Kellie Property Solutions, Air Quality report prepared by Wardell Armstrong stamped as received by the City Council, as Local Planning Authority, on the 28 February 2020

Environmental Statement prepared by PSD (ref. CF/CA/1857_issue 2) stamped as received by the City Council, as Local Planning Authority, on the 6 March 2020

Design and Access Statement (ref. T8130 OT 0001 Rev P5) stamped as received by the City Council, as Local Planning Authority, on the 4 April 2020

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

3) The development hereby approved shall be carried out in accordance with the Written Scheme of Investigation prepared by Archaeological Research Services Ltd stamped as received by the City Council, as Local Planning Authority, on the 22 December 2020 (as approved under CDN/20/0860).

The completion of the archaeology works has been confirmed as part of Archaeological investigations report stamped as received by the City Council, as Local Planning Authority, on the 30 March 2022 and Email from Euan Kellie dated 21 April 2022(as approved under CDN/22/0197)

Reason- To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy (2012), saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and NPPF.

4) No demolition works or vegetation clearance shall take place on any phase during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

5) (a) The development shall be carried out in accordance with the Local Labour Agreement prepared by Rowlinson (Ref. Employment of Local Labour Proposal Oldham Road dated October 2021) stamped as received by the City Council, as Local Planning Authority, on the 30 November 2021 (as approved under CDN/21/0901).

(b) Within one month prior to construction work being completed for each phase of the development, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

6) (a) The drainage for the development shall be carried out in accordance with the following documents (as approved under CDN/21/0901)

- Drainage of Surface Water Scheme prepared by Curtins (Ref. 074031 - Newton Heath Drainage Planning Conditions Summary FULL Rev V01.pdf) stamped as received by the City Council, as Local Planning Authority, on the 30 November 2021

- Email from Euan Kelly dated 14 January 2022 including UU correspondence, micordrinage data, overland flows and external works
- Drainage survey stamped as received by the City Council, as Local Planning Authority, on the 30 January 2022
- Details stamped as received by the City Council, as Local Planning Authority, on the 11 February 2022

(b) Each phase of the development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

7) (a) The ground conditions at the development shall be carried out in accordance with Phase 1 Preliminary Risk Assessment - Oldham Road, Newton Heath, Manchester. Prepared by Curtins on the behalf of One Manchester. Report Ref: 074031-CUR-00- XX-RP-GE-001. Revision V01. Date: 15th November 2019. (Submitted as part of evidence base for 125990/FO/2020)

- Ground Investigation - Oldham Road, Newton Heath. Prepared by Curtins on the behalf of One Manchester. Report Ref: 074031-CUR-00-XX-RP-GE-002. Revision: V03. Date: 16th March 2021.

- Remediation Strategy - Oldham Road, Newton Heath. Prepared by Curtins on the behalf of One Manchester. Report Ref: 074031-CUR-00-XX-RP-GE-003. Revision: P01. Date: 12th November 2021

The above documents were approved as part of CDN/21/0901.

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

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 any phase of the development 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 for that phase, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy for that phase.

Reason - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

8) Prior to the commencement of each phase of the development, a detailed construction management plan outlining working practices during construction for that phase shall be

submitted for approval in writing by the City Council, as local planning authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Consultation with local residents and businesses including ensuring that operations of existing businesses remain unaffected by construction activities
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

Each phase of the development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and businesses, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

9) Prior to the commencement of each phase of the development samples and specifications of all material to be used on all external elevations and boundary treatments of the relevant phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with window reveals, soffits, jointing and fixing details, details of the drips to be used to prevent staining, ventilation/louvre details, air bricks and a strategy for quality control management.

The approved materials used shall then be implemented as part of the relevant phase of development.

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

10) Notwithstanding drawings T8130 D 1 261 Rev P2, T8130 D 1 262 Rev P1, stamped as received by the City Council, as Local Planning Authority, on the 29 April 2020 and T8130 D 2 253 Rev I1 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, prior to any above ground works on each phase of the development, details of the window reveals and soffits for the apartment building and the dwellings included within that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the extent of the window reveals and soffit details shall be as follows:

- Apartment building minimum 200mm including brick soffits; and
- Dwellings minimum 95 mm, soffits – standard lintel

The approved window and soffit details shall be implemented as part of each phase of the development.

Reason - In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

11) The boundary treatments for each phase of development shall be carried out in accordance with drawings T8130 D 0 040 Rev I2 and T8130 D 0 251 Rev I1 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022. The approved details shall be implemented as part of each phase of the development and be in place prior to the first occupation of the relevant phase of the development.

The boundary treatments for each phase of development shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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

12) The development hereby approved shall be carried out in accordance with the Environmental Statement prepared by PSD (ref. CF/CA/1857_issue 2) stamped as received by the City Council, as Local Planning Authority, on the 6 March 2020. For the avoidance of doubt each phase of the development shall achieve an overall a site wide reduction in CO2 over Part L (2010) of the Building Regulations of a minimum of 16.11%.

A post construction review certificate/statement shall be submitted for approval for each phase of development, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

13) Prior to the first occupation of each phase of the development, details of the implementation, maintenance and management of the sustainable drainage scheme relevant to that phase, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include:

- Verification reporting providing photographic evidence of construction (relevant to that phase);
- Management and maintenance plan for the lifetime of the development which shall include the arrangements adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime (relevant to that phase).
- Timescale for implementation (relevant to that phase)

The management and maintenance plan for each phase of development shall be implemented in accordance with the timescales agreed and retained for as long as the relevant phase of development remains in use.

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 policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

14) (a) Notwithstanding drawing 3538 101 Rev D stamped as received by the City Council, as Local Planning Authority, on the 30 April 2020, prior to the first occupation of each phase of the development, details of hard and soft landscaping treatments (including appropriate samples of materials and specification and size of trees) relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority.

(b) For each phase, the approved scheme shall be implemented prior to the first occupation of the relevant phase of development. 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.

15) (a) Prior to the first occupation of each phase of the residential element of the development, details of any externally mounted ancillary plant, equipment and servicing relevant to that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, for each phase, externally mounted 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 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) Prior to the first occupation of each phase of the residential element of the development, a verification report will be required to validate that the work undertaken for that phase conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures for each phase shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

16) (a) Prior to the first occupation of each phase of the residential element of the development a scheme for acoustically insulating the proposed residential accommodation relevant to that phase against noise from Oldham Road, the local traffic network and surrounding commercial uses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the relevant phase of development.

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

Bedrooms (night time - 23.00 - 07.00) 30 dB L_{Aeq} (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 L_{Aeq}

Gardens and terraces (daytime) 55 dB L Aeq

(b) Prior to the first use of each phase of the residential element of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition relevant to that phase. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures required for each phase shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

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, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

17) (a) Prior to the first use of the commercial unit as indicated on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the Laeq shall be controlled to 10 dB below the La90 (without entertainment noise) in each octave band at the façade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125 Hz octave bands shall be controlled so as not to exceed (in habitable rooms) 47 and 41 dB, respectively

The approved scheme shall then be implemented and retained and maintained for as long as the development remains in use.

(b) Prior to the first use of each commercial unit, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18) The waste management arrangements for each phase of the residential element hereby approved shall be carried out in accordance with the waste management profoma (T8130 OT 0 002 Rev P2) and drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022.

The details shall be implemented prior to the first occupation of each phase of the residential element of the development and thereafter retained and maintained in situ.

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

19) Prior to the first use of the commercial unit as indicated on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, a waste management strategy and location of waste storage for the commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

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

20) Prior to the first use of the commercial unit, as indicated on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first use of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial unit pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

21) Prior to the first use of the commercial unit as indicated drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, details of any roller shutters to the ground floor of the commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first use of the commercial unit and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

22) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for the commercial unit only:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

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

23) The commercial unit hereby approved, as indicated on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, shall not be open outside the following hours:-

Monday to Saturday 08.00hrs - 23.00hrs

Sundays 09.00hrs - 22.30hrs

There shall be no use of amplified sound or any music at any time within this area at any time.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

24) The commercial unit as shown on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, shall remain as one unit and shall not be sub divided without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial unit pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C4 and SP1 of the Manchester Core Strategy.

25) The commercial unit, as indicated on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, can be occupied as A1, A2, A3, B1 and D1 (excluding a place of worship). The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

26) In the event that any of the commercial unit, as indicated on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022 is occupied as an A3 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
 - o Dispersal policy;
 - o Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

27) Each phase of the development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme for each phase of development shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the relevant phase of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the relevant phase of development and shall remain in operation for so long as the relevant phase of development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

28) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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.

29) Each phase of the development hereby approved shall be carried out in accordance with the Crime Impact Statement (version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 14 February 2020. Each phase of the development shall only be carried out in accordance with these approved details. Each phase of 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 for that phase.

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

30) Prior to the first occupation of each phase of the residential element of the development, a travel plan framework for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first occupation of each phase of the residential element of development, a Travel Plan for that phase which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the relevant phase of development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

31) Prior to the first occupation each phase of the development hereby approved the car parking layout relevant to that phase as indicated on drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022, shall be surfaced, demarcated and made available. The approved car parking layout relevant to each phase shall be implemented and thereafter retained and maintained.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

32) Prior to the first occupation of the apartment development hereby approved, the 116 cycle spaces shall be implemented and made available in accordance with drawing T8130 D 0 020 Rev I4 stamped as received by the City Council, as Local Planning Authority, on the 3 November 2022.

Prior to the first occupation of each phase of dwellinghouses hereby approved, the siting, scale and appearance of a suitable cycle store for each dwellinghouses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of each phase of the residential element of the development and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles provision at the development and the residents in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

33) Prior to the first use of each phase of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm and associated phasing shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Footway improvement and carriageway improvements to Newton Street, Holyoak Street and Dulverton Street including provision of dropped kerbs for driveways, provision of tactile paving and widening works;
- Widening of the southern half of Dulverton Street along its eastern kerb line to increase the carriageway and footway width;
- Dropped crossing, vehicular access and pedestrian tactile paving at both Dulverton Street access and at the junction with Old Church Street;
- Traffic Regulation Orders to Newton Street, Holyoak Street and Dulverton Street including no waiting restrictions and restrictions of the right turn onto Oldham Road from Newton Street and Dulverton Street;
- Provision of 'Keep Clear' carriageway markings on junction of Droylsden Road and Holyoak Street.

Each phase of the approved scheme shall be implemented and be in place prior to the first occupation of the relevant phase of development hereby approved and thereafter retained and maintained in situ for as long as the relevant phase of development remains in use.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

34) 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 development shall be used for any other purpose (including any other purpose in Class C3(a) 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

35) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3(a) 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 - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

36) Prior to the first occupation of the apartment building a signage strategy for the apartment building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development and used to inform any future advertisement applications for the building.

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

37) Prior to the first occupation of each phase of the residential element of the development hereby approved, details of the number, siting and appearance bird and bat boxes at the development relevant to that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the relevant phase of development hereby approved and shall thereafter be retained and maintained in situ.

Reason - In the interest of providing habitats for birds to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

38) The development hereby approved shall include for full disabled access to be provided to the communal walkways, communal gardens and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

39) Prior to the first occupation of each phase of the residential element of the development, details and specification of 7kw fast charging electric car charging points for each dwellinghouse within that phase and 10% of the car parking available for the apartments within that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first occupation of the relevant phase of the residential element of the development.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

40) Prior to the installation of the proposed driveways and car parking areas hereby approved within each phase of development, a drainage scheme or details of permeable surfaces for that phase shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained in situ thereafter.

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

41) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected 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.

42) 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 outlined in condition 2.

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

43) Prior to the first use of the apartment building, details of the siting, scale and appearance of the solar panels to the roof of the apartment building (including cross sections). The approved details shall then be implemented prior to the first use of the apartment building and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

44) Notwithstanding the Pre-construction TV signal impact survey stamped as received by the City Council, as Local Planning Authority, on the 17 January 2020, within one month of the practical completion of any phase of the development or before any phase of the development is first occupied, whichever is the sooner, and at any other time during the construction of any phase of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a

study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

45) Prior to the first occupation of any phase of the residential element of this development, details of a servicing strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the relevant phase of development for as long as it remains in use.

Reason - In the interest of ensuring that the development is appropriately serviced pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services

Greater Manchester Police

Greater Manchester Police

1328 Oldham Road, Manchester, M40 1EZ

1081 Oldham Road, Manchester, M40 2EN

Lidl, Old Church Street, Manchester, M40 2JE

24 Droylsden Road, Manchester, M40 1WT

Unit Adjacent Newton House, Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

1067 Oldham Road, Manchester, M40 2EN

1069 Oldham Road, Manchester, M40 2EN

1071 Oldham Road, Manchester, M40 2EN

1073 Oldham Road, Manchester, M40 2EN

1075 Oldham Road, Manchester, M40 2EN

1077 Oldham Road, Manchester, M40 2EN

1079 Oldham Road, Manchester, M40 2EN

1065 Oldham Road, Manchester, M40 2EN

1063 Oldham Road, Manchester, M40 2EN

53 Ivy Graham Close, Manchester, M40 3AX

Flat 9, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 8, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 7, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 6, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 5, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 4, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 3, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 2, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 1, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 24, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 23, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 22, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 21, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 20, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 19, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 18, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 17, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 16, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 15, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 14, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 12, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 11, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 10, 53 Ivy Graham Close, Manchester, M40 3AX

1133 - 1141 Oldham Road, Manchester, M40 2FU

Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

Third Floor, Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

Second Floor, Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

First Floor, Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

Lower Ground Floor, Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

Ground Floor, Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

Fourth Floor, Newton Silk Mill Business Centre, Holyoak Street, Manchester, M40 6HB

Unit 2, Holyoak Street, Manchester, M40 1HB

International House, 30 Holyoak Street, Manchester, M40 1HB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA