



Planning and Highways Committee

Date: Thursday, 15 November 2018

Time: 2.00 pm

Venue: Council Chamber - Manchester City Council, Town Hall
Extension, Albert Square

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

Filming and broadcast of the meeting

Meetings of the Planning and Highways Committee are 'webcast'. These meetings are filmed and broadcast live on the Internet. If you attend this meeting you should be aware that you might be filmed and included in that transmission.

Membership of the Planning and Highways Committee

Councillors

Ellison (Chair), Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, J C Lyons, Madeleine Monaghan, Strong, Watson, White and J Wilson

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Minutes

To approve as a correct record the minutes of the meeting held on 18 October 2018

7 - 16

5. 119731/FO/2018 - Cheshire Cheese PH & Vacant Land (Formerly Nos 32-38) Oldham Road Manchester M4 5FE

The report of the Head of Planning, Building Control and Licensing is attached.

**Ancoats and
Beswick**
17 - 56

6. 120635/FO/2018 - Hotspur Press 2 Gloucester Street Manchester M1 5QR - *this item has been withdrawn*

Deansgate

7. 121184/FO/2018 - 107 Manchester Road Chorlton Manchester M21 9GA

The report of the Head of Planning, Building Control and Licensing is attached.

Chorlton
57 - 68

8. 121390/FO/2018 - 19 Elm Road Manchester M20 6XD

The report of the Head of Planning, Building Control and Licensing is attached.

Didsbury West
69 - 94

9. 120665/FO/2018 - 391 Palatine Road Manchester M22 4JS

The report of the Head of Planning, Building Control and Licensing is attached.

Northenden
95 - 120

Meeting Procedure

The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at https://secure.manchester.gov.uk/downloads/download/4030/the_constitution.

At the beginning of the meeting the Chair will state if there any applications which the Chair is proposing should not be considered. This may be in response to a request by the applicant for the application to be deferred, or from officers wishing to have further discussions, or requests for a site visit. The Committee will decide whether to agree to the deferral. If deferred, an application will not be considered any further.

The Chair will explain to members of the public how the meeting will be conducted, as follows:

1. The Planning Officer will advise the meeting of any late representations that have been received since the report was written.
2. The officer will state at this stage if the recommendation of the Head of Planning in the printed report has changed.
3. ONE objector will be allowed to speak for up to 4 minutes. If a number of objectors wish to make representations on the same item, the Chair will invite them to nominate a spokesperson.
4. The Applicant, Agent or their representative will be allowed to speak for up to 4 minutes.
5. Members of the Council not on the Planning and Highways Committee will be able to speak for up to 4 minutes.
6. Members of the Planning and Highways Committee will be able to question the planning officer and respond to issues that have been raised. The representative of the Highways Services or the City Solicitor as appropriate may also respond to comments made.

Only members of the Planning and Highways Committee may ask questions relevant to the application of the officers. All other interested parties make statements only. The Committee having heard all the contributions will determine the application. The Committee's decision will in most cases be taken under delegated powers and will therefore be a final decision.

If the Committee decides it is minded to refuse an application, they must request the Head of Planning to consider its reasons for refusal and report back to the next meeting as to whether there were relevant planning considerations that could reasonably sustain a decision to be minded to refuse.

Information about the Committee

The Council has delegated to the Planning and Highways Committee authority to determine planning applications, however, in exceptional circumstances the Committee may decide not to exercise its delegation in relation to a specific application but to make recommendations to the full Council.

It is the Council's policy to consult people as fully as possible before making decisions that affect them. Members of the public do not have a right to speak at meetings but the Committee will usually allow applicants and objectors to address them for up to four minutes. If you have a special interest in an item on the agenda and want to speak, tell the Committee Officer, who will pass on your request to the Chair. Groups of people will usually be asked to nominate a spokesperson.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Friday, 9 November 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

Planning and Highways Committee

Minutes of the meeting held on Thursday, 18 October 2018

Present: Councillor Ellison (Chair)

Councillors: Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, J C Lyons, Watson, White and J Wilson

Apologies: Councillor Madeleine Monaghan and Strong

Also present: Councillors: Akbar, Davies, Hacking, Igbon and Wright.

PH/18/87. Minutes

To approve the minutes of the meeting held on 20 September 2018 as a correct record.

Decision

To approve the minutes of the meeting held on 20 September 2018 as a correct record.

PH/18/88. 391 Palatine Road, Manchester, M22 4JS

Planning application 120665/FO/2018 was deferred to allow the applicant to submit a daylight/sunlight analysis to consider further the impact of the proposal on nearby residents.

Decision

To defer consideration of the application for the reasons given in the late representation.

PH/18/89. 318 Barlow Moor Road, Manchester, M21 8AY

Planning application 116753/FO/2017 for the erection of a part three-storey, part single-storey building to form ground floor retail unit with four residential flats above, following demolition of the existing building was received.

318 Barlow Moor Road is located at the southern edge of Chorlton District Centre and is the end property of a staggered group of three, linked-detached, two-storey properties with commercial uses at ground floor and residential above. The group of properties has a large forecourt to the front and this is used for car parking in connection with the two end properties, and middle unit has raised decking area.

The proposal involves the demolition of the existing property and the erection of a three- storey building which steps down to single-storey at the rear. The ground floor would form A1 retail space and there would be four apartments above.

The proposal has undergone a number of revisions to its design, scale and density following negotiations with the applicant.

Neither the applicant nor any objectors were present, and the Committee carefully considered the report and the information that it contained.

Officers advised that should the Committee be minded to approve the application, further conditions should be attached regarding the details of the landscaping to the site. In addition a further condition should be added to ensure that the use of the ground floor retail units be restricted to Class A1 – shops and retail outlets.

The Committee asked for further clarification as to why the ground floor use should be restricted to Class A1, and officers confirmed that the condition would be to protect this usage and would prevent the units being used for Class A5 – hot food and takeaway without a change of use application.

The Committee also asked for clarification as to the number of bedrooms in each of the proposed flats, and officers confirmed that the accommodation units would be 2-bedroom. The Committee also considered Condition 10 in the report that specified that the units would remain C3 use and would not be able to be used as Class C4 - Houses in multiple occupation.

On balance, the Committee considered that the proposed development would make a positive contribution in terms of improving the visual amenity of the area and was considered to conform to national and local policies.

Decision

To approve the application subject to the conditions and reasons in the report and the additional condition regarding landscaping.

PH/18/90. Land known as Birley Plot E, Stretford Road, Manchester

Planning application 120896/FO/2018 for the construction of a part 6, part 11 and part 16 storey building comprising 491 student bed spaces (sui generis), amenity space, cycle parking, landscaping, and associated highways work was received.

The site lies in a prominent location on Stretford Road next to the Hulme Arch to the east of Princess Road in Hulme. The site is viewed in the context of the Mancunian Way and Manchester City Centre when approaching Manchester using the Princess Road arterial route from the south.

The proposal comprises the redevelopment of the site to create a part 6, part 11 and part 16 storey building to be used as purpose built student accommodation. A total of 491 student rooms would be provided within the development, arranged in clusters of

7 and 8 single occupancy rooms (en-suite), organised around kitchen and lounge area.

The development would provide communal areas in the form of a social area with TV lounge, games room, gym, an informal study room and group study areas. The ground floor would include a reception area, management offices, storage, post room and a show flat.

Officers advised that in addition to the amended condition 3 in the late representation, there should be an additional condition regarding acoustic insulation to control noise breakout from the accommodation. Officers also recommended that condition 13, in relation to a scheme of highway works is revised to include any requirement for alterations to traffic regulation orders. In addition officers confirmed that additional information has been received from the applicant which explains how the University promotes respectful behavior in the community and in the Halls. The applicant confirmed that the University would deploy staff on a 24 hours basis as well as students employed as residential assistants to help create a sense of community for both students and local residents and to ensure that any issues are dealt with promptly and effectively as they may arise. Officers also confirmed that there would be an ongoing programme of community engagement and that students would be encouraged to engage positively with local residents.

A representative of local residents spoke in objection to the proposals, and said that Hulme had undergone several rounds of regeneration in her lifetime. The last round of regeneration was the one that local residents had endorsed, and that the aims of this regeneration would not be met by the current proposals. She pointed out that there have been over 50 objections, and that there is a lot of discontent within the Hulme community as the University are reaping the benefits of the community that was built by residents.

Residents do not hold any resentment to the University, or to students, but the residents do object to the height and scale of the proposed development, given that they were told that the regeneration framework would prevent development of buildings over 6 storeys. She told the Committee that the height of the building would lead to problems with loss of light and lack of privacy. The local resident also explained that she lives next to the current student accommodation, and that residents can see into student bedrooms and students can see into resident's bedrooms, which was not acceptable.

The resident also said that the consultation exercise had been inadequate, and that they were unhappy that the University seemed to be under the impression that they were running the Hulme Masterplan and not the residents who had formulated it. She said that the Aquarius Community Association had not been consulted, and neither had residents of Hopton Court.

Local residents were also unhappy that they were subjected to homophobic abuse and attacks by students, which were not dealt with adequately by the University.

She also said that the analysis of parking problems in the area was not credible as it took no account of the fact that many students do have cars, despite the applicant

not providing any parking spaces at the proposed development. She said that the University needed to start communicating with the community in a meaningful way, as at the moment residents had no faith in the plans being proposed.

The applicant's agent also spoke to the Committee in support of the proposed development. He said that this was a scheme that was a significant part of the University estate development programme. The principle of student accommodation at this location had been well established. Outline planning permission had been granted in 2012, and that permission was broadly similar to the current proposals in terms of bedspaces and height. He admitted that there had been an increase in bedspaces across the campus, but that this was necessary due to the success of the University overall. He told the Committee that the student headcount had been growing steadily, and that current projections indicated that this growth would continue.

He said that the University had identified a need to provide their own controlled student accommodation as an alternative to agreements with 3rd parties where the University is not able to exert the same level of management controls. The University also considers that the provision of affordable, purpose built accommodation would encourage to return of HMO's to family accommodation, which would benefit local communities.

He added that there have been 3 separate engagement events in a sustained effort to engage with local residents, invitations had been distributed across a wide area with local elected members being fully briefed on the process. There has also been an investment of over £5m in public realm around the campus, and the University takes its responsibilities to the permanent residents very seriously.

Councillor Wright spoke to the Committee and endorsed the concerns raised by residents. She said that there were significant concerns about the proposed development, and the way in which the consultation process had taken place. She said that there was some attempt to engage with residents, but that they must be given the opportunity to take part in discussions about the nature of development. Councillor Wright told the Committee that the history of regeneration in Hulme was that of change and development being imposed on residents, which led to failure as this did not take into account what residents actually wanted and needed.

Councillor Wright also said that the original outline permission was for 4 x 4 storey buildings, which was significantly different to the current proposals. She said that the proposed tower would overshadow the Hulme Archway, which was a significant local landmark. To move away from this configuration with regard to height was unacceptable.

Councillor Igbon also spoke to the Committee to endorse and support the concerns raised by residents. She said that the development of the Brooks Building had gone well, and that the University had engaged well with residents during this process. However, the team that had led the community engagement at that time were no longer with the University, and that when they left the level of community engagement declined significantly. Councillor Igbon also said that the University must

understand that Hulme residents were not part of MMU, but that MMU was part of Hulme.

She added that the Hulme Councillors were not opposed to the development of this plot, but they were opposed to the overall height of the development. In addition, she said that the report was inaccurate with regard to the perceived lack of crime and disorder and pointed out that the area policing team had a dedicated officer allocated to support students. She also said that the impact of the increased student number had not been considered properly with regard to local amenities such as GP's, dentists and other community infrastructure.

Officers confirmed that the principle of development of this number of bedspaces had been established for some time, and that the height of the development had been informed by the scale of buildings near to this site. Officers added that a detailed sunlight and daylight analysis had been completed and submitted as part of the application process. In addition, with regard to the notification process he confirmed that the City Council had notified all surrounding addresses, including those occupied by local businesses, beyond statutory requirements. Officers also confirmed that they had contacted a representative of residents on the Aquarius Estate to seek their views.

The Committee expressed concern that the proposed scheme provided no disabled parking, as this would be a barrier to any potential disabled student wishing to live or study in the City. They also expressed concern at the very low level of cycle parking that was proposed. The Committee also queried why developments of this nature were exempt from the requirements of S106 assessment.

Officers confirmed that condition 13 in the report would ensure that there was a dedicated disabled on street parking space provided. Condition 12 also required an increased provision for cycle parking space. Officers also explained that with regard to affordability, purpose built student accommodation is not covered by the Policy, and that there is no requirement for student accommodation to give a contribution.

The Committee asked for further clarification of the impact on the adjacent school with regard to loss of daylight/sunlight. The Committee also noted that there was an existing residents' parking scheme and that students would be prevented from applying for parking permits from this scheme, and asked for clarification as to how drop off and pick up at the start and end of term would be managed given the lack of parking provision.

Officers confirmed that condition 16 did provide for the implementation of an access strategy relating to students moving in and out of the accommodation, and that there was a service bay with removable bollards which would allow access during these periods. With regard to the school, officers confirmed that a specific assessment was carried out to measure the impact on the playground, and that while there would be a small reduction in daylight/sunlight, the reduction was so small it was not considered significant. Officers also confirmed that students would not be permitted to apply for resident parking permits, and that the cost of any changes to traffic regulation orders as a result of the development would be met by the University and not residents.

The Committee asked if it would be possible to restrict the height of the tower to that agreed in the outline planning permission, and officers explained that this application had to be assessed on its own merits. The outline planning permission had addressed the issue of the number of bedspaces to be provided, and that this application was broadly in line with this provision.

The Committee questioned whether the proposals would enhance the local community, as required under Policy SP1 - Spatial Principles, given the level of overlooking to neighbouring buildings and the school, and officers confirmed that the distances between the buildings had been assessed and were considered acceptable.

The Committee also asked for clarification with regard to waste management arrangements, given that waste storage would be in building B, which would have no connection to building C. Officers confirmed that they would look again at this condition to ensure that there was proper and adequate access to waste disposal facilities for all people resident in the complex.

The Committee also expressed concern that local consultation had not been as comprehensive as it could have been, and asked if the application could be deferred for further consultation. The Head of Planning, Building Control and Licensing confirmed that consultation had been undertaken that exceeded the statutory requirements, and that deferral could not be recommended on this basis. The Committee asked whether there was a way of the University working with residents to restore some of the lost confidence, and The Head of Planning, Building Control and Licensing confirmed that this would be raised at the regular liaison meetings that officers held with MMU, and that they would also be working with local elected members to establish the best way forward.

On balance, the Committee concluded that the development would see the reuse of previously developed land improving that appearance and character of this particular part of Hulme with a high quality well managed facility.

Decision

To approve the application subject to the conditions and reasons in the report and the late representations.

PH/18/91. Land at Arundel Street, Manchester, M15 4JZ

Planning application 118045/FO/2017 for the erection of a 10 storey residential building (Use Class C3a) together ground floor commercial units (Use Classes A1, A2, B1, D1 and D2) (379 sqm) and the erection of 35 storey residential building (Use Class C3a), following demolition of existing buildings, together with the change of use of the former Department of Transport Building to form a mixed use residential and commercial building (Use Classes C3a, A1, A2, B1, D1 and D2), forming 386 residential apartments in total with associated amenity space, car and cycle parking, access, landscaping and other associated works was received.

The Planning and Highways Committee resolved that they were minded to refuse the application at its meeting on 20 September 2018 and Members requested that a report be brought back which addresses concerns and which presented potential reasons for refusal that could be substantiated on the grounds that the proposal would have unacceptable impact on the setting of the Castlefield Conservation Area and the Grade II* Listed St George's Church.

Officers confirmed that detailed late representations had been received from the Britannia Basin Community Forum objecting to the proposals, and summarised these for the Committee's consideration. Officers also confirmed that the applicant had agreed to lower the height of the tower by 2 storeys in response to resident's concerns and the Committee comments at its meeting on 20 September 2018.

Officers also told the Committee that the applicant had met with the Britannia Basin Community Forum and had committed to provide community space for their monthly meetings and, with prior notice, community events throughout the year.

A local resident and member of the Britannia Basin Community Forum spoke in objection to the proposals, and said that other than the offer of a reduction in height of 2 storeys, there had been no effort on the part of the developer to address any of the residents' concerns. She reiterated the comments made by the Committee on 20 September 2018 and asked what was the point of a conservation area if it was going to be ignored. She also told the Committee that while the Mancunian Way had been called a "scar", which fragmented the area, a development of the nature proposed would damage the conservation area further rather than enhance it. The resident also gave examples of other proposed development that had been rejected as inappropriate for the area which were actually smaller in scale, height and massing than this development.

The resident also reiterated concerns regarding vehicle movements and parking problems in the area, and pointed out that the area was subject to a 12 month programme of road works which had severely exacerbated the problems that residents faced on a daily basis. She told the Committee that the traffic problems made the area unsafe for current residents, and that the increase in population that would result from a development of this size would only make matters worse.

Residents welcome development of the area, but said that this proposal was not appropriate and should be scaled down to deliver a more thoughtful enhancement of the area that better addresses the setting of the church and the character and appearance of the Conservation Area.

Councillor Igbon spoke in objection to the proposals, and said that she fully supported the concerns of residents. She said that she fully understood the Policy regarding City Centre development, but reiterated that although this part of Hulme did come under the Policy area, it was still a residential area. Councillor Igbon added that the highways infrastructure was inadequate for the current residential population and to add to the population with a development of this size would make matters much worse. She said that there were both accidents and near misses every day due to the volume of traffic and vehicle movements. The area will have 6000 residents with just 2 routes into the area and 1 route out of the area.

Councillor Igbon added that although the report asserted that the site was in a highly sustainable location for public transport, the reality was that the public transport available was not adequate for current residents. A development of this size would impact on residential amenity, crime and disorder and the health and wellbeing of existing and future residents.

Councillor Wright also spoke in support of Councillor Igbon and the residents. She said that some people might say that this part of Hulme was in the City Centre, but that it was a residential area and part of Hulme Ward. She said that a lot of the points raised at the previous meeting had not been addressed, including the issue of waste management and storage, parking and the highways infrastructure, and that the current proposals were not as good as the original offer had been. Councillor Wright added that this was not a “gateway to the City” but a residential area and that development should take regard to existing residents and not just people driving through.

The applicant’s agent spoke to the Committee in support of the proposals and said that they had carried out a very detailed analysis of the area which had informed the design process. They had tested the design and its impact using industry standard evaluation tools. He agreed that there was always a degree of subjectivity in developments of this nature, and that he understood that height was one of the major issues to address. He reiterated that the design could be adjusted to remove 2 complete floors, but did not think that height was an overall sustainable reason for refusal. They had looked at the overall nature of the conservation area and concluded that according to NPPF tenets, the design must be taken as a whole. He said that a development of such high quality and design should be considered to be a neutral or positive contribution to an area that was largely modern in nature, albeit slightly run down.

He agreed that there would be a degree of harm to the setting of St George’s Church, but that this was at the lower end of substantial and more than offset by the benefits of the scheme. He added that conservation areas should never be static, but should be welcoming of change and innovation to become vibrant, thriving and desirable places to enhance the economic, social and cultural life of the city. He added that small families could be easily accommodated in the 2-bed units, and that there was a degree of activity at street level that had always been included in the planned development.

Officers commented that they had not been asked to negotiate a different scheme, but had been asked to assess and comment of the height of the development and the impact on the conservation area and the setting of the listed buildings.

The Committee expressed significant concern that the affordable housing contribution was not enough. They commented that Hulme in particular is an area where there was a need for affordable, family homes and that not enough of these are being built. The Committee also agreed that the height of the tower, even when reduced by 2 floors did dominate the setting of the listed St George’s Church. In addition the Committee were concerned that the car parking provision was inadequate and should be addressed.

The Committee also acknowledged that conservation areas should not be static areas of preservation, but that development should be done in a sensitive way, and while there were aspects of this proposal that were sympathetic to the conservation area, there were other parts of the proposal that were not. The Committee could not see how the Tower aspect of the proposals would not cause significant harm to both the conservation area and the setting of the listed building. The Committee also commented that the Castlefield conservation area had been extended in the 1980's to include St George's, so this area had not been included by mistake. The Committee considered that the current proposals did not complement the conservation area but dominated it to an unacceptable degree. The Committee concluded that the proposals would cause significant harm to both the conservation area and the setting of the nearby listed buildings.

Decision

To refuse the application for the following reason.

The erection of a 35 storey tower and 10 storey building would, by virtue of its siting, scale and appearance, result in a form of development that would be overly dominant and would harm the form, character and setting of the Castlefield Conservation Area and the setting of the adjacent Grade II* listed former St George's Church.

PH/18/92. 39 Mason Street, Manchester, M4 5FX

Planning application 117470/FO/2017 for the erection of 6 storey building comprising a restaurant (Class A3) and retail unit (Class A1) at ground floor level and fourteen apartments above, together with basement parking was received.

The application site relates to a rectangular shaped area of land situated at the corner of Mason Street and Marshall Street and is presently used as a surface level, pay and display car park.

The application follows the granting of planning permission in 2010 for a 7 storey building to form 15 student apartments involving the creation of 80 bedrooms and a ground floor retail unit (Ref: 087073/FO/2008/N1). Shortly after permission was granted, the public house previously situated on the site was demolished in anticipation of development, but due to economic conditions, the permission was never implemented. The permission has since lapsed and the site used as a car park since.

The Committee asked for clarification as to whether the policy of only triggering a S106 assessment for developments of 15 units or more was an NPPF policy or a Manchester Policy. Officers confirmed that this was a Manchester agreed policy that officers were bound to work to.

Neither the applicant nor any objector was present, and the Committee carefully considered the information in the report as well as the representations. The Committee asked for clarification regarding the recycling facilities, and officers

confirmed that there is space within each individual unit for recycling bins, with larger waste and recycling facilities being located on the ground floor.

The Committee asked whether there was any mechanism to prevent the ground floor retail space standing vacant for any prolonged period as other developments of this nature looked unattractive at the street scene level when vacant for extended periods. Officers confirmed that they do discuss lettings policies with applicants as part of the application process, but as this would be a commercial decision this was not something that could be controlled by means of conditions. Officers can however add conditions to ensure that the retail units have sufficient finish to preclude any unit being boarded up or providing unacceptably unattractive views at street level.

On balance, the Committee considered that the proposal represents an appropriate and satisfactory form of development that fulfils the criteria laid down in policy and City Council guidance which seeks to provide high quality, residential accommodation of an appropriate density which will contribute to a vibrant and sustainable neighbourhood with a high level of connectivity to adjoining neighbourhoods, including the city centre as well as nearby public transport. The proposal will involve the regeneration of a brownfield site, whilst contributing to national housing growth objectives and the continued evolution of the aspirations contained within the New Cross Neighbourhood Development Framework.

Decision

To approve the application subject to the conditions and reasons in the report and an additional condition regarding the finish to the retail units.

Application Number	Date of Appln	Committee Date	Ward
119731/FO/2018	19th Apr 2018	18th Oct 2018	Ancoats & Beswick Ward

Proposal Erection of 7 storey building to form 38 apartments and ground floor retail unit (Class A1) together with associated car and cycle parking following demolition of existing building

Location Cheshire Cheese PH & Vacant Land (Formerly Nos 32-38), Oldham Road, Manchester, M4 5FE

Applicant Cheshire Cheese Assets Ltd, C/o Agent

Agent Steve Edgeller, Edgeplan Ltd, Barnett House, 53 Fountain Street, Manchester, M2 2AN, United Kingdom

Description

The application site relates to land situated at the corner of Oldham Road and Cornell Street which is presently occupied by a vacant, two storey public house (Cheshire Cheese) and a neighbouring area of hard-standing, which includes a steel storage container.



The former public house has been closed for over a decade and the adjoining buildings which formerly occupied part of the site were demolished around 2007.

The site frontage along Oldham Road has been hoarded off, with access to the rear gained via a set of metal gates.

In terms of the immediate surroundings, the site fronts a major gateway route into the city centre and is situated on the edge, but within, the Ancoats Conservation Area and a short distance to the north of city centre ring road.

The site is neighboured to the rear by a large, part 5, part 6 storey mixed use apartment and commercial use complex (The Express Networks 2 Building) and to the south by more recent 6 storey mixed use developments, containing double height ground floors for commercial use, with apartments above. To the north and north-east are blocks of traditional, upgraded two and three storey terraced residential properties, with the terrace along Oldham Road containing commercial ground floor uses, including a recently opened café bar on the opposite side of Cornell Street. Opposite the site on the other side of Oldham Road is the New Cross regeneration area, including a number of surface level car parks, with planning permission having been granted in 2016 for apartments ranging from 6-10 storey in height.

In the case of this application, planning permission is sought for the erection of a 7 storey building to form 38 (27 x 2 bedroom and 12 x 1 bedroom) residential apartments, with part of the ground floor containing a small retail unit (Class A1 – 117 sqm). In addition, the proposed development includes a small ground floor car park area, cycle store, plant room and bin store. At roof level, a series of photo voltaic panels are proposed to aid energy efficiency.

The application represents a revised proposal to that originally submitted. Due to concerns about the proposed building height and the lack of an active frontage to Oldham Road, the proposal was amended to reduce the height of the building and to include a ground floor retail unit. This has resulted in the loss of 8 apartments and elevational alterations.

The application follows planning permission being granted in 2004 for a 7 storey development containing 24 apartments and office/business uses at ground and first floor level, together with the demolition of The Cheshire Cheese Public House.

Consultations

Local Residents/Occupiers – In response to the original proposal 5 representations were received which contain a mixture of positive and negative comments. Comments are summarised below:

- The proposed building is out of proportion with other nearby buildings and is out of character for the area;
- The profile of the building will be significantly higher than the surrounding buildings that it is most closely associated with;
- The proposal will lead to the direct loss of views and light to neighbouring flats;
- The proposal does not add to biodiversity of the area;
- The proposal is fully supported and will fill in a gap site in a prominent location;

- The proposed development is of a high quality and would create a harmonious streetscape and define the street boundary;
- The ground floor should include an active use to support pedestrian footfall, stimulate activity in the area, improve the community and support enterprise and economic growth;
- The site is infested with rats and they need to be deal prior to works taking place.

Following the submission of a revised proposal and a further period of neighbour notification, 1 further comment has been received which welcomes the reduction in height of the building, but asks whether it would be possible to include a roof garden to add to biodiversity in the area.

Highway Services – It is noted that the originally proposed 13 car parking spaces has been reduced from 13 to 6 to allow an active frontage to the building. This equates to a provision of circa 15%.

Whilst a higher number of spaces is preferable, it is accepted that given the central location of the site and access to sustainable modes of transport, the provision is satisfactory.

The indicative parking layout, cycle parking provision and Travel Plan is acceptable and supported. It is also noted that two dedicated car club bays are located within a 400 metre radius of the site which is considered to be within an accessible distance of the development. This facility should be fully endorsed to promote the use for future residents.

The revised Transport Assessment indicates a maximum trip rate of 10 vehicles within the evening peak and therefore it is accepted that no junction modelling is required and it is agreed that the additional trips can be accommodated satisfactorily on the existing network without any adverse implications.

Access to the proposed bin store is suitable, but full details of the servicing requirement of the proposed retail unit should be submitted via a servicing management plan to demonstrate the development can be serviced appropriately. A condition to this effect is recommended. A further condition is required in relation to the need for a construction and demolition management plan.

Environmental Health – No objection. Conditions are recommended in relation to acoustic insulation, construction management, external equipment, waste management, ground conditions and air quality.

Contaminated Land – The submitted desktop study is considered adequate. It is advised that further information be submitted in relation to site investigation and any necessary remediation. After completion of works, a verification report should be submitted to validate the works conform to the agreed proposal. A condition is advised.

Greater Manchester Police – It is recommended that a full Crime Impact Statement is submitted to avoid/reduce the adverse effects of crime and disorder.

MCC Flood Risk Management – No objection. Conditions are requested in relation to more detailed drainage information including details of overland flow routes, hydraulic calculations, flow control and subsequent maintenance measures.

United Utilities – Foul and surface water should be drained on separate systems.

Greater Manchester Ecology Unit (GMEU) – In response to the revised Ecological Assessment submitted it is noted that a Common Pipistrelle bat has been recorded on one occasion. The works will therefore need to be covered by a Natural England license and further emergence surveys may need to be undertaken if demolition does not commence before 30th April 2019. A planning condition regarding the timing of works and a requirement for a method statement in relation to works is advised.

Greater Manchester Archaeological Advisory Service (GMAAS) - No Desk Based Assessment has been submitted in support of the application, and the Historic Environment Record (HER) for Greater Manchester does not appear to have been consulted or considered.

GMAAS are content to acknowledge it is most unlikely that any of the below ground remains would be of national interest. However, there is an established archaeological heritage interest in public houses of the nineteenth century (or earlier), and for early forms of worker's housing represented by back-to-backs/ blind-backs etc). With this in mind GMAAS recommends that a condition be attached to any planning consent requiring that a phased programme of archaeological investigation be undertaken prior to the commencement of any demolition, soft-strip or development groundworks.

Historic England – No objections are raised and it has been stated that they do not wish to comment.

Manchester Conservation Areas and Historic Buildings Panel – The simplicity of the scheme is welcomed. The height completes the block in a rational way and whilst some felt the building could be stepped back at the rear, the overall massing was considered satisfactory. They were pleased that no penthouse was being introduced into the roofline.

The Panel were supportive of the use of brick, including bull nose brickwork, but would like to see the use of bull nose brick taken down to ground floor level. It is also considered that a minimum setback of 200mm is required in relation to the glazing and would have preferred the double height glazing to solely relate to the proposed commercial units.

The quality of the materials to be used should be enforced as part of the conditions, including the use of a quality multi detailed bricks.

Other matters

Consultation & Publicity

The proposal, by virtue of the number of units and floor space created has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development as well as affecting the setting of a Conservation Area. A site notice has been displayed at the application site.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

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

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy CC1 (Primary Economic and Economic Growth in Manchester) – refers to key areas of economic growth and states that within the city centre and fringe, a variety of high quality accommodation types, sizes and foot-plates will be encouraged to boost investment by local, national and international businesses. The city centre and

fringe will be considered a suitable location for the consideration of high density buildings and commercially led mixed use schemes.

Policy H1 states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester.

The policy goes on to state that that new residential development should take account of the need to:

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

Policy H2 'Strategic Housing Location' states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.
- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.

- Considering the scope to include a residential element as part of employment-led development.

The proposal will comply with the densities identified within this policy and bring about significant regeneration in an area identified for change.

Policy H4 – states that East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

Policy EC1 (Employment and Economic Growth in Manchester) looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy EC3 (Regional Centre) – states that within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

Policy EN1 'Design principles and strategic character areas' The proposal's considered to be a high quality scheme in terms of its design and appearance that would enhance the regeneration of the area.

Policy EN3 – states that the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains

Policy EN4 (Reducing CO₂ Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO₂ emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy

supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues states that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester’s principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

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

Policy EN19 (Waste) states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

PA1 ‘Developer Contributions’ states that where needs arise as a result of development, the Council will seek to secure planning obligations. Through such obligations, the Council may seek contributions for a number of benefits, including affordable housing, with priorities assessed on a site by site basis. This is discussed later in relation to the submitted Financial Viability Assessment.

In addition to the above, a number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC18.1 (Conservation Areas) – relates to development proposals within conservation areas and seeks to preserve and enhance the character of its Conservation Areas by considering the relationship of new structures to neighbouring buildings and spaces, the effect of changes to existing buildings and the desirability of retaining existing features. Consent to demolish a building within a Conservation Area will be granted only where it can be shown that is beyond repair, incapable of

beneficial use or where its replacement would benefit the appearance or character of the area.

Policy DC20 (Archaeology) states the Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments and sites of archaeological interests, to ensure their preservation in place. In particular:

a. Applications for consent to alter scheduled Ancient Monuments or sites of archaeological interest or their settings should be accompanied by an evaluation and assessment of the implications of the proposal.

b. The Council will have special regard to the desirability of securing the preservation of Ancient Monuments and other sites of archaeological interest and their setting in place. It will not permit development that, in its opinion, would adversely affect scheduled Ancient Monuments, or other sites of archaeological interests, and their settings. In exceptional cases where development is inevitable, the Council will look at the scope for combining preservation in place with limited investigation and recording.

c. Where the preservation of scheduled Ancient Monuments and sites of archaeological interest in place is not appropriate, the Council will seek to gain full and proper recording of the site through early consultation between the applicant and approved archaeological organisation.

The proposal will enable a scheme of archaeological investigations to take place along with recording any finds.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Policy DC26 (Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Ancoats and New Islington Regeneration Framework (2014)

The framework was adopted by the City Council's Executive in October 2014 and now forms a material planning consideration in the determination of planning applications in the area.

The framework sets out a number of character areas and states that new development should consider the existing historic grid of streets and recognise and celebrate the character of the conservation area.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

City Centre Strategic Plan 2015-2018 (March 2016)

On the 2 March 2016 the City Council's Executive approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to "shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England.

The plan identifies that there has been strong population growth over the last 20 years and demand for city centre living is rapidly increasing.

Manchester Strategy (January 2016)

The strategy sets the long term vision for Manchester's future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a

key driver of economic growth and a major employment centre. Furthermore, increasing the centre for residential is fundamental along with creating a major visitor destination.

The Manchester Green and Blue Infrastructure Strategy (G&BIS)

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Greater Manchester Spatial Framework (GMSF)

The Association of Greater Manchester Authorities (AGMA) is preparing a sub-regional spatial framework in order to prepare a vision for a better, more productive and successful Greater Manchester.

The draft plan is at early stage of preparation, but it sets out a number of key strategic approaches and issues and objectives that a successful Greater Manchester needs to address in the coming years.

National Planning Policy Framework (2018)

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant to this application, Section 6 provide guidance in relation to ‘Building a Strong Economy’, Section 11 underlines the need to ‘Make Effective Use of Land, Section 12 provides design guidance – ‘Achieving Well-Designed Places’ and Section 16 relates to Conserving and Enhancing the Historic Environment.

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

Noise - Local planning authorities’ should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;

- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other;
- form – the shape of buildings;
- scale – the size of buildings;
- detailing – the important smaller elements of building and spaces;
- materials – what a building is made from.

Air Quality – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

Other legislative requirements

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Issues

Principle

The principle of the development is considered acceptable and will make efficient use of a previously developed site and contribute to local and national residential growth objectives.

Policy H1 outlines the strategic approach to housing growth in the City. Approximately 60,000 new homes need to be provided in the City between 2009 and 2027. This growth is expected to be accommodated principally within the North, East, City Centre and central areas of Manchester which fall within the Regional Centre and inner areas of Manchester. This is as a direct response to Manchester's growing economy and population growth the later which is expected to rise significantly over the next 20 years.

New developments in the city will therefore be expected to contribute towards this growth strategy, ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

Policy H1 goes on to state that the Regional Centre is a priority area for residential schemes in order to support regeneration and drive regional growth. This approach is supported by policy EC3, which states that high density housing will be appropriate in the regional centre, particularly where it complements employment generating uses. This high density approach for the Regional Centre is also reiterated within policy H4 which seeks to achieve 30% of new residential development.

Policies SP1 and H1 seek to encourage development on previously developed land, including the renewal of areas characterised by poor quality housing.

The application site is a vacant piece of land within a key regeneration area – Ancoats and New Islington. A neighbourhood framework was approved by the City Council Executive in 2014. This document forms a material planning consideration in the determination of planning applications. It states that the area will play a critical role in meeting the City's housing needs given the area will be a focus for population growth.

The application site is a key site within the neighbourhood framework and it is recognised it has been vacant and dilapidated for a prolonged period of time.

The proposed development would lead to the regeneration of a vacant, redundant, brownfield site in order to provide a high quality residential development which fulfils the residential growth aspirations, whilst being sympathetic to the surrounding context of the conservation area in which it is sited.

Consideration of the more specific planning issues and the impact of the proposal upon its surroundings and adjoining occupiers is outline further below.

Site Layout

The proposed development occupies the entire footprint of the site up to the back of pavement in order to maintain the continuity of the street-scene and street edge to both Oldham Road and Cornell Street. The layout result in a rectangular shaped urban block which immediately adjoins the neighbouring mixed use building and mirrors the layout and form of adjoining buildings along this section of Oldham Road.

At ground floor level, part of the Oldham Road frontage incorporates a small retail unit (117m²), as well as the entrance lobby and access core. A recessed corner at the side of the building provides access to the upper floor apartments, with the ground floor fronting Cornell Street accommodating an internal cycle store, bin store and plant room.

To the rear of the building, part of the ground floor includes an internal car park area providing 6 spaces, including 1 disabled space and is accessed via a narrow access road which also serves the neighbouring building.

Design, Scale and Appearance

Following the initial application submission, the proposed building has been reduced in height from 8/9 storeys to 7 storeys in order to respond to the roofline of adjoining buildings and provide a solid eaves level in contrast to the original submission, which stepped down in height towards Cornell Street.



A ground floor retail unit replaces the car park area which has been relocated to the rear of the building. This enables an active frontage to be created to add vitality and activity at street level. The retail unit allows the facade to become more transparent through the incorporation of double height glazing. The double height treatment reflects the elevational design of the adjoining building and provides a continuation of the existing frontage whilst distinguishing the retail use from the residential element of the building.

The remainder of the building adopts single height elevational treatment, interspersed by brick piers to give the development a more human scale and to more closely reflect the scale and massing of the three storey terraced building on the opposite side of Cornell Street. The differing elevational treatment provides an effective transition between the different street level treatments of both neighbouring buildings along the Oldham Road frontage. Elsewhere on the building, the upper floors have an almost grid like feel in terms of the positioning of recessed windows

which give a strong vertical and horizontal rhythm. Each side of the façade includes, recessed terrace area and the use of Juliet balconies enclosed by metal, perforated guarding

In terms of appearance, the proposed building offers a high quality, contemporary take on the traditional form of the Ancoats Conservation area, through the use of robust materials, including predominantly traditional red brick clad elevations and large amounts of glazing framed by grey aluminium windows. This contrasts to the metal cladded approach that has been used on more recent, neighbouring developments. It is believed that this appearance will help the building more effectively assimilate and complement the more traditional context of the buildings to the north, including the terrace and upgraded residential terraces on the opposite side of Cornell Street.

Access

The proposed building incorporates measures to aid ease of access for all. Entrances to the building include level access and a pair of wheelchair accessible doors, power assisted as necessary. All apartments have been designed to be capable of adaption for wheelchair users and the open plan nature of the apartments means that there is no internal entrance lobby for a wheelchair to navigate.

All apartments and amenity spaces are to be accessible by a lift and corridors to achieve a minimum 1200mm clear route.

At the rear, the car park area includes an accessible space a short distance from the access door.

Density/Balance of Accommodation

The proposed development seek to create 38 residential units comprising 27 x 2 bedroom apartments and 12 x 1 bedroom apartments. The site measures 0.06 hectares in area.

Policy H1 of the Core Strategy states that developments of over 75 units per hectare are appropriate in both the city centre and parts of the regional centre given the accessible location. Within the city centre there will be a presumption towards high density housing development and within mixed use schemes which contribute to regeneration initiatives and therefore the proposed density is considered acceptable and makes an efficient use of the land.

In terms of the type and standard of accommodation, policies SP1, H1, H2 and H4 of the Core Strategy seek to ensure that the right type and standard of accommodation is created in the city. This is reiterated within the Residential Quality Guidance which outlines space standards for new accommodation across the city.

In this case, the development comprises a variety of apartment sizes, ranging from 50 sqm for the 1 bedroom apartments and between 71 - 76 sqm for the 2 bedroom apartments. This accords with the Council's space standards.

Commercial development

The proposal includes a small retail unit (Class A1) within part of the ground floor area, with a gross footprint of 117 sqm.

Given that the buildings along this part of Oldham Road incorporate ground floor commercial frontages, including neighbouring developments, and given the city centre location of the site following the expansion of the city centre boundary, the proposed retail use of the floorspace is considered acceptable in this location. The use will contribute toward local amenity provision by complementing the existing offer, generate street activity, increase connectivity to the traditional city centre, create employment and lead to the continuation of an active street frontage along this section of Oldham Road.

Impact upon the Conservation Area

The desire to have special regard to the desirability of preserving the character of conservation areas is also mirrored within Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 which refers to the need for Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of designated areas.

This point is supported by policies EN3 and DC18.1 of the Core Strategy, along with Section 16 of the revised NPPF, which underline the need for due consideration to be given to the impact of new developments on heritage assets.

In this case, the site is situated within an area of historical context and heritage value, within the bounds of the Ancoats Conservation Area, which is contiguous on Great Ancoats Street with both the Smithfield and Stevenson Square Conservation Areas. The whole area includes a number of listed buildings and buildings which can be considered to be non-listed heritage assets.

The Ancoats Conservation Area is characterised by a mix of domestically scaled buildings, such as terraced housing and workshops and much larger buildings comprising warehouse, apartments and mills. The street frontage to Oldham Road tends to be smaller in scale and gives rise to abrupt changes in scale of juxtaposed built form. The area has experienced a loss of smaller scale buildings due to site clearance and the development of new, larger scale development and increased homogenisation of the area. Much of this clearance can be associated with the decline of the textile and manufacturing industries which has seen the disuse and dereliction of many of the original building and their redevelopment for large scale residential buildings.

In the case of the proposed development, the proposal involves the demolition of the existing vacant, public house on a prominent gateway site into the Ancoats Conservation Area and redevelopment of the site to form a 7 storey building.

The applicant has produced a Heritage Statement which is accompanied by a Structural Condition Survey to assess the significance of the building to be demolished and to provide a useful historic overview of how the area has evolved,

together with commentary on the historic and architectural value of the area and an assessment of the resultant impact upon the conservation area as a consequence of the proposed development.

Demolition of the Existing Building

In terms of the principle of demolition, permission was previously been granted in 2004, though the redevelopment of the site was never implemented. In 2007 the adjacent buildings which also form part of the application site were demolished and since then the former public house has been left to deteriorate.

Prior to this, it should be noted that the entire block of properties between Henry Street and Cornell Street was the subject of a Public Inquiry held in 2002 after a Compulsory Purchase Order (CPO) was made in 2001 by the North West Development Agency to bring forward the regeneration of the Ancoats Conservation Area as part of the Ancoats Urban Village concept. This involved demolition of the existing building to facilitate comprehensive redevelopment.

At the time of the Inquiry, the Secretary of State concluded that where buildings make no positive contribution to, or detract from the appearance or character of the conservation area, redevelopment should be considered as a means of providing the stimulus for new high quality development and proposals which positively enhance a conservation area will be encouraged. The CPO report examined the future of the application site and concluded that redevelopment of the entire block including the Cheshire Cheese public house was necessary.

Despite the above, it is still necessary to assess the acceptability of demolition of the existing building based on current circumstances.

The National Planning Policy Framework (NPPF) at paragraph 192 states that 'Local Planning Authorities should take account of:

- a) *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.*
- b) *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *The desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 196 advises further that:

'Where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.'

Given the above, it is necessary to determine if the proposed demolition of the building is acceptable and assess what impact there will on the character and appearance of the conservation area.

The existing building has been derelict for over a decade and no interest or effort has been made in the intervening period since its last use to either re-use or restore the building.

The existing building is partially hoarded off and behind the hoarding, it is evident from submitted photographs that the building is not the original structure. Whilst always of a modest and simple design, the pub has been extensively altered both internally and externally over the years which has severely undermined any original architectural quality or historic value of the building. It is therefore believed that there would be minimal positive benefit in seeking to restore the building and redevelopment offers the most realistic and positive solution.

The derelict nature of the site contrasts with the architectural qualities of both the historic environment and more recent redevelopments. The site occupies a prominent position at the gateway to the conservation area and along a major route into and out of the city centre. It is felt that the site makes a negative or at best neutral contribution to the character of the conservation area and its demolition provided that it facilitates redevelopment of the site, will provide an opportunity to enhance the appearance of the area.

The applicant has provided justification for the proposed demolition via the submission of a Heritage Statement which is supplemented by a Structural Condition Survey.

The Structural Condition survey notes that the existing building is beyond practical retention due to exposure and the ingress of water and vegetation which has severely damaged the fabric of the structure. The building is in a very poor state and whilst measures have been introduced to ensure the building is in safe, albeit temporary condition, the building has deteriorated to such an extent that further structural failure is a possibility. In particular, the timber elements have suffered to such an extent that partial structural collapse has occurred and the first floor and stair flights have failed. Total demolition is therefore considered to be the only feasible option given the substantial amount of remediation work required.

The area around the application site has evolved with lesser scale buildings largely replaced with larger urban blocks of accommodation which more closely reflect existing buildings to the south and west which have taken inspiration from the nineteenth century industrial buildings. The loss of the building's immediate context has therefore diminished, meaning the building appears isolated and has lost any group value, whereas the other remaining public houses within the conservation area still benefit from their original context and therefore add more value and significance to the understanding of the Ancoats Conservation Area.

The loss of the building to facilitate redevelopment would offer public benefits by leading to environmental improvements, meeting housing growth aspirations for the area, lead to increased vibrancy and vitality in the area and create direct and indirect

employment through the operation of the ground floor retail unit and via the construction of the proposed replacement building.

Redevelopment of the Site and Contribution to Regeneration

The proposal will see the redevelopment of a vacant, derelict brownfield site on a gateway into the Ancoats Conservation Area.

The proposed development mirrors more recent taller buildings and would maintain the density and scale of development in the area, particularly to the south along the main Oldham Road frontage and the urban village feel of the wider Ancoats regeneration area as a whole.

The Oldham Road frontage and periphery to the conservation area contains building of varying heights and designs comprising a combination of traditional and more recent, undistinctive development. The proposed building would be no taller than other buildings in the locality and would therefore integrate effectively into the street-scene without any significant or harmful impact on the character of the area.

The appearance of the development has been designed to pay homage to and integrate with the traditional red brick character of the area, including the rows of terraced properties immediately to the north.

The main frontage reflects the more commercial feel of the city centre just to the west and would not represent a significant departure from the context of neighbouring built form and neither would the proposed building appear out of place or prominent when viewed in the overall context of the street-scene.

On balance, it is considered that the potential impacts as a consequence of the loss of the building can be viewed as being less than substantial. The existing building has limited architectural value and as underlined earlier, is in an extremely poor structure condition. The loss of the building will allow for a more viable redevelopment and any perceived harm would be outweighed by bringing the site back into effective use to the benefit of the local community.

The proposed development will regenerate a derelict, unused site and significantly improve the appearance of a site which would otherwise would be left to further deteriorate. The development offers a compromise between the densely developed, large scale mill buildings or the south and the more recent buildings on the commercial frontages of the conservation area.

Historic England who were consulted as part of the application process raise no objection to either the loss of the building or its proposed replacement. This was also the case following presentation of the proposal to the Council's Conservation Areas and Historic Buildings Panel who welcomed the simplicity of the proposal and felt that the height and mass of the building completes the host block in a rational way.

On balance, it is considered that the proposal will have a positive and beneficial effect on the conservation area. The proposed development has been sympathetically designed to assimilate into the building fabric of the area, which in

turn will enhance the character and appearance of the Ancoats Conservation Area and contribute to the ongoing regeneration of the area.

Impact on Listed Buildings

There are a number of listed buildings within the vicinity of the application site including the Grade II listed Victoria Square to the north, the Crown and Kettle public house at the corner of Oldham Road and Great Ancoats Street and the Express Building and neighbouring building situated to the west, fronting Great Ancoats Street. Opposite the site, on the other side of Oldham Road, are two further Grade II listed buildings, including a warehouse on Cable Street and the former bank located at the corner of Oldham Road and Swan Street.

Due to the physical separation of the proposed site from these buildings, coupled with the design and scale of the development proposed, it is not considered that there would be any material, adverse impact upon any listed heritage assets. Whilst these listed building add to the overall context of the conservation area, they are not directly connected or related to the application site, either visually or functionally.

Archaeology

Greater Manchester Archaeological Advisory Service (GMAAS) were consulted as part of the application process.

It is noted that an archaeological desk based assessment has not been submitted but also that it is unlikely that would be any below ground remains of national interest.

There is an established archaeological heritage interest in public houses of the nineteenth century or earlier and for early forms of worker's housing represented by back to backs/blind backs etc. With this in mind, a phased programme of archaeological investigation will need to be undertaken prior to the commencement of demolition.

It is recommended that a condition should be included which require that a programme of archaeological works be undertaken prior to the commencement of any development related groundworks. These should be undertaken in accordance with a Written Scheme of Investigation (WSI) which should include a phased programme and methodology of investigation and recording, a Historic England Level 3 archaeological building survey, targeted archaeological evaluation trenching and targeted open area excavation. A programme for post investigation is also required. A suitable condition is recommended and included. GMAAs will monitor the implementation of the archaeological works.

Loss of Public House

It is important to realise the contribution public houses make to a community. Public Houses are a unique and intrinsic value of British life and in this case, Manchester culture and many are steeped in history and form part of local social and cultural heritage, often forming an essential part of an area's daytime and evening economy.

It is therefore important to protect public houses where they possess a heritage, economic, social or cultural value to local community or where they contribute to wider daytime/evening economic objectives.

In the case of the Cheshire Cheese public house, the premises is not listed by the Council as a 'community asset'. It is understood that the premises ceased trading in 2005 and has been closed ever since, with the building left to deteriorate to the point of structural instability.

Whilst it is believed the building was initially marketed for reoccupation, no interest was substantiated and realistically, particularly given the poor structural condition of the building and its lack of original features, the building is highly unlikely to be reoccupied for its original use.

The building has been left empty for approximately 13 years and it is felt that if the building was to be ever reoccupied, it would have been so by now. The poor condition of the building would also not represent a financially viable proposition.

The building is situated on the edge of the city centre, where a plethora of public houses and bars are present. The Ancoats Conservation Area itself incorporates a variety of functioning drinking establishments, including The Crown and Kettle at the corner of Oldham Road and Great Ancoats St and the Edinburgh Castle on Blossom St which is presently being refurbished. There are also a number of new bars and restaurants which have opened up around Cutting Room Square which is situated at the heart of the Conservation Area.

As such, there is no shortage of community facilities in the immediate area to serve local people. Although the loss of a further public house in the area is regrettable, it should be noted that in contrast to The Shamrock Public House which has recently closed on Bengal Street, The Cheshire Cheese public house has been closed for a substantial period of time and no interest has materialised since its closure. The building lacks original architectural features depicted by other public houses in the area and has degraded to such an extent that its reuse is very unlikely.

In light of the above, it is not believed that the loss of the public house should form a barrier to redevelopment in this instance.

Visual amenity

The application site is presently vacant and contains a dilapidated former public house and an area of hard standing that has been hoarded off from the main Oldham Road frontage. Given the key position of the site on a gateway route in to both the city centre and Ancoats Conservation Area, the site presently makes a negative contribution towards the character and appearance of the area.

The proposed development will significantly uplift the appearance to provide a high quality development along a key radial route and which responds positively to the Oldham Road frontage and integrate sympathetically into the context of the conservation area

Residential Amenity

Given the site's city centre location and neighbouring residential uses, the introduction of a further residential use in the area is unlikely to have any detrimental impact upon the nearest residential occupiers due to existing act background noise levels and levels of activity. Conditions have been included in relation to acoustic insulation and the need to agree the operational hours of the proposed retail unit to safeguard existing and prospective occupiers.

The proposed development is situated within an emerging and expanding residential neighbourhood and developments such as that being proposed are typical of the city fringe. It is not uncommon for developments of a higher density to be sited in such close proximity to each other, with reduced levels of light and sense of openness being substantially less than suburban areas.

In response to the originally submitted proposal, one concern raised related to a loss of light and views from the neighbouring Express Networks 2 building which is situated to the rear.

Whilst in planning terms there is no right to a view, the applicant has produced a Daylight Study to assess the impact on existing light levels. This is in addition to the building being substantially reduced in scale.

The study uses the industry standard methodology as prescribed by the Building Research Establishment (BRE) and British Standard guidance.

The main criteria used in such analysis includes the Vertical Sky Component (VSC) which measures the general amount of light available on the outside plan of a window as a ratio (%) of the amount of total unobstructed sky viewable following the introduction of visible barriers such as buildings.

The relevant BRE recommendations for daylight and sunlight are for VSC, measured at the centre of a window and should be no less than 80% of its former value, where the windows(s) do not meet this criteria. If the VSC at the centre of the window is more than 27% of available light, then the diffuse daylighting will not be adversely affected.

Analysis also involves Annual Probable Sunlight Hours (APSH) which measures the amount potential direct sunlight that is available to a given surface. Only windows which face within 90 degrees of due south need to be assessed. BRE guidance states that windows should continue to receive in excess of 80% of their pre-development value or 25% of available hours over a year / 5% of hours in the winter to be considered well lit. As the affected all face in a north-easterly direction they have been discounted from the assessment.

The study reveals that the windows most affected in this case relates to commercial space, stairwells or service space. It is noted however that there are a few windows that may relate to habitable residential space and these have been assessed. Notably, 3 windows on the facing elevation. The assessment concludes that two of these windows retain over 80% of their original daylighting values and therefore accord with BRE guideline. The other windows retains 74% of its existing daylighting value and over 27% of available daylight, which is still well within established industry

guidelines. The impact is therefore negligible and unlikely to have a significant impact on the living conditions of neighbouring occupiers.

Given the above, the impact upon residential amenity is not considered to be significant, particularly given the city centre location of the site and its position adjacent to a major radial route into and out of the city centre.

Affordable Housing

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed for development to contribute to the City-wide target for 20% of new housing provision to be affordable.

The supporting guidance to this policy is clear that this may not be necessary or required where either a financial viability assessment is conducted that demonstrates that it is not viable to deliver affordable housing or a proportion, or where material considerations indicate that intermediate or social rented housing would be inappropriate.

In this case of this application 38 units are proposed. The submitted viability appraisal which has been submitted to address policy H8 considerations indicates that there is no scope to provide an affordable housing contribution. This is based on an assessment of costs and values which have been analysed on behalf of the Council.

Whilst at the time the application was submitted, there was no requirement to make the appraisal publicly available. Policy changes nationally and a change to the Council's Local Validation List mean that all appraisals should be publicly viewable. The applicant has agreed that the submitted appraisal can be released into the public domain and is available to view in full via the Council's website.

The appraisal concludes that that proposal would result in a narrow profit margin. The figures provided are considered to be wholly reasonable and it has been verified there would not be sufficient funds available to make a financial contribution.

The residual land value set out in the assessment of £387,500 is not disputed. The net developer value of £9,227,714 is within the range expected to achieve based on a review of comparable evidence and this includes that relating to the retail component. Build costs of £7,100,481 are not considered disproportionately high and all other costs, professional and legal fees, together with finance costs are found to be acceptable. The total costs are shown as £8,900,083, with the appraisal delivering a residual profit of just 3.54%.

The residual profit being reported is well below the 20% set out as an acceptable level in the NPPF.

In conclusion, the residual land value and basic build costs are considered to be an acceptable and tolerable level and a narrow profit margin forecast. It would not

therefore be considered reasonable or viable for an affordable housing contribution to be provided in this case.

Ecology

As part of the application submission, the applicant has produced an Ecological Assessment to check for any protected or invasive species.

The assessment indicates that there are no notable habitats recorded on or adjacent to the site and even though the site falls within the IRZ for Rochdale Canal SSI, residential development is not listed as a likely risk for associated, designated sites.

Whilst the building could offer a suitable habitats for nesting birds, the existing building on site is considered to have limited features for commuting and foraging bats. It is noted however that during three emergence surveys undertaken over a two month period, a single Pipistrelle bat was observed emerging from under a roof tile on the first survey undertaken. No further activity was observed during subsequent surveys. It is therefore considered that the building is used opportunistically by loan bats.

Due to the discovery of bats, it is concluded that a low impact licence from Natural England will be required during the demolition, as well as a method statement to be produced and implemented during works.

In terms of invasive species, a walkover of the site will be undertaken between April and September to check for any such species and to ascertain whether any treatment, control and disposal is required.

Greater Manchester Ecology Unit (GMEU Archaeology have reviewed the submitted assessment and agree with conclusions and recommendation of the assessment. Conditions are advised with respect to the timing of demolition and the potential for further emergence survey being required, as well as the implementation of relevant mitigation measures.

Impact upon the Highway

A Transport Statement has been prepared in respect of the application which assesses trip generation, parking demand and highway safety, whilst acknowledging the highly sustainable location of the application site and how the site is accessibly located within close proximity to a range of transport modes and range of amenities and services contained within the city centre and its periphery.

The site is located within a short walking distance of the Northern Quarter and city centre, where a wide range of public transport and services are available, as well use of the cycle network.

In terms of off road parking provision, 6 off road car parking spaces (including 1 disabled space) are proposed, equating to 15% provision. These spaces are to be made available to tenants on a first come, first served basis on a limited time renewable lease arrangement to allow for a reasonable degree of turn over, allowing the spaces to be available if required for new tenants, rather than former tenants or

remaining unused. These spaces are to be served by electric charging points which is a requirement of an attached planning condition.

The recently adopted Manchester Residential Quality Guidance provides specific guidance on what constitutes a suitable level of car parking for high density apartment schemes in the city centre and states that for city centre developments:

“There is a need to create a critical mass, mix and diversity of apartment / house types in the city centre and therefore a site by site consideration of appropriate car parking provision based on an assessment against key criteria”

This criteria is as follows:

- Secure cycle parking in excess of 50% provision relative to apartment numbers;
- Identification of sufficient off-site capacity, within 5 minutes’ walk of the proposed development, to accommodate designated spaces associated with the development (via a long term leasehold to be available for the life of the development);
- Provision of designated on-street parking, subject to satisfactorily demonstrating that the spaces will be properly designed and integrated into the street scene in agreement with the Local Planning and Highways Authority, and in accordance with the wider principles of this document.
- Demonstrating that provision of full parking provision will unacceptably compromise the development’s active frontages and relationship with the street, and evidence that an alternative parking solutions cannot be viably accommodated.
- Provision of robust research and market evidence to demonstrate that lower levels of car parking demand will be appropriate for a particular scheme.

Highway Services consider that given the central location of the site and its access to non-car modes of transport, including in excess of 100% cycle parking provision, the parking ratio is acceptable and comparable to other recent, nearby developments.

With reference to trip generation, the Transport Assessment suggests a trip rate of 10 vehicles within the evening peak and therefore Highway Services accept that there will be no detectable or adverse impact on the operation of the highway network and no junction remodelling is required.

Overall it is maintained that the on-site parking provision, together with anticipated low levels of car ownership at the development and the highly sustainable location of the site and availability of short term street parking will prevent any negative effects upon on-street parking and competition for spaces as result of both the proposed development and the cumulative impact of emerging and future developments.

The application also includes a Travel Plan to encourage travel by non-car modes and notes the availability of car club spaces within 400 metre radius of the site.

In light of the above, there are no material concerns relating to the impact upon the local highway network, highway safety or on-street parking. On this basis, the proposed development is considered satisfactory.

Waste Management

The application has been accompanied by a waste management strategy which indicates a dedicated bin storage within the ground floor of the building which is accessible from within the building for all occupants including the retail occupier and externally from Cornell Street, where the waste is to be collected weekly by the City Council. Residents would take waste to the designated waste stores.

The proposed bin store provides capacity for all waste streams and demonstrates sufficient capacity for the required number of general waste and recycling receptacles based on the volume of calculated waste. The bins will comprise a combination of 1100L and 240L containers.

The refuse containers will be stored within one refuse storage area positioned on the ground floor of the building and situated adjacent to the lift cores and stairs ensuring compliance with guidance that advocates that all apartments should be able to access refuse storage areas within a 30 metre travel distance. Internally, the apartments incorporate sufficient storage to house waste and recycling container until the need to transport the waste by residents to the central waste store.

The indicative arrangement is considered acceptable. A more detailed strategy and to ensure compliance with the strategy can be secured by way of a planning condition and is included.

In terms of the servicing for the retail unit, this is anticipated to take place on-street in front of the unit. Given the relatively small amount of floorspace and the likely low frequency of deliveries, this is not considered to be problematic and compares to the other units within the host parade and area in general.

Flood Risk/Surface Water Drainage

The application site is located in flood zone 1 '*low probability of flooding*'.

In line with the recent strengthening of Government guidance relating to the provision of sustainable drainage systems (SuDs) for major planning applications, the applicant has prepared a Surface Water Management Statement in support of their planning application.

This statement has been considered by the City Council's Flood Risk Management Team who advise that conditions should be included to ensure compliance with the submitted surface water drainage works, the submission of further design details and details of a clear adoption policy to ensure effective management and maintenance

of the scheme thereafter. If these measures are successfully implemented, the strategy is in principle considered acceptable.

Air Quality

An Air Quality Assessment has been submitted as part of the application to determine baseline conditions, consider site suitability for the proposed end use and assess potential impacts as a result of the scheme.

The Assessment considers the potential effects during the construction phase, including dust emissions and the impact during the operational phase, taking into account exhaust emissions from road traffic generated by the proposal. The Assessment determines the potential air quality concentration that prospective residents will experience.

The submitted assessment concludes that the site is suitable for the development type proposed and no additional mitigation of exposure for new receptors introduced by the proposed development will be required. The air quality impacts of the proposed development will be negligible and that pollutant levels are predicted to meet relevant air quality objectives.

Environmental Health have reviewed the submitted assessment and consider that if the mitigation measures during the construction and operational phases are adopted, air quality is not considered to be a constraint to development will accord with the relevant local policy and national guidance. Mitigation during construction includes site screening to limit the dispersal of dust, the covering of loose materials, construction vehicles to be fully sheeted and an adequate water supply for dust suppression.

To ensure mitigation measures implemented, conditions have been included which will require the measure detailed within assessment to be implemented and for a separate construction management plan to be submitted and agreed.

Crime and Disorder

In order to ensure design measures are introduced to limit the potential for crime and to enhance security for prospective occupiers, a condition has been included to ensure the proposal achieves 'Secured by Design' accreditation.

Environmental Standards

Policies SP1 and EN4 to EN6 of the Core Strategy focus on reducing emissions and achieving low and zero carbon developments. As the application site is located in the regional centre, the development is expected to demonstrate its contribution to this objective.

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The site is situated within a highly sustainable location with excellent access to a range of shops, amenities, transport services and job opportunities.

The site is situated within an emerging residential neighbourhood, where existing infrastructure and services can be utilised. It is believed that the proposal harnesses the objectives of sustainable development advocated by the National Planning Policy Framework (NPPF) which seeks to provide development in sustainable locations which will support strong, vibrant and healthy communities and contribute to building a strong, responsive and competitive economy.

In terms of the environmental credentials of the proposed development, the applicant has submitted an Energy Statement which highlights what measures can be implemented so far as possible to minimise energy requirements. This includes the use of solar photo voltaic panels which are positioned on the roof. The report concludes that a 5.5% reduction in CO2 emissions can be achieved by including a 70sqm solar photo-voltaic array on the roof of the building.

A condition has been included which will require confirmation as to what environmental standards can be achieved.

Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part of Ancoats, a condition is included which requires the submission and approval of a construction management plan which details working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Conclusion

On balance, it is considered that the proposal represents an appropriate and satisfactory form of development that fulfils the criteria set down in policy which seeks to provide high quality, high density, residential accommodation which will contribute to a vibrant and sustainable neighbourhood with a high level of connectivity to adjoining neighbourhoods.

At this stage, there is no practical or viable possibility that the existing building will be restored, refurbished or reoccupied. The proposed development therefore represents an appropriate form of development that will lead to the regeneration of a key brownfield site on a gateway site into the Ancoats Conservation Area, whilst contributing to the Council's residential growth strategy.

It is felt that given the surrounding environmental context, coupled with the design, scale and appearance of the building, the proposed development will enable the development to make the most efficient use of the land and will assimilate effectively into its surroundings to offer substantial environmental and economic improvements.

It is further believed that the proposed building has been designed to an acceptable standard and reflects the nature and scale of buildings within this highly urbanised environment.

The development will provide a high quality frontage to a main arterial route into the city centre and responds positively to the character, scale, massing and varying height of adjoining buildings, strengthening the urban grid which defines the area.

There will be minimal or any significant harmful impact upon either residential amenity or the operation of the highway and as a consequence, the proposed development can be satisfactorily accommodated at the site and will integrate effectively into the host streetscape. As such, the proposed development accords with all relevant local policy and national guidance.

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 Core Strategy and saved policies of the Unitary Development Plan, the Head 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 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

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Reason for recommendation

Conditions to be attached to the decision

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings numbered 502/P4, 507/P4, 608/P1, 609/P1, 610/P1, 511/P4, 512/P4, 613/P1, 614/P1, 615/P1, 516/P4, 517/P3, 518/P4, 521/P3 and 522/P3 received by the City Council as Local Planning Authority on 16 August 2018.

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) No above ground 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 only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

4) Prior to first occupation of the development hereby approved, the City Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a Secured by Design accreditation.

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

5) Prior to first occupation of the ground floor retail unit hereby approved, full details of any roller shutters to the shopfront of the premises 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 occupation of the retail unit and thereafter retained.

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) and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding the information contained within the submitted Environmental Noise Impact Assessment Report by Hann Tucker Associated received by the City Council as Local Planning Authority on 16 April 2018, the building hereby approved shall be acoustically insulated and treated to limit the break out and break-in of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) All externally mounted ancillary plant or equipment shall be selected and/or acoustically insulated in accordance with a scheme designed so as to achieve a rating noise level of 5dB (LAeq) below the existing background (LA90) at the nearest noise sensitive location. Following the installation of any external equipment, a post completion report shall be submitted to and approved in writing by the City Council as Local Planning Authority to validate that the plant has been installed as per the required limits. The post completion report shall be submitted within 1 month of first use of the external equipment and the agreed limits shall remain in operation thereafter.

Reason - To safeguard the amenities of existing and future occupiers of nearby residential accommodation, pursuant to saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

8) Deliveries (except for newspapers, mail and associated items) servicing and collections (including waste collections) relating to the ground floor retail unit only, shall not take place outside of the following hours:

07.30 to 20.00 hrs Monday to Saturday.

10.00 to 18.00 hrs Sundays and Bank Holidays

Reason - To safeguard the amenities of nearby residential occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

9) The ground floor retail unit shall not be open outside the following hours:-

07.00 - 23.00 hrs daily.

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.

10) Notwithstanding details submitted, no part of the development hereby approved shall be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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 the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

11) The car parking area indicated on drawings numbered 507/P4, 512/P4 and 502/P4 received by the City Council as Local Planning Authority on 16 August 2018, shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking area shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the apartments are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

12) The bicycle storage area indicated on drawing numbered 507/P4 and 512/P4 received by the City Council as Local Planning Authority on 16 August 2018 shall be implemented in full and made available for use prior to first occupation of the development hereby approved. The approved scheme shall remain available for use whilst the apartments are occupied and retained thereafter.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

13) Prior to the first occupation of the residential development hereby approved, details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented as part of the development and be in place prior to the first occupation of any of the residential units and be retained thereafter.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

14) The development hereby approved shall be carried out in accordance with the Residential Travel Plan prepared by prepared by WSP dated March 2018 received by the City Council as Local Planning Authority on 28 August 2018.

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 patient/visitors/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 use of the building, a Travel Plan 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 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.

15) Notwithstanding the submitted Flood Risk Assessment and Drainage Strategy produced by Waterman Structures Ltd, no development with the exception of demolition and any necessary remedial works shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the City Council as Local Planning Authority.

The following additional information should be provided:

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within a Critical Drainage Area;
- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Hydraulic calculation of the existing and proposed drainage system;
- Construction details of flow control and SuDS elements.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

16) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

17) Prior to the commencement of development, if any invasive species are detected, an invasive non-native species protocol shall be submitted to and approved by the City Council as Local Planning Authority, detailing the containment, control and removal of Japanese Knotweed and Himalayan Balsam on site. The measures shall be carried out strictly in accordance with the approved scheme and implemented prior to the commencement of the development hereby approved.

Reason - To control the spread of invasive species, pursuant to policy EN15 of the Manchester Core Strategy (2012).

18) The demolition of building is likely to cause harm to Common Pipistrelle bats and shall not in any circumstances commence unless the City Council as Local Planning Authority has been provided with either:

- a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development go ahead: or
- b):a reasonable avoidance method statement to be carried out under a low impact licence (bat mitigation licence CL21) : or
- c. a statement in writing form the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license.

If the demolition hereby approved does not commence before 30th April 2019, further emergence surveys will be carried out for bat roosts and the finding supplied to and agreed in writing by the LPA.

Reason - To protect bats should they be found at the application site, pursuant to policy EN15 of the Manchester Core Strategy.

19) Prior to any part of the development hereby approved being occupied, a scheme of highway works and details of footpath reinstatement/resurfacing in relation to the footpaths and for the areas between the pavement and building line 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:

- Details of materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building/public realm

The approved scheme shall be implemented and be in place prior to the first occupation of the flats hereby approved and retained thereafter.

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.

20) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by Temple dated 5 April 2018 received by the City Council, as Local Planning Authority on 16 April 2018.

Reason - To minimise the impact upon air quality and In order to minimise the environmental impact of the development, pursuant to policy EN16 of the Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

21) Prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

22) Prior to any above ground works commencing, an Environmental Standards report shall be submitted to and approved in writing by the City Council as Local Planning Authority. A post construction review certificate/statement shall be submitted for approval 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 Manchester Core Strategy.

23) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The

works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - a. a desk-based documentary assessment;
 - b. a Historic England Level 3 archaeological building survey;
 - c. targeted evaluation trenching;
 - d. targeted open area excavation.
2. A programme for post investigation assessment to include:
 - a. analysis of the site investigation records and finds;
 - b. production of a final report on the significance of the archaeological and historical interest represented.
3. Dissemination of the results commensurate with their significance.
4. Provision for archive deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible, pursuant to saved policy DC20 of the Unitary Development Plan for the City of Manchester and Section 16 of the National Planning Policy Framework (NPPF).

24) Notwithstanding the details outlined in the submitted Phase I Geo-environmental Investigation report produced by Subadra and received by the City Council as Local Planning Authority on 16 April 2018, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out in accordance with a detailed schedule and a report prepared outlining what measures, if any, are required to remediate the land shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed details.

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

25) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy 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 the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

26) Prior to above ground works commencing, full details of the proposed window design of the building hereby approved (including section drawings), shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, in the interests of the visual amenity, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

27) 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) none of the apartments hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the 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.

28) 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) the ground floor retail unit hereby approved shall not be used for any other purpose other than Class A1 as set out within 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 A1.

Reason - In the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

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: 119731/FO/2018 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:

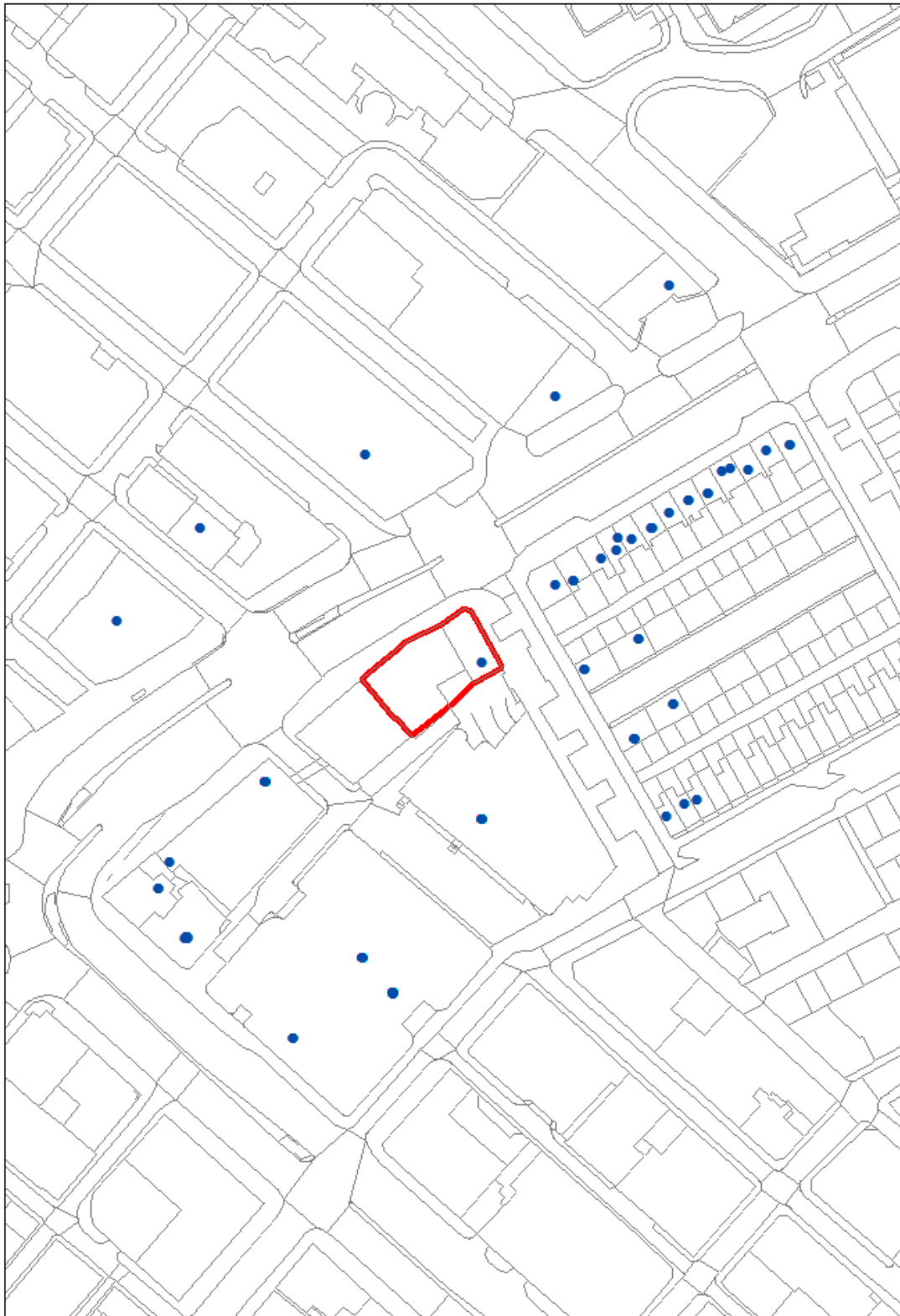
Highway Services
 Environmental Health
 MCC Flood Risk Management
 Greater Manchester Police
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Ecology Unit
 Environmental Health
 MCC Flood Risk Management
 Highway Services
 Greater Manchester Ecology Unit
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Police

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Highway Services
 Environmental Health
 MCC Flood Risk Management
 Greater Manchester Police
 Greater Manchester Ecology Unit
 United Utilities
 Greater Manchester Archaeological Advisory Service
 Historic England

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : s.mccoombe@manchester.gov.uk



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121184/FO/2018	12th Sep 2018	15th Nov 2018	Chorlton Ward

Proposal Use of the property as a licensed cafebar Class A3/A4 including expansion of internal public area, relocation of kitchen and provision of ventilation, extraction and waste management equipment/facilities

Location 107 Manchester Road, Chorlton, Manchester, M21 9GA

Applicant Miss Sophie Robson, 107 Manchester Road, Manchester, M21 9GA

Agent Kuit Steinart Levy LLP, 3 St Marys Parsonage, Manchester, M3 2RD

Description

The application site is a ground floor unit, with basement below, situated within a two/three storey terrace located on the western side of Manchester Road.



Planning permission ref: 114208/TMCOU/2016 was granted on 14th October 2016 for a temporary change of use from A1 (shop) to A3 (cafe/restaurant), for a two year period commencing 20th October 2016. The use was implemented by the applicant and has been trading continuously as Henry C since. Whilst the temporary consent has now lapsed it should be noted that the current application was validated on 12th September 2018, prior to the lapse. The applicant is proposing to continue the existing Class A3, but also wishes to operate as a Class A4 bar in the later evening, which this permission would allow the flexibility within the two uses.

The property, which contains a front paved forecourt; with fixed bench style seating and fencing, and rear yard area is situated within a commercial parade, containing a variety of small-scale commercial uses. These uses include an ice cream parlour next door (Oasis) and a gift shop on the other side. To the rear of the site, on Kensington Road there are residential properties. Opposite the premises on the other side of Manchester Road is the former Chorlton Leisure Centre.

The site is situated at the northern edge of the Chorlton District Centre. The surrounding area is mixed use in nature comprising a variety of small-scale commercial activities with a number of night-time uses. Above the premises is a residential flat. The side roads off Manchester Road, including properties to the rear of the application site are largely residential in character.

Planning permission is sought to use the property as a licensed café bar (Class A3/A4). The proposal involves the use of the ground floor as the bar/restaurant seating area, together with the front patio, and the use of the basement areas for ancillary storage.

To the rear, it is proposed to install 4no. extraction vents and waste and recycling storage.

Consultations

The application has been advertised as a departure from saved policy CB10 of the Unitary Development Plan in the form of a site notice and an advertisement in the Manchester Evening News. Letters of notification were sent to local businesses and residents.

Local Residents – No comments have been received.

Chorlton Voice (Chorlton Civic Society) - The Civic Society objects to this application. The proposal is contrary to saved policy CB10 of the UDP that states that no further conversion to food and drink uses will be permitted in the shopping frontage 93-129 (odd) Manchester Road. Whilst it is appreciated that the policy has been weakened as a result of recent permitted development changes, it is not accepted that the policy should be abandoned.

No evidence has been submitted to demonstrate that any serious attempt has been made to let the property as a shop.

Use as a cafe bar has significantly more impact on the amenity of neighbours than the permitted development use. The cumulative impact of additional bar use in this area should be taken into account.

The Society remains concerned at the recent spurt in proposals for bars and food outlets in Chorlton centre and that it is not apparent that existing policy is transparent or robust enough. There are no current criteria by which the specific and cumulative impact of proposals for other food and drink uses on the day-time economy and the character of the wider shopping centre can be assessed. It is considered that the city council should carry out wide consultation on a review of existing policy with a view to providing clarity to both residents and prospective developers on where and when further proposals may be allowed or resisted.

Highway Services – A summary of their comments are as follows:

- The site is located within a District Centre location and as such is well served by sustainable modes of transport. It is accepted that there are adequate pedestrian crossing facilities provided with good accessibility across the surrounding area.
- Highways understand that the proposed seating area extends only within the site boundary and as such, a Tables and Chairs License will not be required. It is also accepted that oversail licensing will not be required for the proposed fascia signs.
- There is no in-curtilage parking offered for the development given the limited land availability. It is therefore anticipated that all visitor and customer vehicles will contribute to demands on-street and within surrounding local car parks.
- Highways acknowledge that there are significant on-street parking demands within this area, however given the District Centre location and Limited Waiting bays to the frontage, Highways accept the lack of on-street parking on this occasion. It is recommended however that the use of sustainable modes is fully endorsed for both staff and customer uses to reduce private vehicle trips.
- It is accepted that short stay visitor demands can be accommodated externally via the existing cycle stands along Manchester Road.
- A waste storage area has been provided within the rear yard to prevent any accumulation of waste on the adopted highway. Kerbside collection is proposed from the front elevation along Manchester Road with refuse to be transferred by staff to the collection point at a frequency of twice weekly.
- Highways would prefer for all servicing to be carried out from Kensington Road given the surrounding on-street restrictions. Whilst ideally servicing from a residential street is not supported, this presents the most feasible option given the Limited Waiting bays across the frontage, distance to the pedestrian crossing point and No Waiting restrictions along Kensington Road. This will also reduce the distance for bins to be transferred.

Strategic Lead, Compliance and Community Safety - Environmental Health - recommend conditions relating to deliveries, opening hours, noise, refuse collection and waste management and fume extraction be attached to any approval.

Policies

National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states

that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- creating well designed places,
- making a positive contribution to health, safety and well-being,
- considering the needs of all members of the community, and
- protecting and enhancing the built and natural environment.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development including road safety and traffic generation. Consideration will also be given to the appropriateness of the site layout, scale form, massing and materials.

Policy C6 – states across the area there is capacity for both further convenience and comparison retailing floorspace. Identified capacity will be directed to Chorlton centre to support more sustainable shopping patterns, with enhanced provision also promoted in Levenshulme. Redevelopment in Chorlton will provide a substantial increase in retail, alongside improvements to other commercial and community services. New development should also make a contribution to the character of the centre, including a range of unit sizes and environmental improvements.

Policy C10 states that new development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact - in areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
2. Residential amenity - the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.

3. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area.

When considering the impact of a proposed bar or hot food take away regard will be had to the above policy and also:

- The existing number of similar establishments in the immediate area and their proximity to each other;
- The type and characteristics of other uses, such as housing, shops and public houses;
- The existence of vacant shop units and the condition of the unit;
- The importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community;
- The character of the centre and its frontage, and the nature of the use proposed;
- The potential impacts of the proposal on the wider community; and
- Any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

Unitary Development Plan for the City of Manchester (Saved Policies)

The below saved policies of the Unitary Development Plan are considered relevant:

Policy CB10 is relevant as it states no further conversion to food and drink uses will be permitted in the following shopping frontages in Chorlton District Centre:-

- a) 503-555 (odd) Barlow Moor Road;
- b) 93-129 (odd) Manchester Road.

Policy DC10 (Food and Drink Uses) states that in determining planning applications for developments involving the sale of food or drink for consumption on the premises, the Council will have regard to, in this instance:

- The general location of the proposed development.
- The effect on the amenity of neighbouring residents.
- The availability of safe and convenient car parking
- Access for all
- The storage and collection of refuse.

Policy DC26 - seeks to reduce the impact of noise generating development. The Council will consider the effect of new development proposals and the implications of new development being exposed to existing noise sources. Developments likely to result in unacceptably high noise levels will not be permitted

Issues

Principle - Due to the district centre location of the premises along a commercial frontage containing other similar uses, the principle of the proposed use would usually be acceptable and broadly compliant with the principal overarching policy contained within saved policy DC10 of the Unitary Development Plan and C6 and

C10 of the Core Strategy. These policies consider the impact of food and drink uses and seek to support proposals that contribute to the vitality of centres, in particular those that contribute to the evening economy. However, Unitary Development Plan policy CB10 states that the application site is located in an area where no further food or drink uses will be permitted, as further conversions would detract from the local retail function of the frontage. The application has therefore been advertised in the press and a site notice posted as the proposed use is a departure from this saved policy. Chorlton Voice have objected to the proposed development on the basis that the proposal does not comply with this policy.

In terms of policy CB10, it is considered that the proposed café bar use would be an extension of the existing temporary change of use to a Class A3 restaurant. Due to changes to the General Permitted Development Order which took place in April 2015, the application unit, could revert back to a Class A1 use and then change its use to an A3 restaurant without the requirement for planning permission. This is considered to be material to the consideration of the proposals, particularly with regards to the departure from the Unitary Development Plan policy CB10.

Whilst policy CB10 would normally prohibit the conversion of the premises to a café bar, it is considered there are reasonable grounds for accepting the proposed change of use. It is also a material consideration that the applicant has had planning permission to operate the premises as a café/restaurant for the last two years, and has not had any complaints recorded from Environmental Health. The proposal is considered to accord with Core Strategy policies C6 and C10 which are up to date having been adopted in 2012, it is considered that the proposed departure from saved Unitary Development Plan policy CB10, which predates the Core Strategy, is acceptable on balance in this instance.

Balance of uses – It is not considered that this proposal will have a detrimental impact upon the vitality and viability of this part of the Chorlton District Centre, as the parade is still predominantly in Class A1 use, with a framing shop, barbers, florist, gift shops and an ice cream parlour and sushi shop all operating as Class A1 retail uses. There is a hot food take-away and a restaurant within this parade together with the application property, which are not operating within the Class A1 use Class.

Residential Amenity – The applicant is seeking opening hours of Monday to Thursday 11.30am to 11.00pm, Fri to Sat 11.30am to midnight, and Sunday 10.30am to 11.00pm. A schedule of hours for the outdoor seating area has not been supplied. However, further to comments from the Council's Environmental Health Department an appropriately worded condition restricting the opening hours of the outside seating area to 11:00 - 22:00hrs Sunday to Saturday is proposed.

There are residential properties situated nearby, including neighbouring upper floor flats, however, it is believed that there would not be any undue impact upon the amenity levels currently enjoyed by occupants and that any impact can be mitigated by the adoption of the acoustic insulation measures contained within the accompanying acoustic report, and a restriction to the opening hours proposed for the premises, these issues can be adequately controlled by appropriate planning conditions. As this proposal seeks to continue the existing use, it is not considered that the development would see an increase in comings and goings than at present.

The application property is located within a district centre which contains a number of businesses which contribute towards the night-time economy. Although there are residential properties to the rear on the nearby side roads it is considered that the proposal is unlikely to spill over and exacerbate existing conditions to such a degree that there would be a significant impact upon residential amenity.

In light of the above and given the context of the site it is believed that measures proposed and the use of planning conditions would prevent any significant, adverse impact upon residential amenity. On balance, it is considered that the amenity of residents would not be so adversely affected as to warrant refusal in this location, therefore complying with policies DM1, and C10 of the Core Strategy and saved policies DC10 and DC26 of the UDP.

Visual Amenity – The proposals incorporate the installation of additional extraction vents to the rear of the property which would not be visible within the street scene. The only change proposed to the front of the property is a strip light above the existing signage. It is considered that the proposal would not form an incongruous feature within the street scene, therefore complying with policies SP1 and DM1 of the Core Strategy.

Refuse Storage – The submitted drawings indicate waste storage bins will be kept within the rear yard, which has sufficient space. However, the applicant needs to show provision for paper/cardboard recycling. A suitably worded condition is recommended.

Noise – Environmental Health have indicated their satisfaction with the measures proposed within the submitted acoustic report to overcome noise outbreak from within the premises. The proposed opening hours have been deemed to be acceptable. Further information is sought however with regards to how the extractor fan will be controlled to ensure it is not turned up above the low setting, or mitigation required if the extractor is used at a higher setting. These will be conditioned to ensure adherence to the recommendations within the acoustic report thereby ensuring compliance with saved policies DC10 and DC26 and DM1 of the Core Strategy.

Disabled Access – There are no changes proposed to the existing shop front and this would remain unchanged.

Car Parking/servicing – There are no off road parking spaces proposed, however, there are time limited parking/loading bays to the front of the property. The application site is within the Chorlton District Centre and as such is well served by public transport with a bus stop on the next block and tram stops a short walk away.

Conclusion - The proposed development will make a positive impact in terms of being an employment generator that would maintain an existing business within the Chorlton District Centre. The proposals are not considered to give rise to unacceptable impacts in terms of residential amenity or visual amenity of the area and therefore accord with the principles of Core Strategy policies SP1, C6, C10, and DM1 and saved UDP policies DC10 and DC26.

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 Core Strategy and saved policies of the Unitary Development Plan, the Head 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 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

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.

Reason for recommendation

Conditions to be attached to the decision

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Proposed elevations JWC_PL006, stamped as received 5th September 2018;
Proposed floor plans JWC_PL005, stamped as received 5th September 2018.

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) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy.

4) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with drawing number JWC_PL006, Latour wall mounted hood specification, traditional T-series window fan specification and Extractor fan details, stamped as received 5th September 2018 by the City Council as local planning authority within 3 months of the date of this permission.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy.

5) The premises shall not be open outside the following hours:-

Monday to Thursday 11:30 to 23:00

Friday/Saturday 11:30 to 00:00

Sunday 10:30 to 23:00

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.

6) Within 3 months of the date of this permission, the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with the details contained within the Acoustic Survey for Planning submitted by Braiden Acoustics Limited dated 4th September 2018.

Reason - In order to ensure that when the use commences the property is adequately acoustically insulated in order to safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

7) The external areas of the premises shall not be open outside the following hours and shall not allow for the use of amplified sound or any music in these external areas at any time:-

08:00 - 22:00hrs Sunday to Saturday.

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.

8) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the details contained within the Acoustic Survey for Planning submitted by Braiden Acoustics Limited dated 4th September 2018. The approved scheme shall be completed within 3 months of the date of this permission a verification report submitted for approval by the City Council as local planning authority. Further details as to how the extractor fan will be controlled to ensure it is not turned up above the low setting, and if the fan needs to be used at a higher setting a scheme for the mitigation of noise from the fan will need to be submitted, approved and verified.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy.

9) The development shall be carried out in accordance with the submitted waste management scheme dated 5th September 2018. Further details regarding the recycling and storage of paper/cardboard shall be submitted to and approved in writing by the City Council as local planning authority within 1 month of the date of this permission. The approved details shall be implemented in full within 3 months of the date of this permission and be retained thereafter.

Reason - In the interests of public health and residential amenity and to insure that there is satisfactory refuse facilities prior to the commencement of the change of use pursuant to policies DM1 and SP1 of the Core Strategy.

10) No disposal of refuse, glasses, or glass bottles in externally sited receptacles shall take place outside the following hours:

- 07.30 to 20.00 hrs

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.

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: 121184/FO/2018 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:

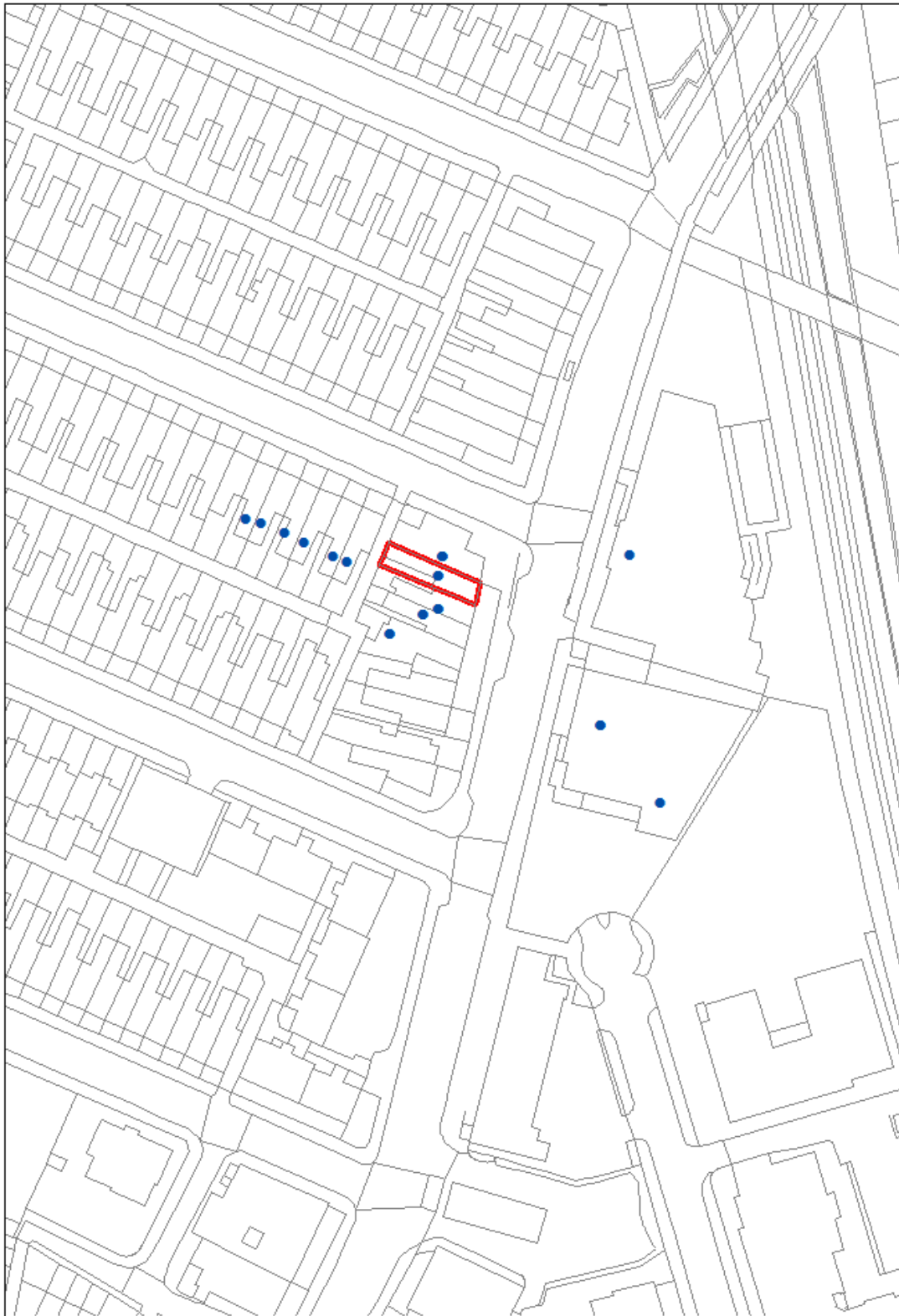
Highway Services
Environmental Health
Chorlton Voice

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

None

Relevant Contact Officer : Melanie Tann
Telephone number : 0161 234 4538
Email : m.tann@manchester.gov.uk



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121390/FO/2018	28th Sep 2018	15th Nov 2018	Didsbury West Ward

Proposal Erection of a three storey dwellinghouse with basement and associated landscaping and car parking

Location 19 Elm Road, Manchester, M20 6XD

Applicant Mr Arun Brahma & Mrs Anne Trumper, 19 Elm Road, Manchester, M20 6XD

Agent Stephen Lamb, Steve Lamb, 11 Princes Road, Heaton Moor, Stockport, SK4 3NQ

Description

The application site is part of the garden area within the curtilage of no.19 Elm Road, a detached Arts and Crafts style house situated on the north side of Elm Road near to the junction with Parkfield Road South in the Didsbury West ward. The site and surrounding area fall within the Blackburn Park Conservation Area (designated 1976). The Elm Road boundary currently comprises of hedging which extends to the access driveway for Parkfield Lodge to the west, with an existing access to No. 19 Elm Road, pictured below.

The total curtilage of no.19 Elm Road extends to 1622m². The property is bounded by residential property at No. 21 to the east, at No.'s 12 – 18 Elm Road to the south and at Parkfield Lodge to the west. To the north there is land that belongs to Northern Lawn Tennis Club, which currently accommodates an indoor court and has consent in place for a replacement court.



Surrounding Area

Houses are mostly detached set back from the road behind enclosed garden walls, hedges or fences and often within generous plots in a mature landscaped setting.

Previously the land within the Conservation Area formed part of the C19, 17Ha Parkfield Park which had a house and grounds, a wooded pleasure ground, small orchard and a productive garden within its boundary. By 1895, most of the park was developed following construction of the railway line which bisected the park (the Metrolink line today). Charles Blackburn, a wealthy Manchester businessman, acquired plots within the park which were sold off in lots and rapidly developed.

Description of Development

Development is proposed on the western most part of the garden area within the curtilage of no.19 Elm Road. The garden fronts Elm Road and the proposed house would be accessed through the creation of a new driveway opening to Elm Road through an existing high level hedge. The development plot extends to c. 680m² and the proposal is for 1no. detached 5 bedroom 3-storey dwelling of a contemporary design with gardens and parking. The property would sit behind an attractive Copper Beech tree to be retained. The existing property at No. 19 Elm Road would still retain a sizeable garden to the front, side and rear.

The application is accompanied by a Planning Statement which demonstrates how the design has evolved with reference to the surrounding historic context, having regards to the Historic England publication 'Conservation Principles, Policies and Guidance.'

Consultations

The proposal has been advertised in the local press as a development affecting a Conservation Area and a site notice was displayed at the application site. Notification letters have been sent to an extensive area of local residents.

36 objections were received from neighbouring occupiers which raised the following points:

- The Conservation Area [designation] sought to preserve the openness and green space [within its boundary]. The development is contrary to these aims and to policies DC18 and EN3.
- Blackburn Park Conservation Area comprises an area of low density development within mature landscaped setting, this application will not enhance or conserve the architectural character of the Conservation Area.
- The proposal relates poorly to existing property at No. 19 Elm Road, constituting overdevelopment of the site. There would not be sufficient proportionate amenity space retained for No. 19 Elm Road which is a landmark property within the Conservation Area.
- The size and height of the building is inappropriate for the site and would result in a loss of privacy of surrounding houses and gardens. The trees to be planted within the grounds of Parkfield Lodge to provide screening are not agreed.

- The proposed building design will not enhance the mix of existing buildings or conserve the architectural character of the Conservation Area.
- Specific concerns have been expressed in relation to the design including windows to the eaves on the front elevation, the ugly asymmetrical 'Grand Designs' type development and the inappropriate selection of materials which are not inherent to the character of the Conservation Area such as white brick instead of render.
- The need for the development has been questioned in the light of recent approvals for housing development in Didsbury. The need is stated to be for affordable housing, not this type of development.
- Reference is made to the development constituting backland development.
- Historically development at No. 6 and 10 Elm Road have been refused. This would set a precedent for the development of the few remaining large gardens.
- Concerns has been expressed about the impact of the proposals on the Copper Beech to the site frontage and about the loss of protected trees within the site. A specific request was made to place a Tree Protection Order on the Copper Beech tree and concern expressed about canopy work set out in the application documentation. There was concern in relation to the eco-system with regards to climate change.
- Comment was made about the lack of pre-application engagement undertaken by the applicant and the misleading nature of the description as land adjacent to, when it is the garden of No.19 Elm Road.

Blackburn Park Conservation Society – Any comments received will be reported to Committee.

Manchester Conservation Areas and Historic Buildings Panel - Any comments received will be reported to Committee.

Highway Services – Recommend a condition requiring a Construction Management Plan.

Environmental Health – Recommend conditions requiring a Construction Management Plan, details of Waste Management and contaminated land information.

Neighbourhood Team Leader (Arboriculture) - No objections from an arboricultural perspective.

Greater Manchester Ecology Unit - Providing that the mature Beech tree at the front of the site is retained and properly protected during the course of any construction works they would not have any objections to the application on ecological grounds. The Beech is a significant tree both from a landscape and a nature conservation perspective.

The remaining trees do not have high potential to support bats, and although the site has some potential to be used by foraging bats the minor losses to trees on the site will not affect the local nature conservation status of bats. The site is more of a large garden with trees than a woodland.

They recommend conditions relating to the bird nesting season and the installation of bat boxes.

Policies

National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in July 2018 and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

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

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 117 indicates that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Paragraph 127 confirms that planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place,

using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 185 of the Framework stipulates that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

Paragraph 189, requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 190 states Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

Paragraph 192 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

Manchester Core Strategy

Local Development Framework

The relevant development plan in Manchester is the **Core Strategy Development Plan Document 2012-2027 (the “Core Strategy”)**, adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The proposals are considered to be consistent with the following Core Strategy Policies EN3, H1, H6, EN1, SP1 and DM1.

Policy EN3 - Heritage

States that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including listed buildings and conservation areas.

Policy H1 - Housing

States that new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours. The guidance also refers to the delivery of policies that will result in significant increases to the supply of housing, specifically stating that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should, subject to a range of specified criteria, seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Policy H6 - Housing

States that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Policy EN1 - Design Principles and Strategic Character

States that development in Manchester will be expected to have regard to the strategic character area in which the development is located and opportunities for good design should be fully realised.

Policy SP1 - Spatial Principles

This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a

positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 - Development Management

This policy seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice. Issues relevant to this scheme are: siting, layout, scale, form, massing; impact on surrounding area in terms of design, scale and appearance and effects on amenity.

Saved UDP Policies

The following saved UDP policy needs to be considered in relation to the application.

Policy DC18.1 - Conservation Areas

Saved policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv. the effect of signs and advertisements;
 - v. any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Other Material Considerations

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007)

This policy document establishes the Council's principles in relation to design across the city and is a material consideration in the assessment of planning applications. In relation to development within conservation areas, the SPD advises that it should:

"preserve or enhance the character of the conservation area. It is important that new developments in conservation areas or elsewhere are not designed in isolation. This does not prevent or inhibit creative design. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings, but also to the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development."

Blackburn Park Conservation Area Designation

An extract of the Conservation Area appraisal (1979) describing the townscape features within the area at the time of survey and designation states that:

'Blackburn Park is principally an area of large family houses with spacious gardens, arranged along tree-lined roads which criss-cross the level ground of the park. Building materials and styles are very varied. The older houses generally have textured light red or buff brick walls with blue slate roofs, and in some cases brick or stone dressings in contrasting colours are used even for window mullions. The later houses are predominantly smooth red brick, though render, half-timbering and decorative tile fringing are extensively used. Red tile and occasionally green slate are used for roofs and vertical cladding. All houses have pitched roofs, some of them steep, and there are a variety of gables, hips and half hips topped with interesting finials.

Windows in the conservation area are even more varied than the walls, some being subdivided by glazing bars, some leaded and a great many having stained glass. This is a particular characteristic of the area, many of the houses having been built around the turn of the century when the Art Nouveau style was at its peak. Flowing curves were expressed in stained glass windows more frequently than in the building structure itself. Bay windows, bow windows and oriel windows are to be found in profusion.

Entrance doors are varied with combinations of fielded timber panels and stained glass panels, and they always open on to a covered porch. These are formed by a projecting gable or some other overhanging element of the house. Some have a separate roof which is sometimes flat with a balcony, but they are usually pitched. Chimney stacks are a notable feature of some of the houses, being tall and decorated with projecting strings and corbelled brickwork. Some chimney pots are tall and narrow, others are short and squat, while others still are especially formed to prevent down-draughts. Walls are mainly of brick with moulded terracotta copings, and occasionally the wall is divided into fielded panels with a plinth below and corbelled brickwork above. Sometimes brickwork is bonded in a darker red or in other brick colours.

Gardens at both front and rear of houses are large by most standards, and their boundaries to public highways are marked by walls and/or privet hedges. Stone walls are always topped with a course of large coping stones. Few garden gates remain

intact, but those that do are as carefully detailed as the houses to which they belong. Typical gates are of timber, with a solid panel below and some open space above filled with shaped slats or turned spindles. While some gate posts are fairly plain, most are decorated to some extent, perhaps with a ball finial, whilst a few are of carved stone and very elaborate.'

Residential Quality Guide

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

South Manchester Regeneration Framework

South Manchester is identified as an area with a rich and diverse group of neighbourhoods, with a wide range of issues and needs. Some areas are already successful, so the SRF is needed to help continue and build on this success. Other areas, in contrast, have particular issues that the SRF will help to tackle, such as poor housing and high levels of deprivation and worklessness.

The opportunity for the SRF is to build on and improve its assets – the distinctive, successful neighbourhoods and centres, the high quality parks and the strong heritage and character of South Manchester – and use these as a model to drive forward the future of the area. These qualities should be applied across South Manchester to raise the quality of the built environment and expand the number of successful neighbourhoods.

The SRF identifies a key issue for the area as providing a wider choice of housing to attract and retain residents. The SRF states future housing developments need to focus on providing high-quality family accommodation. It identifies that high-quality sustainable new housing developments should meet the housing needs of the existing and future population of South Manchester.

The Manchester Green and Blue Infrastructure Strategy (G&BIS)

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Legislative requirements

Section 72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Section 17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

ISSUES

It is considered that the key issues of relevance to this application are:

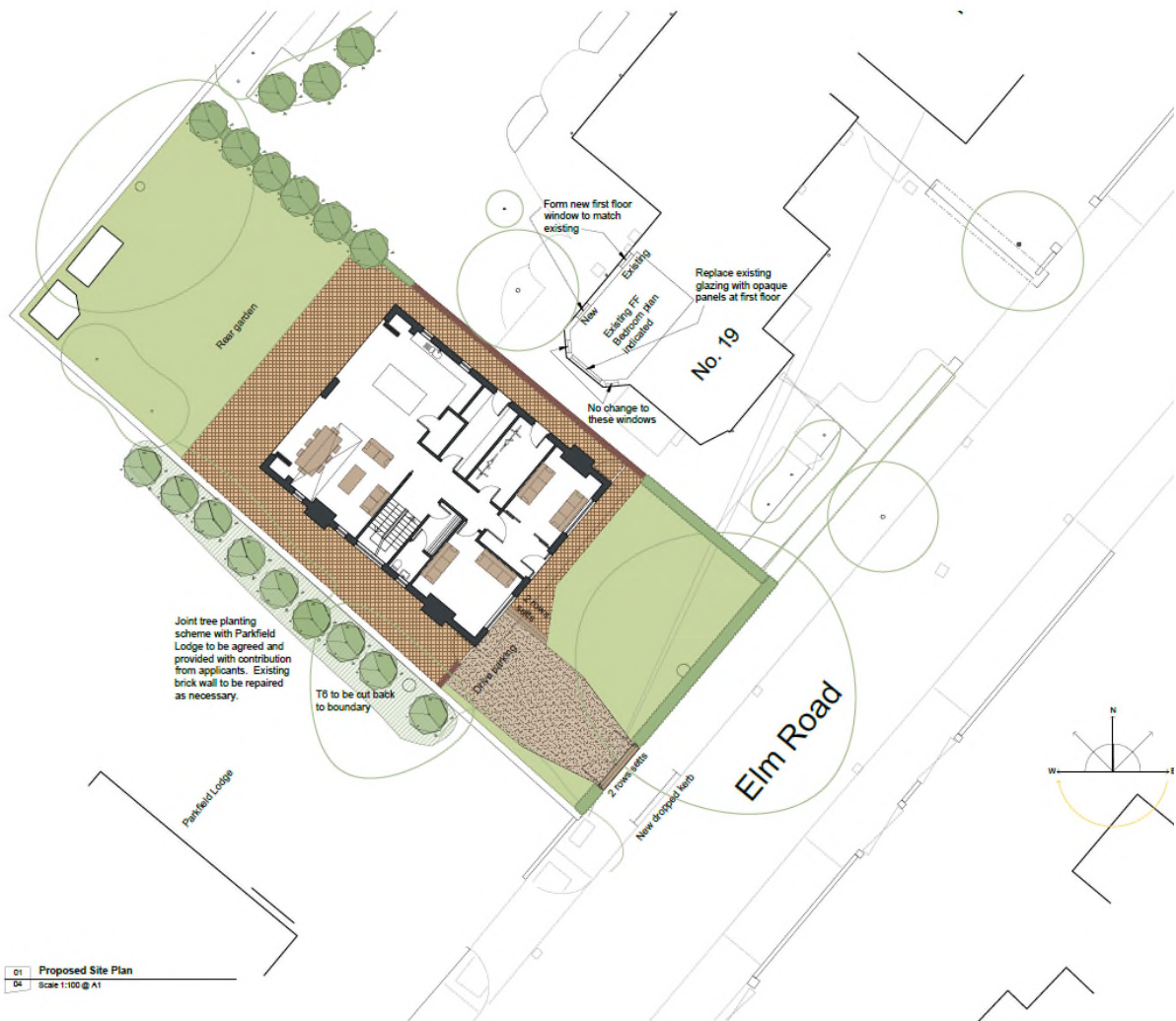
1. Impact on the Blackburn Park Conservation Area
2. Design and Layout
3. Impact on Residential Amenity

Impact on the Blackburn Park Conservation Area

The conservation area designation makes reference to spacious gardens and mature tree-lined streets and is cited by objectors as a reason to refuse the application. The general character and appearance of the Conservation Area at this location, essentially comprises frontage residential development within generous garden plots.

In relation to gardens on Elm Road and the designation description, the proposals would retain one of the larger gardens to the existing property at No. 19 Elm Road (the rear garden measuring c18 – 23m in length by 25m width) and would provide a comparable garden size to other properties on Elm Road (the rear garden would measure 15m length by 15.5m width) for the new property proposed. Whilst garden size may make a contribution to the spatial relationship between dwellings, including to the rear, and some gardens are exceptionally large, spacious gardens and the gaps between dwellings that larger gardens often afford, are not a consistent feature across the designated land and are not especially characteristic of this section of the conservation area.

As described above, the particular heritage characteristics associated with this garden plot has a medium to low level of significance, so whilst the Council acknowledges that sub-division of the plot would not lead to a level of harm that can be deemed 'substantial', it may be considered 'less than substantial'.



Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraphs 193 and 194 of the NPPF require Local Planning Authorities to consider the public benefits of supporting a development where all grades of harm, 'substantial' and 'less than substantial' can be justified. As the extract of the NPPF above states, public benefits relate to satisfying one or more of the objectives of sustainable development. This includes preservation or enhancement of heritage assets but also the provision of housing in a sustainable location. It is considered that the modern construction and improved thermal efficiency of the proposed dwelling, contributes an above-average standard of sustainable residential development to the local housing stock to the benefit of future generations of occupiers in accordance with policies H1 and H6 of the Core Strategy.

Objectors are also concerned that approval of the application would set a precedent for infilling sites, and the Council is mindful of those concerns. However, the significance of a heritage asset is recognised as not being limited to a singular feature but is made up of the sum of its parts with 'openness' and the treed environment being but one aspect.

The proposed dwelling does not represent a marked departure from the historic pattern of development in this part of the Conservation Area in that it represents a residential development fronting the street, set within a generous plot on ostensibly the same building line as existing development (the new dwelling would have been on the same building line, but the applicant has considered that the large attractive Cooper Beech tree to the frontage should be retained and the building has set back c. 4m from the established building line to preserve the tree). It would however increase the density of development to some extent and result in the loss of part of the large garden area associated with no.19 Elm Road.

Whilst the issue of precedence is not in itself an assessment criteria, concerns that any approval of the proposal would set a precedent for building on large garden plots, which the Council acknowledges could cumulatively have a harmful impact on the character of the conservation area, is a valid material consideration in light of saved policy DC18.1.

Being located on the side garden of an existing dwelling, the proposal can potentially be considered as infill development which, if approved, could signpost a trend towards further development on garden plots. Indeed, this application follows the approval of a house on a smaller plot at No. 1 Pine Road, which lies within close proximity, as reported to Planning and Highways Committee in March 2017.

However, any approval of the current proposal should not be taken as an acceptance in principle of development on other garden plots which must be assessed on their site-specific individual merits. Indeed one of the historic refusals referenced by objectors at 10 Elm Road was refused on the basis that the garden of a property could not accommodate the development of a property whilst maintaining appropriate levels of private amenity space for the existing property or the proposed property.

Furthermore, in this case, an assessment of the rhythm of the street pattern has been carried out. The development proposal would replicate the rhythm of development to the north and south side of this part of Elm Road. The site can support the scale of sub-division of the garden area without incurring substantial harm to the layout, pattern of development and scale of development on this part of Elm Road.

In this respect, it is considered that a single dwelling on this plot would not incur substantial harm to the heritage asset within the terms of policies DC18.1, EN3 and Chapter 16 of the NPPF.

In addition to the above, the proposed development must demonstrate that matters of the design, scale and massing, landscaping, residential amenity and boundary treatment are all satisfactorily met.

Scale and Massing

A street scene elevation submitted as part of the application, demonstrates that the proposed dwelling has a similar scale, mass and height to neighbouring dwellings with a comparable footprint and acceptable height within the street hierarchy.

It is unquestionable that, on grounds of size alone, the garden area to the west of no.19 Elm Road has the capacity to accommodate 1no. dwelling of a similar scale and mass to the existing detached dwellings on this part of Elm Road with an acceptable standard of private amenity space in its own right and without significant detriment to the applicant's amenity space. An assessment of plot sizes puts this in perspective.

The application site has a total plot size of 1622m² and is a detached dwelling. Following any development of the site, the plot at no.1 would be reduced to c.942m² and the application site would sit on a plot of c.680m². No.21 Elm Road, also detached and immediately east of the plot, sits on a plot of c.736m². Property opposite to the south of Elm Road at No. 16 Elm Road sits on a plot measuring 582m². The hierarchy of larger plots for detached dwellings is thus maintained.

Design

The collective planning policy framework requires that development proposals should "enhance or preserve" the character of conservation areas, whilst the Council's equivalent Core Strategy policies SP1, DM1, EN1 and EN3 and saved policy DC18.1, seek to achieve this by ensuring that new development preserves or enhances the character, appearance or setting of the conservation area through the appropriate design, layout and choice of materials of new development. Applications are also required to achieve a good standard of design as expressed in chapter 12 of the NPPF and to the guidance contained within the Guide to Development SPD.

Noting the terms of these policies, the first priority when considering proposals for development within Conservation Areas is to those special architectural and visual qualities which gave rise to the area's designation. Where a proposal would erode these special qualities and there are no other material objections to the proposal, then it is recommended that it is either revised or recommended for refusal.

The submitted planning statement states that the house is designed with high environmental credentials to enhance the character of the area by creating a distinctive contemporary building which pays due regard to the pattern and features of the surroundings, including the presence of important trees, most notably retaining the Copper Beech, on the site frontage.

The existing property at No. 19 Elm Road is an Arts and Craft style property, with white rendered walls, corner brick quoins and a red tiled roof.

Other buildings in the immediate vicinity are also of an Arts and Crafts style with a variety of materials, including quality brickwork and white render walls, painted timber

fenestration with stained glass and rosemary tiled steep pitched roofs with gable features.

The applicant did not wish to create a pastiche building, which has been done at No. 12 and 12A on the opposite side of Elm Road (an existing detached building was demolished and replaced with a pair of semidetached houses under application 082914/FO/2007/S2) and wanted to have regards to the location of the development site between No. 19 Elm Road, an Arts and Craft style building and the minimalist 1970's apartment building located immediately to the west at Parkfield Lodge.



(12 and 12a Elm Road to the south and Parkfield Lodge to the west)

The development as submitted is for a distinctive modern building using high quality design and materials.

The design approach reinterprets the detailing of surrounding houses utilising architectural features that are inherent to the character of the Conservation Area.

The design incorporates two front facing gables with continuous ridges to rear gables which are faced in white brickwork and sit on a ground floor plinth of red facing brickwork.

The two gables are offset with the right hand gable having a closer proportional relationship to 19 Elm Road, whereas the left hand gable has more vertical emphasis which helps the building act as a transition between the adjacent properties. The roof design to the gables is formed in eccentric pitches which reflect the internal layout of the rooms.

The massing to the front elevation is broken up by the continuation of the roof pitch and vertical tiling between the front facing gables in a modern interpretation of a design feature which is common to the street and local area.

The ground floor plinth to the front is set back from the first and second floors in a contemporary interpretation of over-sailing jetties, first floor projecting gables and bay

windows which are in evidence locally. This assisted in the setting out of the building in relation to the retained T2 Copper Beech tree.

The roofscape is emphasised with 3 no chimneys in red brickwork of a contemporary design.

The elevations have been designed to respond to the local vernacular architecture through analysis of the surrounding townscape values. The use of contemporary materials, such as clay brickwork with a contrast between the red plinth and chimneys and the oversailing gables in white brickwork, references the interplay between the rendered features of adjoining properties and other material within the textural palette found within the Conservation Area.

Paragraph 127 of the NPPF states that development that where developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, local authorities should not prevent or discourage appropriate innovation or change.

The design has been assessed as being appropriate in the context of the Blackburn Park Conservation Area subject to the use of high quality appropriate materials, particularly for the windows. A condition requiring materials samples is therefore required on any approval to ensure the quality of the final finish of any approved dwelling.



Residential Amenity

In considering the amenity impacts of the development, the proposal must be assessed against saved UDP policy DC1 and Core Strategy policies SP1 and DM1.

Given that the site is located within an exclusively residential area (with the exception of the Northern Lawn Tennis Club to the north), the proposed development is considered to be compatible with the character of the locality.

The windows proposed to the south west elevation would comprise secondary windows to the living/kitchen/dining area and a gallery at first floor and three windows to toilets/bathrooms and 3 windows to circulation space, they would be separated by 18m from windows within Parkfield Lodge. The applicant has shown tree planting to screen the proposal, some objectors have pointed out that this tree planting is to be accommodated off site and has not been agreed. As the windows are secondary windows, it is considered appropriate to condition that windows to the south west elevation are obscurely glazed to overcome any possibility of overlooking.

Windows proposed to the north east elevation of the dwelling proposed comprising secondary windows to the living/kitchen/dining area and a dressing room / en-suite would need to be obscurely glazed to prevent overlooking towards the existing property at 19 Elm Road, which would sit between 3.6m to 4.8m to the north west.

There would be no undue overlooking to the north, towards Northern Lawn Tennis Club, or to the south to properties on the opposite side of Elm Road by virtue of the distances provided and screening retained.

Windows to the existing property at No. 19 Elm Road are shown to be altered to accommodate the development within the garden. Namely a window to the south west elevation at first floor would be obscurely glazed and a new window to this bedroom would be introduced to the rear elevation. Boundary treatment is indicated on the plans to show a mix of hedging / tree planting and a 1.8m high wall to provide privacy at ground floor level between the two properties. These details are contained within the specified plans and these alterations are secured by condition.

The property proposed would not provide any opportunity for any unacceptable overshadowing or loss of light by virtue of the separation distances and orientation to surrounding residential property.

Subject to the appropriate condition referenced above, it is considered that the proposals would not give rise to any materially adverse impact on the amenity of neighbouring occupiers in terms of overshadowing or overlooking and there is no conflict with policies DC1, SP1 and DM1 in terms of the proposed development in relation to residential amenity.

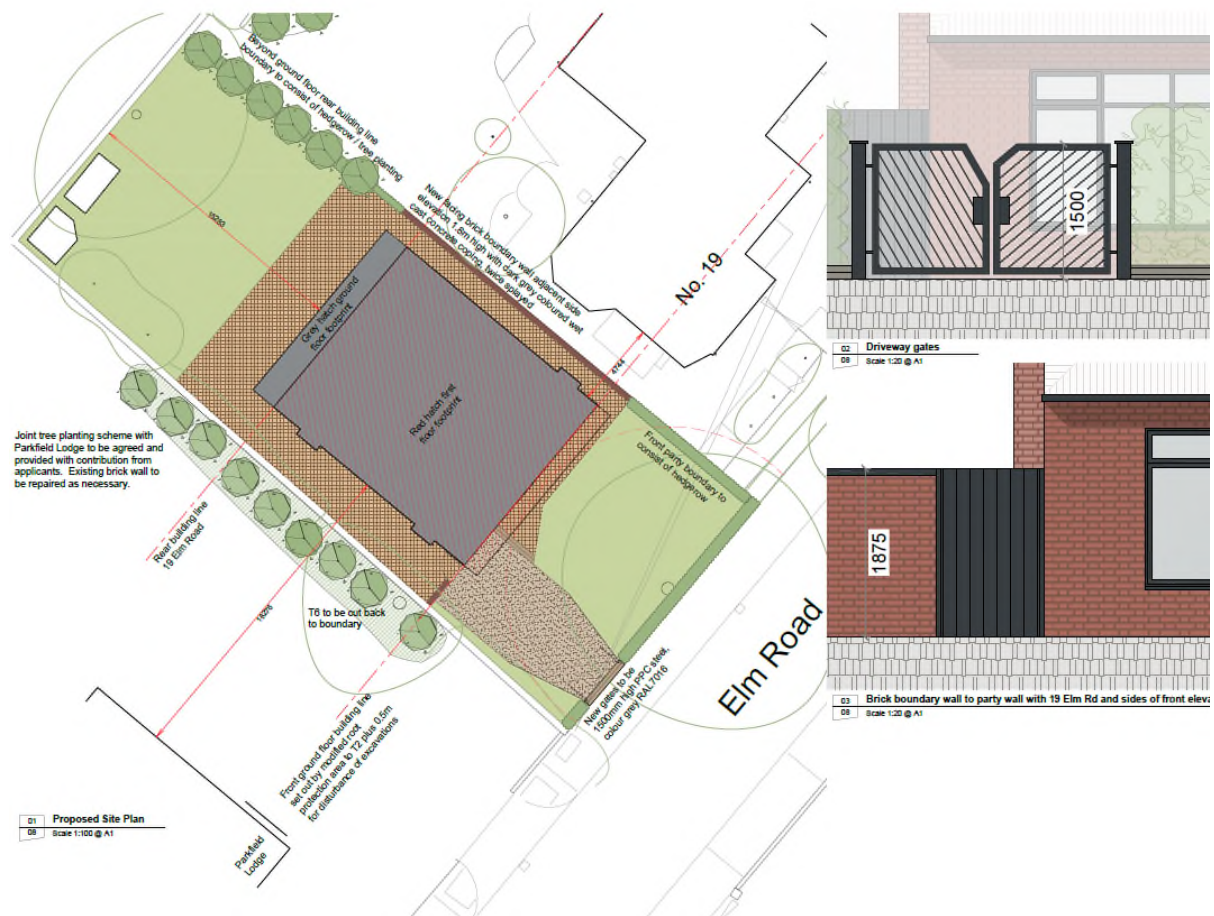
Community Safety and Crime Prevention

The proposal offers good levels of surveillance; the layout is simple without hidden recesses or undefined areas, windows to the front elevation overlook the in-curtilage parking, allowing for the security of vehicles. The security of the site will be further enhanced by the boundary treatment, which has been submitted and detailed.

Boundary Treatment

The application proposes to retain as much of the existing front boundary consisting of hedging to Elm Road. A new opening for the driveway is proposed with secure steel gates painted anthracite grey measuring 1.5m in height. The proposed front boundary treatment is in keeping with the scale of domestic access into properties

within the Conservation Area. The boundary wall to Parkfield Lodge which is considered to be a positive heritage asset would be retained and repaired.



Trees and Landscaping

There are trees affected by the development. The trees on site are protected by virtue of their location within the Blackburn Conservation Area. The retention of the Copper Beech tree to the site frontage has influenced the siting of the proposed development on site. The arboricultural assessment that has been submitted to accompany the application states that the development will require the removal of low quality ornamental trees, the loss of which can be mitigated by the provision of replacement planting within the site. The report concludes stating that a method statement will be provided for work within the root protection zone of the Category A Copper Beech to the site frontage.

The City Arborist has attended site and has assessed the works to the tree that would be required to accommodate the development and is satisfied with the findings of the submitted arboricultural assessment.

The trees to be lost on site are one category B tree T5 (Hemlock), 6 category C trees T3 (Ornamental Cherry), T4 (Laburnum), T7 (Hemlock), T8 (Holly), T9 (Hornbeam) and T11 (Holly) and two groups G3 (Weeping Blue Atlas, Cedar, Cypress) and G5 (Mixed fruit trees). This would equate to 7 individual trees and two groups. Privet

hedging would be lost in the location where the access to the dwelling off Elm Road would be established.

An off site category B sycamore tree within the grounds of Parkfield Lodge is also likely to be lost.

The application includes a site plan showing the provision of 6 replacement trees to the rear along the boundary between the existing and proposed house which complements the domestic scale and setting of the proposal. The scheme accommodates as many trees on site as can be planted without conflicting with trees to be retained. Full details of the final landscaping proposals are required by way of a condition to secure appropriate species and maturity of replacement tree.

Although the applicant does show the planting of 9 off site trees these trees are not required to mitigate the loss of the existing tree cover within the existing garden, but there is no objection if the applicant goes ahead with this planting.

Ecology

The applicant states in their submission that no ecology will be impacted upon by virtue of the development proposals. As tree are to be lost on site, works within certain periods of the year need to be controlled with regards to breeding birds, a condition is recommended to this effect. A condition is also appended that requires bat roost boxes to be installed on retained trees.

Disabled Access

The house would be fully accessible with access footpaths and level thresholds to all entrances.

Waste Management

The proposed dwelling has sufficient space for the storage of waste containers, both for recyclable waste containers indoors within the kitchen or separate utility room and externally. There is also space within the grounds for external storage of waste containers for the existing property.

Details for the storage of waste containers for both the existing and the proposed house are requested by way of a condition attached at the end of this report.

Car Parking

There would be space available for two cars to be parked on the front driveway of the proposed dwelling. The access to the existing property known as No. 19 Elm Road would be maintained, which provides a large area for the parking of 3 or more cars.

Conclusion

The proposal is for a single family dwelling of 5-bedrooms which is considered to be appropriate and acceptable at this location. The design of the dwelling has paid sensitive regard to the context and setting of the Blackburn Park Conservation Area.

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 Core Strategy and saved polices of the Unitary Development Plan, the Head 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 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

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. The proposal is considered to be acceptable and has been determined in a timely manner.

Conditions to be attached to the decision

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Location Plan 01 P1
 Existing Topographical Site Plan 02 P2
 Tree Constraints Plan 03 P2
 Proposed Site Plan 04 P5
 Proposed Floor Plans 05 P5
 Proposed Elevations 06 P6
 Proposed Street Scene Elevation Section A-A 07 P7

Boundary Treatments 08 P1
 Planning Statement
 Tree Survey

Received 28th September 2018

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) Above ground construction works shall not commence until samples and specifications of all materials to be used in external elevations of the building as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

4) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date of this permission. 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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy for the City of Manchester and DC18 of the Unitary Development Plan for the City of Manchester.

5) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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 EN9 and EN15 of the Core Strategy.

6) 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 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 EN9 and EN15 of the Core Strategy.

7) The windows to the north east and south west elevations shall be obscure glazed to a specification of no less than 5 of the Pilkington scale and shall be retained at all times thereafter.

Reason - In the interests of residential amenity and to ensure a satisfactory development, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

8) The window to the south west elevation of the existing property at No. 19 Elm Road first floor should be obscurely glazed (as shown on the submitted plans) and a new window to this bedroom should be introduced to the rear elevation. The window shall be obscure glazed to a specification of no less than 5 of the Pilkington scale and shall be retained at all times thereafter.

Reason - In the interests of residential amenity and to ensure a satisfactory development, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

9) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt shall include;

- Hours of working;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Sheeting over of construction vehicles;
- Details of an emergency telephone number for the site manager on public display

- Noise and Vibration assessment based upon British Standard 5228;

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

Reason - To safeguard the amenities of nearby residents and highway safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

10) Prior to the development hereby approved commencing, a scheme for the provision and management of waste, for the existing and proposed residential units, including the provision of containers for segregated and recyclable waste, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation and at all times thereafter.

Reason - In the interests of the amenity and public health of the occupiers of nearby properties in accordance with policy DM1 of the adopted Core Strategy for the City of Manchester.

11) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) 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).

In the event of the Preliminary Risk Assessment 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) has been submitted to and approved in writing by the City Council as local planning authority.

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

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

12) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy 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 the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

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

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

14) No part of the development hereby approved shall be occupied, until details of the proposed bat roost box(s), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

15) 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) none of the dwelling houses hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the 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.

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: 121390/FO/2018 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.

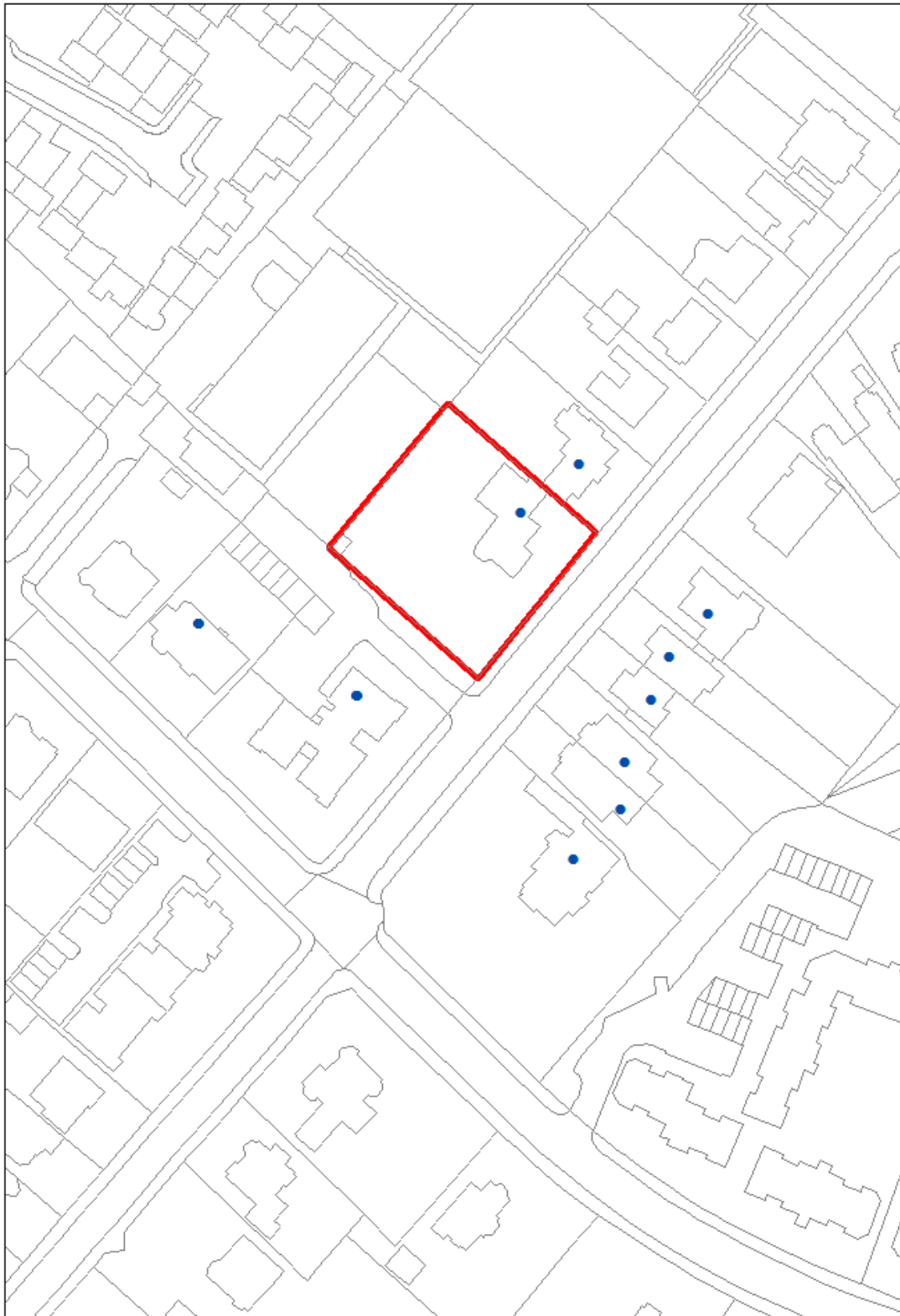
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Blackburn Park Conservation Society
Greater Manchester Ecology Unit

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer : Jennifer Connor
Telephone number : 0161 234 4545
Email : j.connor3@manchester.gov.uk



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
120665/FO/2018	16 th Aug 2018	15 th Nov 2018	Northenden Ward

Proposal Erection of a part three to five storey building comprising of a ground floor commercial units for Class A1/A2 and 6 x 1 bedroom apartment, 6 x 2 bedroom apartments(12 in total), together with associated landscaping and car parking.

Location 391 Palatine Road, Manchester, M22 4JS

Applicant Mr Jon Wylson, Mansion House Project Management Limited, Tatton House, 20 Tipping Street, Altrincham, WA14 2EZ,

Description

This application was deferred at the October meeting of the Planning and Highways Committee in order to allow the applicant to submit a daylight and sunlight analysis.

The application site relates to a vacant site, approximately 891m² in size, which was formerly used as an unauthorised car park and previously occupied by a garage, workshop and office. This irregular shaped site is situated within a prominent frontage within the heart of Northenden District Centre, close to the junction with Palatine Road and Church Road.

The site is adjoined to the south by a large, 6 storey building and to the south and east by two storey residential properties along Church Road, namely nos. 11 to 19 Church Road. To the north of the site and to the west, on the opposite side of Palatine Road, there are predominantly two storey semi-detached and terraced buildings containing a variety of retail, office and food and drink uses with residential flats above. To the east of the site lies the car parking facilities associated with an apartment complex. Typical of a busy district centre, the immediate area is characterised by a wide variety of commercial and residential uses which are principally focused along the main north/south arterial route of Palatine Road. The site and its context is shown below, with the site annotated with a white cross.



The applicant is proposing to erect a part three to five storey building to provide a ground floor commercial use with residential above, in detail:

- a ground floor commercial unit for Class A1 (retail) and Class A2 (offices) providing 234.5m² of floor space.
- 6 x one bedroom apartment.
- 6 x two bedroom apartments.
- car parking for seven vehicles, including one disabled space.
- two motorcycle parking spaces.
- provision of an access drive off Palatine Road.

In August 2014, planning permission was granted under reference 105465/FO/2014/S2 for the erection of a part three, part four storey building comprising of A1 (shops) and/or A2 (financial and professional services) at ground floor and 8 one bedroom apartments and four 2 bedroom apartments together with associated car parking and landscaping.

In October 2005, planning permission was granted under reference 074033/FO/2004/S2 for the erection of part 3, part 4 storey building comprising ground floor retail units with 14 flats above and associated basement. That permission was renewed for a further 18 month (ref. 094436/REP/2010/S2) on 27th September 2011.

Consultations

Local Residents – Three letters of objection have been received, the points of concerns are detailed below:

- The parking is inadequate for the number of flats proposed, this will exacerbate parking problems associated with the adjoining apartments at number 393 Palatine Road.
- Local schools and doctors are already stretched to capacity and this proposal will not help the situation.
- The proposal will have a severe effect on the stream of light available to the apartments on Church Road.
- The proposal will have a detrimental impact on the levels of privacy enjoyed by the residents of Church Road
- The retail property that is positioned on the corner of Palatine Road and Church Road is an empty shell and has been so since its erection. The additional retail space proposed would not be of any benefit to the community.
- The density of the proposed development will have an effect on the surrounding community.
- Given the previous uses of the site it should be checked for contamination before construction commences.
- The proposal is not in keeping with the historic character of the locality. It is noted it is adjacent to a very modern and tall building, but the appropriateness of that in this locality has been questioned by an Inspector at a public inquiry.
- There are a number of slab fronted, flat roofed properties in the vicinity, but they represent the least attractive face of Northenden and should not become a model for the future.

- There is already an oversupply of retail units along Palatine Rd, including the large one next door.
- Access for cars and deliveries to the flats, and for refuse collection, is down a side alley. The existing site plan indicates that most of this alley does not belong to this site, and it would appear that it is currently used both for access to the rear of nos. 389 – 381 Palatine Rd, and for parking by no.389 on their own land. This suggests that access to the proposed development, both during building and subsequently, may be inadequate.
- There may be problems during the construction of this development due to the constricted nature of the site and its proximity to a major route and a difficult junction.
- Given Manchester's declared aim of being the Greenest City in Britain it is disturbing that the proposal shows disregard for ecological issues. This scheme does not use Zero-Carbon technology for energy (though a flat roof would provide ample area to install solar units) while its insulation is not flagged up as being ecologically sourced.
- Arrangements for refuse disposal may not work.
- Decorative paving is specified for some communal areas of the outside. This should be specified as non-slip as similar work on the public pavements in Northenden is slippery to the point of danger on wet days.
- The development will darken the rear of houses 11 –19 Church Rd.
- Provision is promised at the front of the premises for deliveries to the retail unit, and for its customers. Only three places are offered. Clearly there will have to be some restriction on the time spent in those bays, not least because no parking facilities are planned for the staff of that unit. Nor will it be possible to prevent customers or staff from the other hundred retail units in Northenden (not least the adjacent tall building which has no similar provision) from using the planned lay-by.
- In the same location, there is concern that the lay-by will restrict the width of the footpath.

Northenden Civic Society – No objections to the proposal in principle subject to there being no impact on the levels of amenity and privacy enjoyed by those people who live on Church Road.

Northenden Neighbourhood Forum (NNF) – The NNF have confirmed their support for the proposal.

Highway Services – Highway Services have made the following comments:

- The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.
- It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.
- Car parking bay sizes are considered acceptable.
- Twelve cycle parking spaces are to be provided which is considered acceptable.
- The proposed loading bay and resultant footpath width of 1.8 metres is considered acceptable.

- Waste storage for the retail unit is to the rear and a swept-path analysis has been provided showing a large refuse collection vehicle reversing into the existing access to the collection point and pulling out onto Palatine Road in forward gear.
- Alterations to the highway will be required and undertaken through S278 agreement between the developer and the City Council.
- A construction management condition should be attached to any approval granted.

Environmental Health – Requests the imposition of a number of conditions regarding acoustic insulation, servicing and delivery management, air quality and lighting.

Contaminated Land Section – Suggests the imposition of a conditions which requires the submission of a Remediation Strategy and Verification Report.

MCC Flood Risk Management – Request the imposition of a number of conditions concerning the provision of floor level measurements; details of surface water drainage and the implementation, maintenance and management of the sustainable drainage scheme.

United Utilities Water PLC – Requests the imposition of a number of drainage conditions

Policies

The National Planning Policy Framework July 2018 (NPPF) – The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

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

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

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

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

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

Policy EC10, *Wythenshawe* – The Northenden District Centre will be suitable for mixed use local employment provision serving its catchment area.

Policy C1, *Centre Hierarchy* – District centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. Development in these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.

Policy C2, *District Centres* – Development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. Housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.

The policy states further that development in District Centres should:

- Prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active;
- Promote the development of employment which provides opportunities for local people;

- Promote the efficient use of land, particularly through considering options for multi-storey development. New development should positively contribute to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies;
- Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function. Development should also promote a range of retailers and shop formats;
- Promote choice and competition particularly where development will support the independent sector;
- Remedy deficiencies in areas with poor access to facilities.
- New development should respect and enhance the character of existing centres.
- New development should deliver improvements to the quality and accessibility of the centre environment. Opportunities should be taken to adopt sustainable building design and practises to assist in adapting to climate change

Policy C7, *Wythenshawe District Centres - Baguley (West Wythenshawe), Northenden and Wythenshawe Town Centre* – In Northenden additional food retail will be supported, although this will be limited in scale, within the boundaries of the existing centre. The character of the centre will be maintained, with particular attention to its appearance and retail function. Further small retail units will be appropriate. Development of the evening economy will be carefully managed to ensure that this complements the vitality of the retail and the amenity of nearby residents.

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

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

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

Policy EN 4, *Reducing CO2 Emissions by Enabling Low and Zero Carbon Development* – This policy states that all developments must follow the principle of the Energy Hierarchy; to reduce the need for energy through energy efficient design and features; and, meet residual energy requirements through the use of low or zero carbon energy generating technologies.

Policy EN 6, *Target Framework for CO2 Reductions from Low or Zero Carbon Energy Supplies* – This policy requires applications for residential development of 10 or more units and all other development over 1,000m² to meet a minimum target.

Policy EN 8, *Adaption to Climate Change* – This policy requires that developments are adaptable to climate change in terms of design, layout, siting and function of buildings and external spaces.

Policy EN 16, *Air Quality* – The Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself, including from Combined Heat and Power and biomass plant.

Policy EN 19, *Waste* – States that developers will be required to submit a waste management plan to demonstrate how the waste management needs of the end user will be met.

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

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

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

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;
 Year 2013 - Code Level 4;
 Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

Saved UDP Policies – Policy DC26, *Development and Noise*, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

Wythenshawe Strategic Regeneration Framework – This document provides the most up-to-date guidance for the Wythenshawe Area and the following policies are of relevance:

Part 4 section (12), *Shopping and Local Facilities* – seeks to promote a wider range of shops and services and improve the quality and appearance of centres.

Policy SL2.1, *Deliver enhances retail/leisure facilities in Northenden* – In Northenden this is likely to include a range of public realm improvements designed to improve prospects for encouraging further investment in the district centre.

Policy SL5, *Develop best practice in the function and design of local centres* – Wythenshawe has suffered in the past from poorly designed investments, with a result that some centres and open spaces appear dilapidated and neglected. It is important that high quality design and streetscape are an integral part of efforts to revitalise neighbourhood centres.

Part 4 section (20), *Neighbourhood Character* – seeks to promote community pride through the development of high quality public space and landmarks of distinction and incorporate good design into every aspect of development in Wythenshawe.

Policy NC1.1, *Gateways into Wythenshawe* – states that these must be improved to make the physical environment easily understandable and to mark and celebrate entrance into Wythenshawe and important junctions...special attention, therefore should be paid to the design of 'gateway' buildings and features at key junctions to the site, also to the design of public realms at key spaces and intersections. Key public spaces within the SRF include: Northenden High Street.

Policy NC2.2, *Create positive and distinctive landmarks* – state that landmarks that exist should be preserved and their setting enhanced. New landmark buildings should be celebrated to create memorable places and improve the 'mind map' of Wythenshawe.

Northenden Village Local Plan (2011) – The Northenden Village Local Plan is a non-statutory document that provides Northenden with a 10-15 year strategy to guide future interventions in the area. In particular, the Local Plan seeks to address economic and physical challenges and will inform new developments in order to establish Northenden as a successful and distinctive centre and creating a neighbourhood of choice and increasing housing choice.

The application site is identified within the Local Plan as a priority in terms of its redevelopment for a mixed use retail and residential scheme. The Local Plan states:

“This is a priority site for development in Northenden. The site is currently vacant and represents an under-exploited opportunity to create a new focal point on a prominent site along the high street”.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Manchester Residential Quality Guidance 2016 – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016).

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

Guide to Development in Manchester Supplementary Planning Guidance –

Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

Issues

Principle of the Proposal – Having regard to the existing planning policy framework, national planning guidance, the Wythenshawe Strategic Regeneration Framework and the Northenden Village Local Plan, the principle of redeveloping this site is considered acceptable.

The vacant site has been earmarked as a priority site for development in Northenden and represents an opportunity to create a new focal point on a prominent site along the high street and would result in further investment in the district centre. The proposal would allow for the development of a high quality building which would add to the vitality of the district centre and increase the range of accommodation and services within a highly sustainable location within a defined district centre.

The principle of redeveloping the site has also been established with the granting of the two previous planning permissions (105465/FO/2014/S2 approved by Planning Committee at its meeting on 14th August 2014 and 074033/FO/2004/S2) referred in this report, which both allowed for part three/part four storey buildings on the site which provided a commercial use on the ground floor and 12 and 14 apartments above respectively.

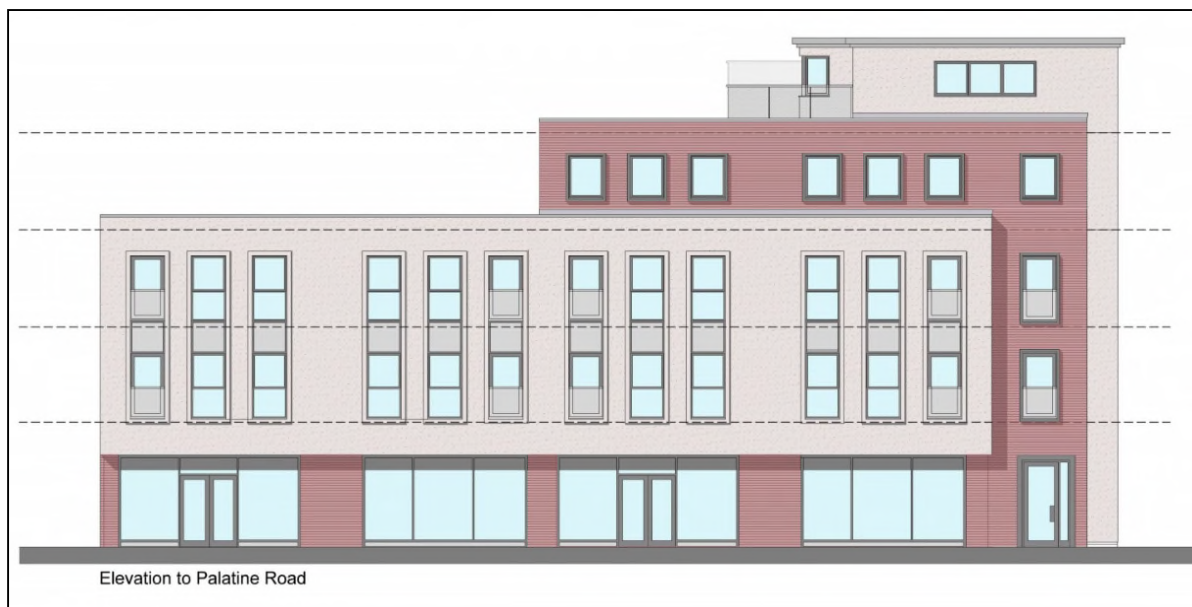
Notwithstanding the above, the impact of the proposal upon existing levels of visual and residential amenity must be assessed, as well as any impact upon existing levels of pedestrian and highway safety along this section of Palatine Road.

Affordable Housing – As the proposal is for 12 apartments on a site approximately 891m² in size it falls below the triggers relating to affordable housing in Policy H8 of the Core Strategy, i.e. 15 apartments or a site 3,000m².

Design – The proposed building is contemporary in design although it has been informed by the surrounding properties. The use of red brick, along with through-colour render, and windows with a vertical emphasis, are features seen along the Palatine Road frontage, in particular the adjoining commercial 2 storey terrace and the six storey apartment building. Full height glazing to the commercial element will promote an active frontage while the rendered element at the southern end of the building accentuates the entrance to the apartments.

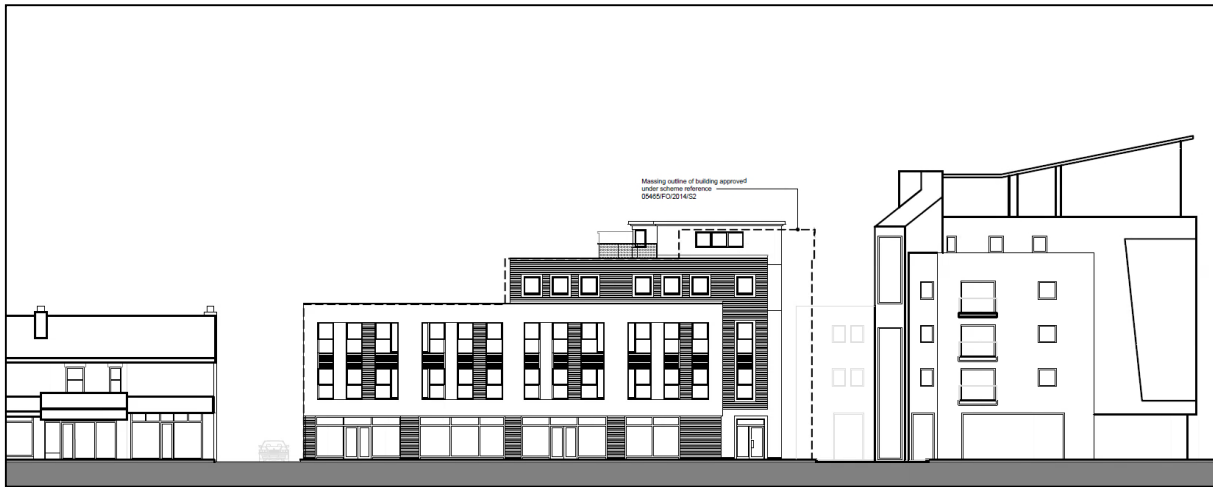
In terms of materials, the ground floor consists predominantly of glazing with the external skin of the upper floors consisting of a combination of red brickwork and through-colour render, louvered and cladding panels. Windows are proposed to be framed with grey uPVC frames in this instance and given the location of the building on a major arterial route a higher quality finish such as aluminium window frames are considered to be more acceptable. A suitably worded condition is proposed to ensure these details are agreed prior to the installation of window frames.

Overall, the design of the proposal is considered acceptable and can be seen below:



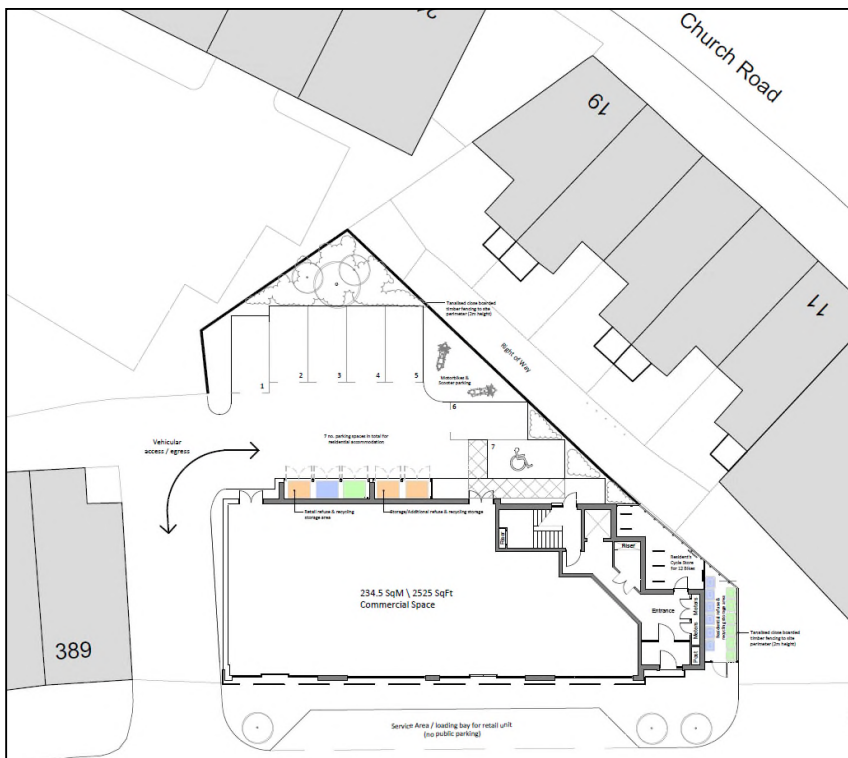
Scale – The building is arranged over three, four and five storeys, stepping up in height to help it better assimilate with the larger, six storey building on the corner of Palatine Road and Church Road. Whilst the proposed building is larger than the majority of the immediate context, the split between the three and five storey elements allows for the building to integrate into both the predominantly two storey context of the immediate surroundings and provide a visual connection to the larger building on the corner. Given the above, the scale of the proposal is considered acceptable.

Whilst this proposal is taller than the scheme approved in 2014, it should be noted that this difference is marginal and, when combined with a reduction in the overall length of the building, is considered acceptable. The differences in the two heights is shown below with the previous planning approval being represented by a dotted line.



Massing – By introducing a varied palette of materials and articulation around the windows, as well as setting back the third and fourth floors and feature tower, impact of the proposed building has been reduced and the massing considered acceptable.

Site Layout – The footprint of the proposal has been reduced from that previously approved. It is linear in shape, rather than “L” shaped and presents a strong frontage to Palatine Road, within which the principal access points are located to both the commercial element and the apartments above. In order to comply with the City Council’s adopted design guidance, the car parking and waste storage facilities are located at the rear of the building. The site layout, which can be seen below, is considered acceptable.



Space Standards – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of the Nationally Described Space Standards (NDSS) as interim space standards for residential developments.

The amount of floor space proposed for each apartment and that required under the NDSS is detailed below:

- Apartment 1 and 6 – 61m² (NDSS - 61m²)
- Apartment 2 and 7 – 41m² (NDSS - 39m²)
- Apartment 3 and 8 – 41m² (NDSS - 39m²)
- Apartment 4 and 9 – 61m² (NDSS - 61m²)
- Apartment 5 and 10 – 39m² (NDSS - 39m²)
- Apartment 11 – 61m² (NDSS - 61m²)
- Apartment 12 – 88m² (NDSS - 79m²)

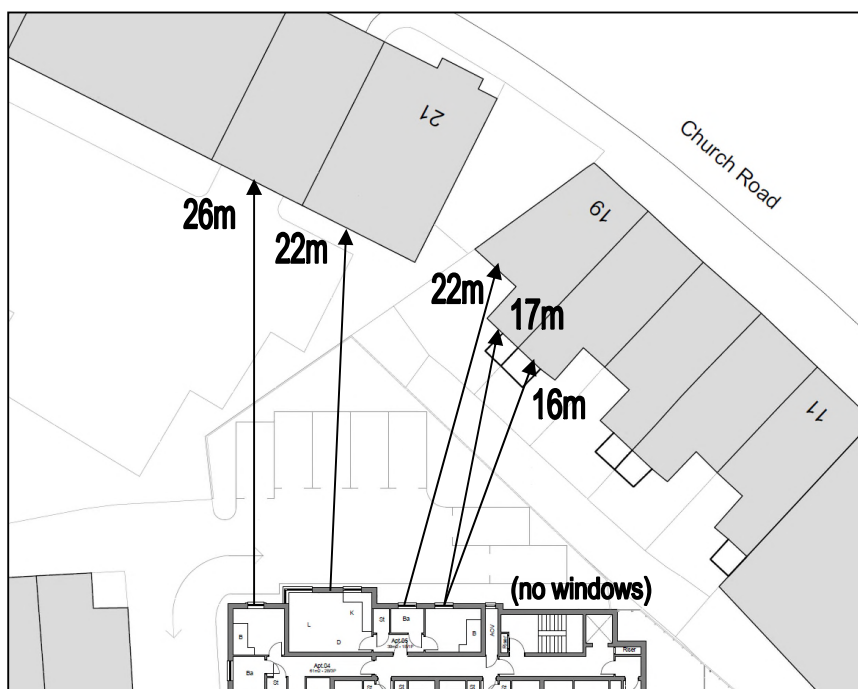
The proposal complies with the space standards.

Disabled Access – Access to the ground floor commercial premises will be obtained via a level access off Palatine Road.

Level access to the proposed apartments is provided from Palatine Road, with a secondary access from the car park. Both lead to a lift which allows access to all of the apartments. Given this and the fact that the development will be constructed to Part M of the Building Regulations the overall access provision is considered acceptable.

Residential Amenity – A number of factors have been assessed in order to judge the impact of the proposal upon residential amenity:

Impact upon Privacy – The proposed accommodation is located between 16 and 26 metres away from the rear elevations of the nearest dwellings on Church Road (as indicated on the drawing below).



Privacy can be delivered in a variety of ways; the nature of this and what will be appropriate will depend on location and degree of enclosure and screening. Although there is no specific privacy standard, Manchester still relies, as a bench mark, on privacy distances adopted in the past. These distances also reflect those widely used across the country today. They recommend for “diagonally opposite” and “directly opposite” habitable windows, as in the case of the proposed rear elevation and the rear elevation of those properties on Church Road, a distance of 17 and 21 metres.

On the whole the proposal meets and in some circumstances exceeds these longstanding recommended privacy distances, although in two cases (a 1st and 2nd floor bedroom window) it does fall short by one metre. Notwithstanding this and given the relationship between the existing and proposed buildings, it is not considered that the development would lead to any undue loss of privacy resulting from overlooking. In addition, as the nearest habitable room window in the proposed development will be approximately 11 metres from the common boundary with the Church Road dwellings, it is not considered that the proposal will lead to excessive overlooking of the rear amenity areas. In addition, it should be noted that there has until recent years been a building on the site which was sited much closer to the rear of the dwellings on Church Road, i.e. in the location of the proposed car parking shown on the plan on the previous page.

Noise – It is not considered that the proposal would be an inherently noise generating use. Notwithstanding this, it is considered prudent to attach a number of acoustic insulation conditions in order to protect not only the residential amenity enjoyed by the occupants of the nearby dwellings but also the future residents of the proposed accommodation.

Daylight/Sunlight Analysis – The applicant has used industry standard methodology as prescribed by BRE and British Standard guidance to analyse the changes in daylight. The submitted report is split into two elements, namely Annual Probable Sunlight Hours and Vertical Sky Component and has analysed the impact of the proposal on 21 habitable room windows in the rear elevation of nos. 11 to 21 Church Road and 10 habitable room windows in side elevation of no. 395 Palatine Road, the apartment building at the junction with Church Road.

Annual Probable Sunlight Hours is a measure of the amount of potential direct sunlight that is available to a given surface. Only windows which face within 90 degrees of due south need to be assessed. In this case as all of the window receptors in the submitted report face in a northern direction they are exempt from an Annual Probable Sunlight Hours analysis.

Vertical Sky Component measures the general amount of light available on the outside plane of a window as a ratio (%) of the amount of total unobstructed sky viewable following introduction of visible barriers such as buildings. The Vertical Sky Component measured at the centre of a window should be no less than 80% of its former value. The impact is assessed as follows:

- Where the loss of daylight and sunlight fully meets the guidance values, the impact is assessed as *Negligible*

- Where the loss of daylight and sunlight is reduced within 20 – 35% of the guidance values, the impact is can be classed as *Minor*
- Where the loss of daylight and sunlight is reduced within 35 – 50% of the guidance values, the impact is can be classed as *Moderate*
- Where the loss of daylight and sunlight is reduced within 50 – 100% of the guidance values, the impact is can be classed as *Major*

The result of the analysis are as follows, for the windows in the rear elevation of nos.11 to 25 Church Road:

- 13 windows may experience a *Negligible* impact
- 4 windows may experience a *Minor* impact
- 3 windows may experience a *Moderate* impact
- 1 window may experience a *Major* impact

for the windows in the side elevation of 395 Palatine Road:

- 6 windows may experience a *Negligible* impact
- 1 windows may experience a *Minor* impact
- 3 windows may experience a *Moderate* impact
- no windows will experience a *Major* impact

In conclusion, as only one window (ground floor window at the rear of no. 13 Church Road) will experience a *Major* impact, i.e. the daylight level is reduced to 61%, it is not considered that the proposed development will have an unduly detrimental impact upon the levels of daylight/sunlight currently experienced by those residents who adjoin the site.

In conclusion, given the above it is not considered that the proposal would have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of those properties closest to the application site.

Visual Amenity – The vacant site, whilst currently cleared, has previously been subject to unauthorised parking and fly-tipping, both of which have had a detrimental impact on the visual amenity of Northenden District Centre.

Given the design, scale and massing of the proposed building it is considered that the development would enhance the levels of visual amenity that are experienced in Northenden District Centre.

Car Parking – The City Council does not have a prescribed policy standard for residential schemes. Notwithstanding this, it is anticipated that all new developments should provide appropriate car parking facilities and new developments should improve access to jobs and services by being located on sites that reduce the need to travel and provide good access to sustainable transport provision.

This desire to links trips and minimise travel times by locating developments in sustainable locations would allow the ability to minimise car travel and take advantage and facilitate the use of sustainable forms of transport.

Given the sustainable nature of the site within a district centre, the number of apartments proposed and availability of local amenities and public transport, it is believed that the proposed car parking to flat ratio is acceptable and is consistent with similar developments found in the immediate area and in other district centre locations.

In conclusion, given the sustainable location of the site and the prevalence of public transport within its vicinity, a parking provision of 7 spaces for 12 apartments is considered acceptable in this instance.

Pedestrian and Highway Safety – It is not considered that the additional dwellings would generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed along Palatine Road. Highway Services have confirmed that the level of proposed development is acceptable and have raised no highway safety objections to the proposal.

Servicing – The ground floor commercial use is to be serviced from a dedicated loading area within a layby on the road frontage. This bay is to be demarcated and formally adopted by way of a Traffic Regulation Order facilitated by a S.278 agreement. This will allow the ground floor unit to be serviced effectively and without any disruption to both prospective occupiers of the proposed building or those that adjoin the site to the rear.

In terms of refuse disposal, collection vehicles would access the site via the shared vehicle access point off Palatine Road where allocated refuse storage areas for both the apartments and commercial use are proposed.

These arrangements replicate those previously considered to be acceptable for the redevelopment of the site.

Waste Storage – Environmental Health have confirmed that the submitted Waste Management Strategy is acceptable and have requested that it be conditioned to ensure future compliance with it.

The strategy states that for the commercial use the following bins will be provided:

- 1 x 1,000 litre bin for general waste,
- 1 x 1,000 litre bin for pulpable recycling,
- 1 x 1,000 litre bin for mixed recycling.

For the residential element, current guidance states that 0.43m² of space should be provided for each apartment, in this instance that would equate to a bin store with a floor area of 5.16m² of space. In this case the applicant has provided a bin store with a floor area of 11m² which provides the flexibility to house twelve 240 litre containers or a larger number of smaller containers to allow recycling of garden/food waste, glass, metal, plastics, paper/cardboard and general household waste. A food caddy will also be located in each of the apartments.

Both the commercial and residential bin stores are within easy reach of the rear access doors for each respective use, this is welcomed. Given the size of the refuse store and its accessibility, the waste storage and recycling facilities are considered acceptable for this scheme.

Commercial Use – Given, the amount of floorspace proposed (234.5m²) and the location of the site within a district centre, the proposed retail (Class A1) and office (Class A2) use would provide a facility that is appropriate in policy terms, whilst also providing a business opportunity that would complement the existing offer along the Northenden high street. A condition is suggested which will ensure that either a Class A1 or A2 is the first lawful use of the commercial unit.

It is acknowledged that the adjoining retail premises is vacant, remaining unlet since its construction a number of years ago. However, this is not a basis for refusing this development and it is still considered that the proposed commercial element is an acceptable use within this district centre.

Energy Efficiency – The energy efficiency rating of the proposed development will comply with Building Regulations Part L which is the equivalent of Code level 4 in the Code for Sustainable Homes. This approach is considered acceptable.

Trees – In order to facilitate the proposed development three, small street trees situated at the back of the footway would need to be removed. In order to compensate for their loss, three, new street trees are proposed along the edge of the kerb line. In order to ensure this necessary mitigation measure, a planning condition has been inserted which will require the submission and approval of further details.

To the rear of the development, the proposed parking courtyard area is to be resurfaced and new boundary treatment erected. Again, to ensure the detail is satisfactory, a condition is recommended with respect to the submission and approval of landscaping measures.

Flooding and Drainage – The conditions requested by both United Utilities and the Flood Risk Management Team will be imposed in order to minimise flood risk and ensure adequate drainage.

Air Quality – During the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. Assuming dust control measures are implemented as part of the proposed works, the significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities is predicted to be negligible. It is considered that the imposition of a Construction Management Condition would ensure that appropriate dust management measures are implemented during the construction phase.

It is recognised that during the operational phase of the development there is the potential for air quality impacts as a result of vehicle exhaust emissions associated with traffic generated by the proposal, i.e. the comings and goings of residents and visitors to the commercial elements. However, given the number of units proposed, and the anticipated car ownership levels, the overall significance of potential impacts is considered to be low.

As a result of the above findings it is considered that the proposal would not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it.

Crime and Anti-Social Behaviour – Greater Manchester Police (GMP) stated in the Crime Impact Statement which accompanied the proposal that the following needs to be incorporated into the scheme in order for it to achieve Secured by Design accreditation:

- provision of a robust and secure method of enclosing the rear parking area,
- provision of a robust door, with electronic lock, to the Palatine Road apartment entrance, and
- all windows and doors to incorporate British Standard compliant physical security measures.

Imposition of the Secured by Design condition will ensure that these element are incorporated into the proposal.

Conclusion

The vacant site has been earmarked as a priority site for development in Northenden for several years. It was once occupied by an office/car sales business and planning permission for a part 3/part 4 storey commercial building with apartments above was granted August 2014. This development is similar in uses and apartment numbers to that previously approved, though occupies a smaller footprint and presents a narrower frontage to Palatine Road.

This proposal represents an opportunity to create a new focal point in a prominent location along Palatine Road and attract further investment into the district centre. The proposal would allow for the development of a high quality building which would add to the vitality of the district centre and increase the range of accommodation and services within a highly sustainable 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 Core Strategy and saved policies of the Unitary Development Plan, the Head 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 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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

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

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a) Drawing no. MHG-13(PL)03 C, stamped as received on 4th October 2018
- b) Drawing no. MHG-13(PL)04 C, stamped as received on 4th October 2018
- c) Drawing no. MHG-13(PL)05 C, stamped as received on 4th October 2018
- d) Drawing no. MHG-13(PL)06 C, stamped as received on 4th October 2018
- e) Drawing no. MHG-13(PL)07 C, stamped as received on 4th October 2018
- f) Drawing no. MHG-13(PL)08 C, stamped as received on 4th October 2018
- g) Drawing no. MHG-13(PL)09 C, stamped as received on 4th October 2018
- h) Drawing no. MHG-13(PL)10 C, stamped as received on 4th October 2018
- i) Drawing no. MHG-13(PL)11 C, stamped as received on 4th October 2018

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Above-ground construction works shall not commence until samples and specifications of all materials, including window frames, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy (2012).

4) The commercial premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full and thereafter maintained before the commercial use commences.

Reason - To safeguard the amenities of the occupiers of the residential accommodation and occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1.

5) Above-ground construction works shall not commence until a scheme for acoustically insulating the proposed residential accommodation against noise from Palatine Road and nearby commercial/licensed premises has been submitted to and approved in writing by the City Council as local planning authority. The approved acoustic insulation scheme shall then be installed, and thereafter maintained, before the residential accommodation is occupied.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1.

6) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The approved scheme shall be implemented, and thereafter maintained, before the external plant, equipment and servicing becomes operational.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1.

7) Land remediation shall be undertaken in accordance with the Phase II Geoenvironmental Site Investigation Report (GeoCon Site Investigations Ltd ref. H0139 AD (GIS0789) PII SMTM 130717), stamped as received on 11th October 2018.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

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

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

9) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason – To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN08 and EN14 in the Manchester Core Strategy (2012) and national policies within the NPPF and NPPG.

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

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason – To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system, pursuant to policies EN08 and EN14 in the Manchester Core Strategy (2012) and national policies within the NPPF and NPPG.

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

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

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

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

13) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 10th August 2018 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

14) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

- a) 0730hrs to 2000hrs, Monday to Saturday,
- b) no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1

15) The opening hours of the ground floor commercial use hereby approved shall be submitted to and agreed in writing by the City Council as local planning authority before first use commences.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

16) Any external lighting installed shall be designed and installed so as to control glare and overspill onto nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

17) Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Council. The Construction Management Plan shall contain the following:

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification) no part of any dwelling shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason – In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1, H7,H8 and DM1 of the Manchester Core Strategy (2012).

19) The commercial unit, as indicated on drawing no. MHG-13(PL)05 C, stamped as received on 4th October 2018, can be occupied as Class A1 or Class A2. 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 the interest of residential amenity, pursuant policy DM1 of the Manchester Core Strategy (2012).

20) Prior to the occupation of the development, a detailed scheme of highway works, in order to provide an adequate servicing facility in the vicinity of the application site, 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:

- a) The provision of loading bay to the front of the site.
- b) Amendments to the Traffic Regulation Order to limit and/or restrict on-street parking in the loading bay.

The approved scheme shall be implemented and be in place prior to first use of the commercial element of the development hereby approved and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012)

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: 120665/FO/2018 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:

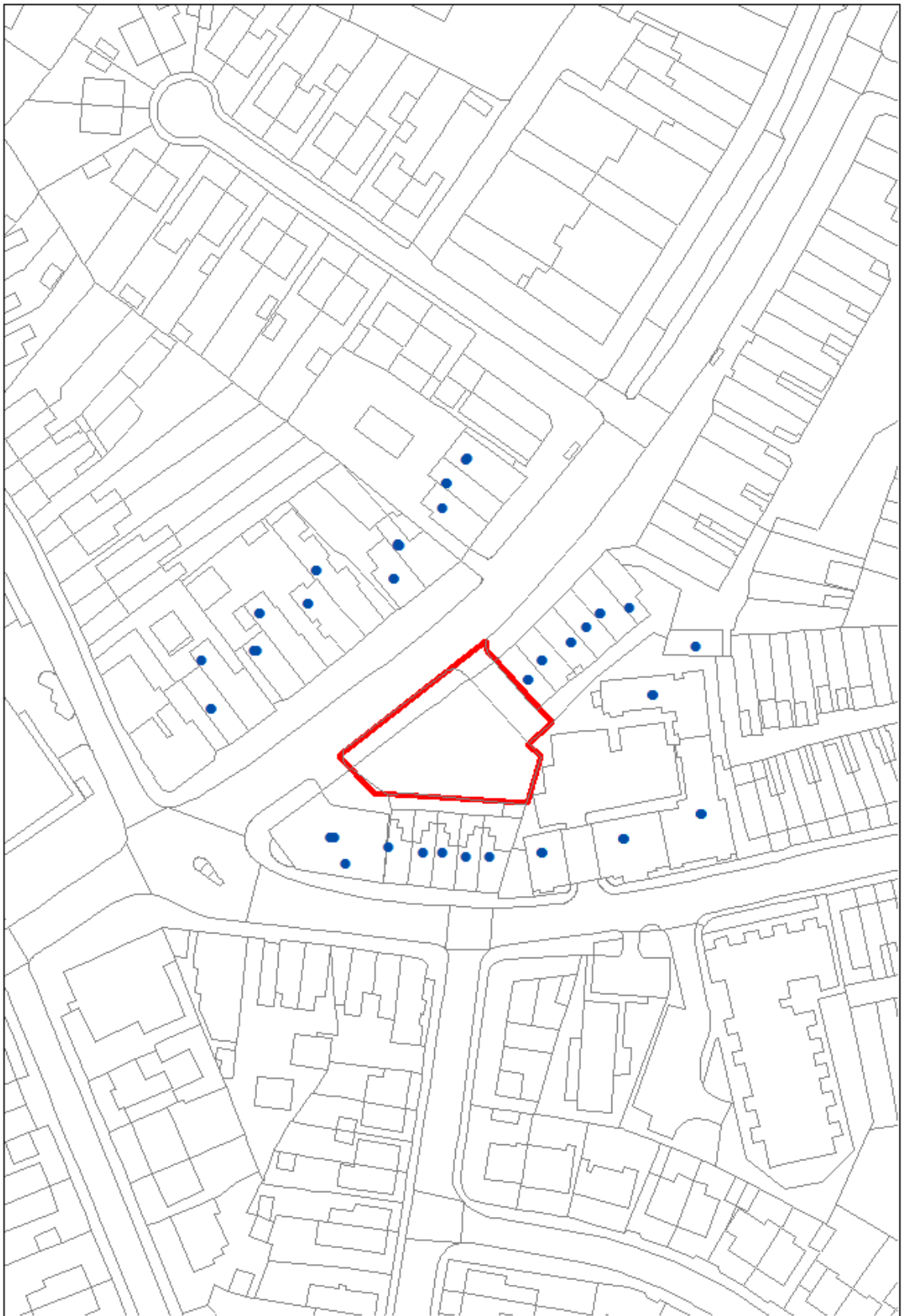
Greater Manchester Police
 Environment Agency
 Northenden Civic Society
 Northenden Neighbourhood Forum
 United Utilities Water PLC

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Northenden Civic Society
 Northenden Neighbourhood Forum
 United Utilities Water PLC

Relevant Contact Officer : David Lawless
Telephone number : 0161 234 4543
Email : d.lawless@manchester.gov.uk



 Application site boundary  Neighbour notification
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