

## List No. 9

<b>Crumpsall Ward</b>	<b>Application Number</b> 084419/FO/2007/N1	<b>Date of Appln</b> 15th Oct 2007	<b>Committee Date</b> 20th Dec 2007
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**Proposal** Conversion and extension of existing building into 11 apartments (3 No. x three bedroomed and 8 No. x two bedroomed) together with cafe and function room ( A3 use) at lower ground floor with 15 car parking spaces and associated landscaping and boundary treatment

**Location** 27 Middleton Old Road, Blackley, Manchester, M9 8DS

**Applicant** Village Developments, Pennine House, 1145 Rochdale Road, Blackley, Manchester, M9 7FW

**Agent** PZVI Architects & Designers Ltd 21 Ralli Courts , West Riverside, Manchester, M3 5FT

### Description

This application relates to the New White Lion Public House a white rendered building which occupies an elevated position at the junction of Old Market Street/ Middleton Old Road. It is located on the edge of Blackley village in an area of mixed uses. There is a builders merchant to the north and industrial premises to the west of the site with open space to the east sloping towards Rochdale Road. To the south there is a Medical Practice with a car park and an area of open space with planning permission for 32 apartments that was approved in November 2006 under ref 077553.

The proposals involves the retention of the new White Lion Public house building, apart from the demolition of a small flat roof side extension, and converting the lower ground floor into a small café / function room and creating five flats in the floors above. An extension is to be built to the north side of the existing pub to create a further six apartments. A linear area of open space is to be retained and enhanced to the north facing Middleton Old Road and is to be enclosed. The existing vehicle entrance on Old Market Street is to be retained and the existing surfaced area next to a window manufacturer is to be demarcated for parking purposes for the development.

### Consultations

Local Residents / Businesses. Three letters of objection have been received. The adjacent window manufacturer feel that no provision has been made for their every- day needs, loading and unloading of materials and parking for customers and emergency services. They require access between 6.00am and 7.00pm seven days a week and do not want the entrance to be gated as large vehicles make deliveries 3/4 times a week.

A letter has been received from the medical practice who have a car park on the opposite side of the road to the proposed development. They are concerned that their premises would be overlooked . The road is narrow and refuse lorries will have immense problems collecting rubbish and fear that they will drive into their car park and cause unnecessary strain on the culvert. It is considered that the parking provision proposed is not adequate. Their car park has to be open through the day for patients convenience and doctors when on

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call. It is feared that there would be an additional number of cars parked overnight taking up their limited spaces.

A landlord of residential properties in Blackley Village has re-iterated many of the points made above. In addition the noise implications for the flats above the cafe are raised particularly in summer. The retention of the building at the gateway to Blackley Village is applauded, however, it is considered that the design could be improved and that the external finish of the original building white render with stone corners and stonework to surrounding windows should be repeated in the extension.

North Manchester Regeneration Team No objections in principle to the residential apartments or the café subject to opening hours being from 7.00am to 7pm. The car parking for residents is acceptable provided this is for their exclusive use (including visitors). The impact of this development will mean that cars that currently park on the site from the adjacent businesses will have to make alternative arrangements which will increase on street parking and it would be beneficial if a layby car parking area for the cafe use was provided.

Overall there is support for the application however residents from the Blackley Village Local Plan Steering Group are still concerned about parking problems in the area being further exacerbated with this application and hence the suggestion to maximise car parking opportunities. There is also some concern that this application effectively landlocks an existing business which will create on street parking and potentially result in a business closure if alternative access cannot be secured. Whilst this is clearly a legal issue in terms of rights of access and not as such a planning consideration there is genuine concern that a business closure may result and a vacant commercial building of this scale will create security, amenity and neighbourhood management issues in the immediate area. The redevelopment of this site would have been more successful if adjacent land was incorporated into the scheme.

Head of Engineering any comments received will be reported to Committee.

Environmental Health - has recommended that conditions to cover fume extraction, noise insulation, installation of litter bins, acoustic insulation of external equipment, deliveries restricted to 7.30 am to 8.00pm Monday to Saturdays, external lighting to prevent glare onto nearby properties, and hours of opening of cafe/function room be confined to Monday to Sunday 7.00am to 11.00pm.

Contaminated Land Section - historical information indicated possible presence of significant levels of contamination and it is recommended that a condition requiring a Preliminary Risk assessment is carried out prior to commencement on site and further reports submitted if risk are identified requiring further investigation.

Greater Manchester Police - are happy to support the application subject to the measures included in the Crime Statement particularly the measures in the crime preventions section being implemented. A Secure by Design condition is recommended.

Greater Manchester Ecology Unit - The bat survey has been carried out by an experienced bat consultant and no evidence of bats was found, however, it did identify the building as having some roosting potential. It is therefore recommended that the slates are removed by hand and this should be a

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condition of any approval. It is requested that a condition should be imposed that no works or felling of trees or clearing of vegetation takes place during the bird breeding season (March - July). The landscape proposals should make use of locally native species and recommend that a condition requiring ecological enhancements be submitted for approval.

Chief Executive's Landscape Practice Group - have recommended that more native species is included in the planting mix. It is considered that the plant Buddleia is not the most appropriate choice as it will be in a shaded area. They would prefer alternative trees to be planted instead of the three Betula proposed. Details of planting density is required and trees should be planted at a larger size of 16-18 cms in order to create a more immediate landscape impact. A method statement for dealing with Japanese Knotweed is required. The need and purpose for the footpath which runs north from the car park along the storage facility at the back of the car park is not clear and it may be more appropriate to have more planting in this area. Clarification to extent of boundary treatment is requested and to be shown on site plan. More details of all hard surfacing is also requested. A tree survey has been prepared and they agree with the assessment made in the report particularly the retention of the Alder and two London Planes that have considerable amenity value.

Environment & Operations (Trees) - No objections work in vicinity of retained trees should be carried out in accordance with BS 5837.

Blackley Village Residents Association - the applicant has not taken into consideration the parking problems currently experienced in the area. If there are 11 apartments with 16 parking spaces available it will only leave 5 spaces for visitors to the apartments or to cafe/function room. There is not sufficient on-street spaces available on Middleton Old Road and Old Market Street has double yellow lines. Also the access and parking requirements of adjacent business have not been addressed as to how their customers and delivery arrangements and how emergency vehicles will get access outside normal business hours. The removal of rubbish has not been dealt with adequately. There are also fears that the doctor's surgery car park will be used by visitors to the apartment and cafe. The Crime Impact Statement ignores the problems currently suffered with anti-social behaviour and street drunkenness. The conclusions of the Traffic Impact are questioned as it says there will be no increase in traffic in the village and consider that the majority of visitors to the cafe will not be from the local area. It is felt that the proposed hours of opening of the cafe/function room are too excessive and will lead to rowdiness and littering in the vicinity. However, it is considered that the basic concept for the site to include apartments of a very high standard are to be welcomed on this run down corner of the village if it is done sympathetically and to a high standard so as to be in keeping with the village but the current proposal requires improvements.

## **Issues**

Unitary Development Plan No specific reference is made in the Unitary Development Plan about this site. However, the site abuts the area covered by policy BM7 b which aims is to safeguard the special character of the area around Rochdale Road, at Boggart Hole Clough and Old Road and to

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encourage the conservation and refurbishment of older buildings of quality and to take steps to prevent loss of mature trees.

Unitary Development Plan - The following City-wide policies are considered to be relevant:

E1.1 -The Council wishes to see substantial reductions in the level of air pollution much of which is caused by vehicles fumes. To achieve this the Council will:-

- a) Promote public transport and cycling and improve conditions for pedestrians;
- b) Discourage the use of the private car for peak time trips to the City Centre and other major employment areas;
- c) Require all major new development to be located where it can be easily served by public transport.

E3.3 - The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

H2.2 - States that the Council will not allow development, which will have an unacceptable impact on residential areas. The matters that the Council will consider, amongst other things, the scale and appearance of the development, traffic generation and road safety.

T2.6 - The Council will expect adequate car parking provision to be made for disabled people so that they can get easy access both to existing and new facilities in the City.

T3.1 - The Council will ensure that the particular needs of both pedestrians and cyclists are catered for in the design of new developments and new road and public transport schemes.

DC10.1 - In determining planning applications for developments involving the sale of food or drink for consumption on the premises, or for hot food to be consumed off the premises, the Council will have regard to:

- a. the general location of the proposed development, including any reference to the area in other policies in the Plan;
- b. the effect on the amenity of neighbouring residents;
- c. The availability of safe and convenient arrangements for car parking and servicing;
- d. Ease of access for all, including disabled people; and
- e. The storage and collection of refuse and litter.

DC26.1 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.

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Guide to Development in Manchester Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

Of particular relevance is:

Policy 2 - Makes specific reference sections of the policy relating to:

- i. Design and Function;
- ii. Development sustaining local neighbourhoods;
- iii. Areas of change promoting a sense of place;
- iv. Design of streets to promote neighbourliness;
- v. Buildings should front onto streets;
- vi. Strong corners providing important landmarks;
- vii. Clear definition of public and private space
- viii. Junctions designed as places;
- ix. Minimising the impact of car parking;
- x. Encouraging a mix of uses;
- xi. New development should maximise access for disabled people.

Policy 4 - Encourages energy efficiency, the use of renewable energy and water and waste management.

Regional Spatial Strategy for the North West - (RPG13) Provides planning guidance for the North West region. Since 2004, the RSS has formed part of the development plans; as such the weight to be attached to its policies has increased. It contains policies that address core principles of development including the following:

- i. DP1: Economy in the use of land and buildings;
- ii. DP2: Enhancing the Quality of Life - Ensuring development provides a high quality of life for this and future generations;
- iii. DP3: Quality in New Development - Ensuring that new development demonstrates good design and respect for its setting;
- iv. DP4: Promoting sustainable economic growth and competitiveness and social inclusion;
- v. ER13 : Renewable energy and energy efficiency.

The North West Plan, Draft Regional Spatial Strategy (RSS) - Publicised in January 2006, this draft RSS document provides a framework for the physical development of the region over the next 15 to 20 years. The following policies are of relevance:

DP1 - Defines regional development principles and requires that Local Planning Authorities:

- a. Make more sustainable, transparent decisions;
- b. Make better use of land and ensure quality in development, ensuring the promotion of an appropriate mix of uses within a site or its wider

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neighbourhood, reduce the need to travel and assist people to meet their needs locally.

### Planning Policy Statement Note 1 (PPS1): Creating Sustainable Communities

PPS1 encourages the promotion of urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. In addition to this PPS1 clearly outlines the importance of creating sustainable communities.

Planning Policy Statement Note 3 (PPS3): Housing - Sets out the national planning policy framework for delivering the Government's housing objectives. PPS3 reflects the Government's commitment to improving the affordability and supply of housing in all communities.

Reference is particularly made to paragraph 10 (of PPS3) which states that the planning system should deliver:

- i. High quality housing that is well-designed and built to a high standard;
- ii. A flexible, responsive supply of land - managed in a way that makes efficient and effective use of land, including re-use of previously developed land, where appropriate.

Visual Appearance . The proposed rear extension is considered to be subservient to the main building in terms of its footprint and also being slightly set back on the Middleton Old Road frontage and with a lower roofline on the extension. The roof of the existing building is to be slightly raised in order to improve internal heights to ceilings in the second floor. The more recent unsympathetic extensions to the public house and yard wall are to be demolished and landscaping introduced in the southwest corner to aid the appearance of the entrance to the building from the car park. There will also be a pedestrian entrance from Middleton Old Road that will aid surveillance and retain activity on this street and as such the scheme accords with the Guide to Development in Manchester. Revised plans have been received showing the introduction of additional windows on the southern elevation and this has helped to improve the visual appearance of the development. The window sizes in the new extension reflect the widow openings in the original building and is a fairly traditional design solution that will be rendered to give a cohesive appearance. Two of the apartments will have their own garden space

Impact on Residential Amenity The applicant has confirmed that the cafe will be an A3 use and the opening times will be from 7.00am to 7.00pm each day. Although there are not many residential properties in the immediate vicinity at present, there is permission directly opposite for 32 apartments, and in view of this it is recommended that the opening hours are restricted to those applied for due to the apartments above. The new apartments will be erected at the rear of the pub and will bring them closer to the adjacent window manufacturer's premises. However, there was previously residential accommodation above the pub and as the development occupies an elevated position in relation to window manufacturer's premises a high standard acoustic attenuation scheme will be necessary and should ensure a good standard of environment for future occupiers of the apartments.

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**Parking/ Servicing.** An existing vehicle entrance is to be used and the development has made adequate provision for off -street parking to meet its own needs based on current requirements of one space per apartment. It is understood that the adjacent window manufacturer has been using the New White Lion car park on a 12 month license to access the rear of the unit for many years. This is a private arrangement between the two parties which the applicant states can be terminated within a one month period. Discussions have taken place with the applicant on this issue and revised plans have been received to show a turning area to be provided within the proposed car park adjacent to the window company. This will be physically marked with yellow or white hatching. This arrangement will allow the window company to continue to have vehicular access to their premises and it is recommended that a condition for submission of a management plan to cover its use is submitted for approval. This management plan is essential as this type of sharing arrangement is not ideal and conflicts can often arise and therefore needs to be addressed as part of this application to avoid potential difficulties in the future.

The car park would be gated, however, one space would be available outside this car park for the café to use though it is likely that it would rely on foot trade for most of its business. A store for four bicycles is shown in the lower ground floor.

**Landscaping/ Boundary Treatment.** Revised landscaping proposal have been submitted to meet comments made by the Landscape Practice Team. It is considered that the overall provision and standard of landscaping is acceptable. There are 10 existing trees on site and two low quality trees will need to be removed to allow for the extension to be built. Two laburnum trees are also recommended to be removed because of their poor form. Seven replacement trees are shown on the new landscape proposals. The boundary treatment will involve a low brick wall 625 mm high, with brick piers at 2.8m centres with 1.4 m high bow top metal fencing above. A 2.1 m high brick wall will be erected along a short section on Old Market Street to screen the bin storage area situated next to the vehicular entrance to the site.

**Access for Disabled people.** One parking bay will be demarcated specifically for use by a disabled person. An internal lift is proposed which will serve all floors within the building and will have doors with level access at the lower ground level.

**Overlooking of Surgery.** The doctors surgery is located on the opposite side of the road and is some 50 metres away and it is not therefore considered that the proposal will result in any overlooking problems.

**Crime and Safety.** The site is located in a relatively high crime area , however, subject to points outlined in the Crime Impact Statement being included in the scheme, Secure by Design accreditation should be achieved.

**Sustainability** An Eco Homes pre-assessor carried out gives it a good overall score. However, very low scores were achieved in the material section and sound insulation sections and are capable of significant improvement . In view of this it is recommend that the standard condition is attached to cover sustainability.

**Conclusion** The New White Lion has a recent history of economic decline. However, the building forms a local landmark building by virtue of its elevated

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position and retention of the building is welcomed. It is a modest high quality scheme that will create some employment and at the same time retain the character of the village at this prominent location.

**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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

## **Recommendation APPROVE**

APPROVE on the basis that the proposal accords with the development plan in particular policies H2.2, E1.1, E3.3, T2.6 of the City Council's Unitary Development Plan in that it will not cause disamenity to residential properties and retains a local landmark building and there are no material considerations of sufficient weight to indicate otherwise.

## **Conditions and/or Reasons**

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) A litter bin of a size and type to be approved in writing by the City Council as local planning authority shall be installed on the forecourt of the premises before the A3 use commences and shall remain there for so long as the use is in existence.

Reason - To maintain the quality of the street environment in the locality of the development in order to comply with Policies H2.1, H2.2, H2.6, DC10.1, DC10.4 and DC10.5 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' or 'excellent' and at least three star

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sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

4) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies H2.2 and T2.6 of the Unitary Development Plan for the City of Manchester.

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

The Desk Study shall be prepared by a suitably qualified person whose competence to carry out the Desk Study has been approved in writing by the City Council as local planning authority (an "Expert").

In the event of the Preliminary Risk Assessment Desk Study identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal Scheme) 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 Scheme shall be carried out, by an Expert before development commences and the Expert shall prepare a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or

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the development shall not be occupied until, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy Site Investigation Report) which shall be 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 Site Investigation Report, which shall take precedence over any Remediation Strategy Site Investigation Report or earlier Revised Remediation Strategy Investigation Report.

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 H2.2 of the Unitary Development Plan for the City of Manchester.

6) Before the development hereby permitted is commenced a scheme showing the provision to be made for disabled people to gain access to cafe and apartments and including route widths, levels and gradients, shall have been submitted to and approved by the City Council as local planning authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester Policies DC9.1 The lift shown on drawing 106B shall be retained and operational for so long as the building is in use.

7) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority and shall remain in operation for so long as the 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 government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

8) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

9) No loading or unloading shall be carried out on the site outside the hours of 7.30 AM TO 8.00 PM Monday to Saturday daily.

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Reason - In order to protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester.

10) The A3 premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

7.00 am to 7.00 pm each day.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

11) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 3726-02 REVA, shall be implemented not later than 12 months from the date of commencement of works. 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, unless otherwise agreed in writing by the City Council as local planning authority.

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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

12) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

13) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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 equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

14) Before the development commences an acoustic attenuation scheme including particulars of the acoustic glazing and acoustically treated ventilation to be installed as part of the development shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme

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shall be implemented in full before use of the residential premises first commences.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

15) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. 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 interests of amenity pursuant of policy H2.2 of UDP.

16) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: NR267/PL/107B, 106B, 108B , stamped as received on 15 October 2007, and 103D received on 4 December 2007

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

17) The development shall not be occupied unless accreditation, confirming achievement of the Secured by Design standards in respect of the development has been issued by Greater Manchester Police, unless otherwise agreed in writing by City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

18) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or

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placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies 2.4 and 2.6 of the Unitary Development Plan for the City of Manchester.

19) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

20) Before the development hereby approved commences a method statement for the eradication and disposal of knotweed and any contaminated soil from the site shall be submitted to and approved in writing by the City Council as Local Planning Authority and shall be disposed of in a licensed landfill site.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

21) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 - Recommendations for Tree Work but no work shall be undertaken in the bird breeding season March to July.

Reason

In order protect any nesting birds pursuant to policy E2.3 of the Unitary Development Plan for the City of Manchester.

22) Any slates to be removed from the roof shall be carried out by hand in the presence of a licensed bat worker at times of the year to be agreed in writing by the City Council as local planning authority.

Reason

In order to minimise disturbance to potential bat roosts pursuant to policy E2.4 of the City Council's Unitary Development Plan for the City of Manchester.

23) The turning and servicing area for the adjacent window manufacturing premises shall be demarcated and made available at all times during construction and at all times thereafter unless otherwise agreed in writing with the local planning authority.

Reason

To ensure vehicular access to the adjacent business premises is retained pursuant to policy I1.3 of the Unitary Development Plan for the City of Manchester.

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24) Prior to development commencing on site a management statement for access arrangements to the adjacent window manufacturer premises shall be submitted to and approved in writing with local planning authority . The access arrangements shall be retained as such at all times at all times thereafter unless otherwise agreed in writing with the local planning authority.

### Reason

To ensure appropriate servicing arrangements are maintained to the adjacent window manufacturer following completion of the development pursuant to policy I1.3 of the Unitary Development Plan for the City of Manchester.

## Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 084419/FO/2007/N1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

Environmental Health  
Chief Executive's Landscape Practice Group  
Engineering Services  
Contaminated Land Section  
Environment & Operations (Refuse & Sustainability)  
North Manchester Regeneration Team  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Chief Executive's Landscape Practice Group  
Environment & Operations (Trees)  
Blackley Village Residents Association  
17a, Middleton Old Road, Manchester, M9 8DS  
Smart Cars, 9-11, Old Market Street, Manchester, M9 8DX  
Dr Neville & Partner, 25 Old Market Street, Manchester, M9 8DX  
926 Rochdale Road, Manchester, M9 7EP  
928 Rochdale Road, Manchester, M9 7EP  
930 Rochdale Road, Manchester, M9 7EP  
932 Rochdale Road, Manchester, M9 7EP  
934 Rochdale Road, Manchester, M9 7EP  
936 Rochdale Road, Manchester, M9 7EP  
938 Rochdale Road, Manchester, M9 7EP  
940 Rochdale Road, Manchester, M9 7EP  
942 Rochdale Road, Manchester, M9 7EP  
944 Rochdale Road, Manchester, M9 7EP  
946 Rochdale Road, Manchester, M9 7EP  
948 Rochdale Road, Manchester, M9 7EP  
950 Rochdale Road, Manchester, M9 7EP  
952 Rochdale Road, Manchester, M9 7EP  
954 Rochdale Road, Manchester, M9 7EP  
956 Rochdale Road, Manchester, M9 7EP  
958 Rochdale Road, Manchester, M9 7EP

## List No. 9

1097 Rochdale Road, Manchester, M9 7FW  
1127 Rochdale Road, Manchester, M9 7FW  
1129 Rochdale Road, Manchester, M9 7FW  
1131 Rochdale Road, Manchester, M9 7FW  
1133 Rochdale Road, Manchester, M9 7FW  
13 Sidmouth Drive, Manchester, M9 8BU  
15 Sidmouth Drive, Manchester, M9 8BU  
16 Sidmouth Drive, Manchester, M9 8BU  
17 Sidmouth Drive, Manchester, M9 8BU  
18 Sidmouth Drive, Manchester, M9 8BU  
19 Sidmouth Drive, Manchester, M9 8BU  
20 Sidmouth Drive, Manchester, M9 8BU  
21 Sidmouth Drive, Manchester, M9 8BU  
22 Sidmouth Drive, Manchester, M9 8BU  
23 Sidmouth Drive, Manchester, M9 8BU  
15 Middleton Old Road, Manchester, M9 8DS  
Blackley Conservative Club, 17 Middleton Old Road, Manchester, M9 8DS  
20 Grant Close, Manchester, M9 8HY  
18 Grant Close, Manchester, M9 8HY  
1 Churchside Close, Manchester, M9 8HZ  
3 Churchside Close, Manchester, M9 8HZ  
5 Churchside Close, Manchester, M9 8HZ  
7 Churchside Close, Manchester, M9 8HZ  
9 Churchside Close, Manchester, M9 8HZ  
2 Churchside Close, Manchester, M9 8HZ  
4 Churchside Close, Manchester, M9 8HZ  
St. Peters Church, Old Market Street, Manchester, M9 8DY  
Lion Mill, Lion Brow, Manchester, M9 8FF  
Blackley Health Studio, Old Market Street, Manchester, M9 8FY  
Lion Mill, Old Market Street, Manchester, M9 8FY  
North West Windows Ltd, Lion Works, Old Market Street, Manchester, M9 8FY  
1141 Rochdale Road, Manchester, M9 7FW  
1143 Rochdale Road, Manchester, M9 7FW  
1145 Rochdale Road, Manchester, M9 7FW  
1149 Rochdale Road, Manchester, M9 7FW  
J Bacon, 53 Middleton Old Road, Manchester, M9 8DS  
46 Lion Brow, Manchester, M9 8PY  
48 Lion Brow, Manchester, M9 8PY  
50 Lion Brow, Manchester, M9 8PY  
52 Lion Brow, Manchester, M9 8PY  
54 Lion Brow, Manchester, M9 8PY  
56 Lion Brow, Manchester, M9 8PY  
58 Lion Brow, Manchester, M9 8PY  
60 Lion Brow, Manchester, M9 8PY  
Ben Kilcourse, 30 Middleton Old Road, Manchester, M9 8DS

## Representations were received from the following third parties:

Environmental Health  
Contaminated Land Section  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Chief Executive's Landscape Practice Group  
Environment & Operations (Trees)

**List No. 9**

Blackley Village Residents Association

, Dr Neville & Partner, 25 Old Market Street, Manchester, M9 8DX

, North West Windows Ltd, Lion Works, Old Market Street, Manchester, M9 8FY

DR COLLIER, 11 MARTINSCLOUGH, LOSTOCK , BOLTON, BL6 4PF

**Relevant Contact Officer :** David Hughes  
**Telephone number :** 0161 234 4272  
**Email :** [d.hughes3@manchester.gov.uk](mailto:d.hughes3@manchester.gov.uk)