

Application Number	Date of Appln	Committee Date	Ward
125186/FO/2019	18 th Oct 2019	13 th Jan 2020	Didsbury West Ward

Proposal Rooftop extension to Block A to form 4 x 2 bedroom apartments and provision of an additional 5 car parking spaces.

Location Riverside Lodge, 208 Palatine Road, Manchester, M20 2WF

Applicant Mr Mark Hawthorne, Landmark Investments Ltd, C/o Agent

Agent Mr Steven Walker, Walker Design, Unit B First Floor, Lostock Office Park, Lynstock Way, Bolton, BL6 4SG

Description

Riverside Lodge is residential complex on Palatine Road consisting of 34 flats split into two blocks. Block A is 4 storeys in height (flat nos. 1 to 16), while block B is a part 4/part 5 storey building housing flat nos. 17-34. The ground floor levels of both buildings are elevated as they sit on top of undercroft parking facilities for 34 cars. To the front of the blocks is a hard surfaced area used for servicing and parking, while at the rear there is a communal lawned area.

To the west of the site is a wooded area and beyond that stands the Green Belt. To the east of the site, on the opposite side of Palatine Road, stands a modern residential development set behind a Site of Biological Interest. To the north of Block B is another strip of woodland, beyond which stands three detached dwellinghouses. Riverside Court, a 3 storey residential complex of 24 flats lies to the south of Block A. The row of trees along the rear boundary of the site are protected by a Tree Preservation Order and the site is located within Flood Zone 3.

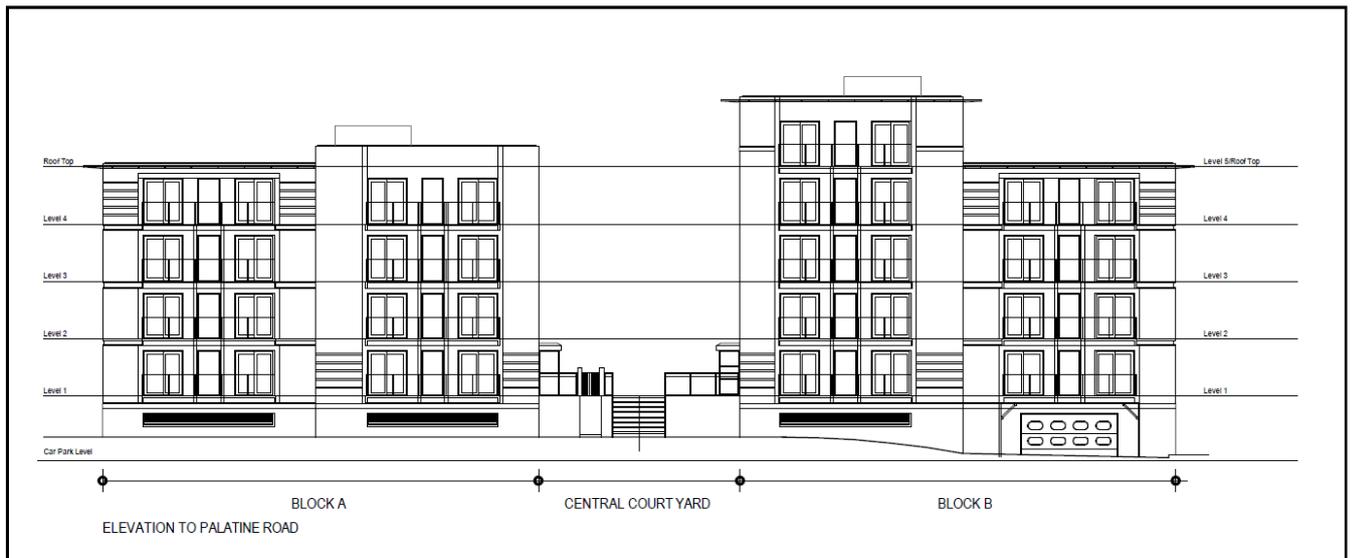
Blocks A and B are shown below:



Planning permission to undertake a rooftop extension of Block A, to form 4 two bedroom apartments and provide an additional 5 car parking spaces, was approved in October 2014 under reference 106052/FO/2014/S2.

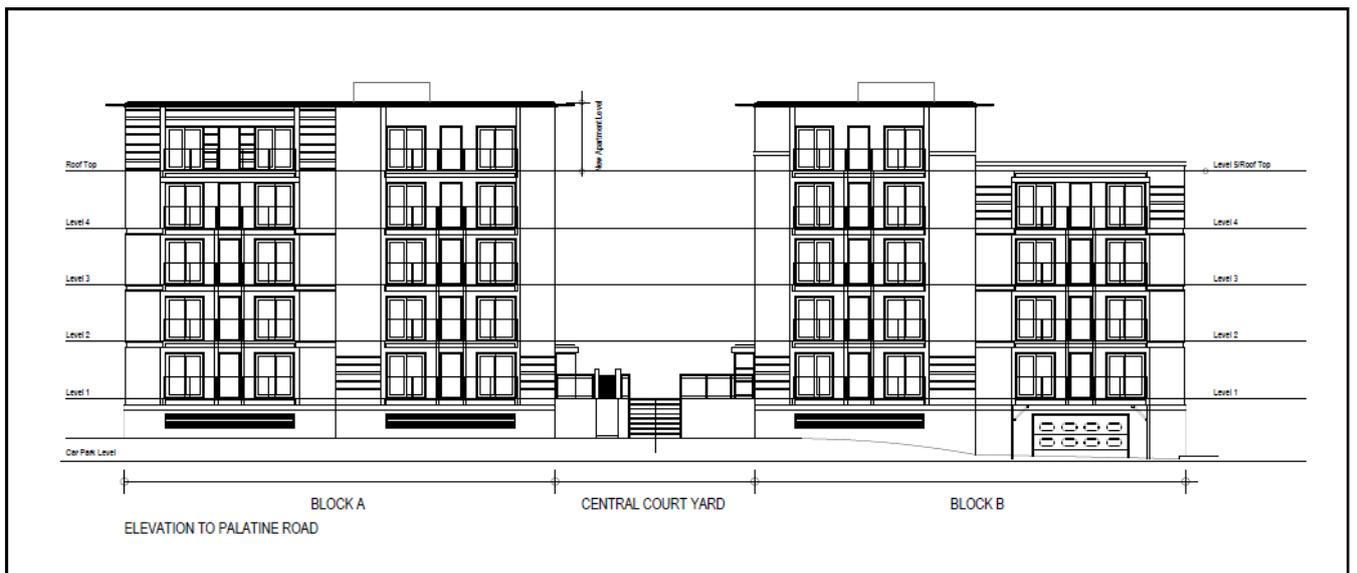
As that consent was never implemented and has now lapsed, the applicants are proposing an identical scheme, namely to add a fifth storey to Block A in order to create 4 two bed flats. In addition, the applicants are proposing to create an additional 5 parking spaces, one of which is a designated disabled space, on land to the front of Riverside Court where it adjoins Palatine Road.

The existing and proposed elevations to Palatine Road are shown below:

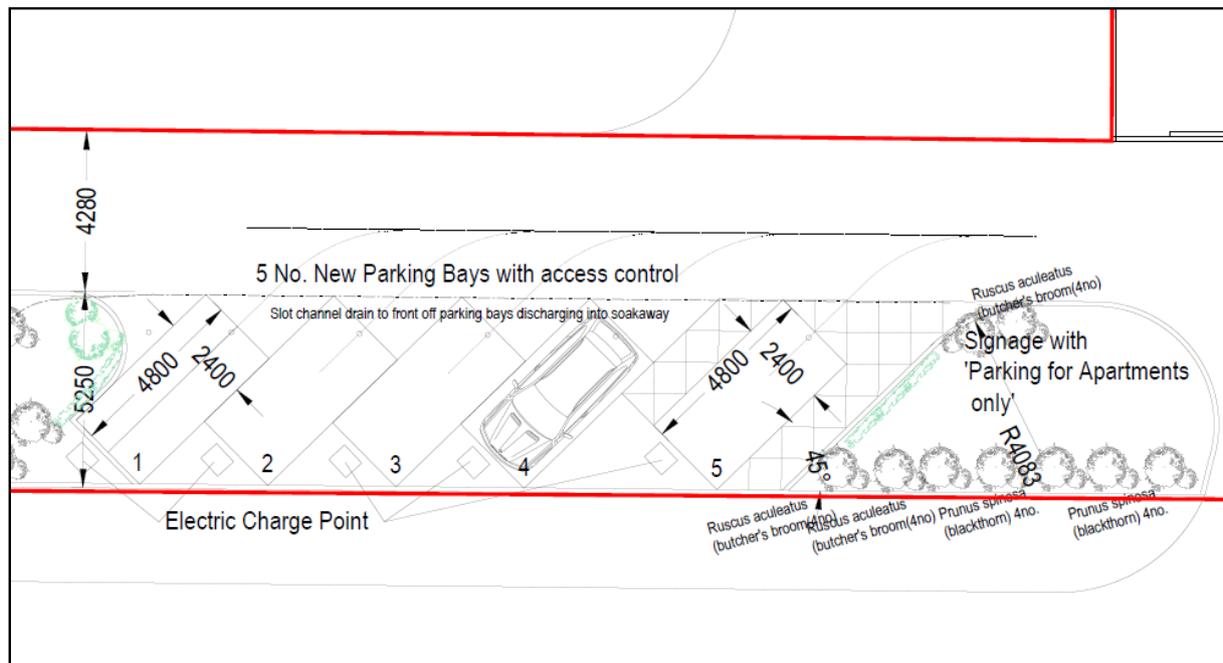


Existing elevation

Proposed elevation



The location of the proposed car parking spaces is shown below.



Consultations

Local Residents/Members of the Public – 41 letters of objection have been received, the points raised are outlined below:

- The new parking places will be unsightly and likely to cause congestion, especially if only 5 spaces are provided for 4 x 2 bedroom flats. This is likely to be insufficient and visitor parking may potentially block communal exits. With a nearby bus stop, hotel and the residents of both Riverside Court and Riverside Lodge, it tends to be congested already.
- Losing the grass verge will lead to a much starker urban feel, rather than the pleasant sub-urban environment that currently exists. There are established gardens for the residents of Riverside Court and these have been cultivated over many years. The gardens at the front would be directly adjacent to the car-park. This will be of considerable detriment to their utility.
- There was never enough parking for this development from the very beginning. Residents of Riverside Lodge permanently park on the slip road in front of the gates to Riverside Court, making it difficult to get past without having to mount the kerb to the grass verge where they now wish to put parking spaces.
- The noise generated by the proposed development will have a detrimental impact on residents' amenity.
- The proposal will increase congestion when entering or leaving Palatine Road and the introduction of these parking spaces will make it more dangerous to manoeuvre vehicles and will restrict, possibly make it impossible, access to Riverside Court for police, ambulances or fire-engines.
- The proposal will have a detrimental impact on the value of the existing flats.

- The proposed car parking area will reduce the surface area of soft landscaping and increase the level of hardstanding. The site is located within Flood Zone 3 and the level of risk from flooding will have increased since the approval of application 106052/FO/2014/S2 in 2014. It is therefore considered that details of the drainage system should be provided up front as part of the planning application and not via condition.
- There is no provision for additional secure cycle storage.
- There is no consideration in the application for provision of sustainable homes.
- The refuse collection provision on site is currently under extreme pressure and four additional apartments would add to this.
- The current proposal is not in line with Core Strategy Policy H4.
- The area of Riverside Lodge is adjacent to an area of ancient woodland and wild habitat for bats, herons, owls and a range of wildlife that has seen increasing numbers since the original application. A new ecology report should be submitted.
- The proposal will lead to a loss of light and privacy. The submitted daylight/sunlight assessment is based on theoretical testing. The experience of actual living there can only conclude that there would be a significant and unreasonable impact on the natural light entering the accommodation as well as on the habitable privacy of the flats principal living space.
- No provision has been made for charging points for green electric vehicles for these proposed car parking spaces.

Riverside Lodge Management Company Limited – Object to the proposal for the following reasons:

- The planning proposal states that Block B has already had additional apartments added to a fifth floor; this is not the case as the fifth floor was a part of the original build. Any suggestion that the fifth floor of Block B was added after the original build and can be thought of as setting a precedent is untrue.
- The applicant has made no effort to review this application and take account of more recent guidance from both MCC planning and current legislation.
- The proposal states that the development currently has 36 parking spaces. The design and access statement goes on to say that there is ample parking for each resident; this is not the case. As each apartment has two double bedrooms the majority are home to more than one resident each having a car resulting in parking being very difficult with many residents using the off-site parking in the access road along with residents of Riverside Court and overspill from The Britannia Country House Hotel. Additional parking on the grass verge is likely to be encouraged by the addition of outside hardstanding parking spaces and very little provision has been considered for how this would be managed.

- The distance between Blocks A and B is only approximately 9.1 metres and whilst the council does not have a set distance between facing habitable windows most councils state that 21 metres is required, some 12 metres further away than the proposed development. The proposed development will result in both a loss of light and privacy that the owners of the apartments on the south facing side of Block B (floors 4 and 5) currently experience. Prior to the application going to the committee a Sunlight/Daylight report should be carried out.
- The development of the original two blocks were given planning permission on the basis of a stepped appearance. The proposed increased elevation will make the build out of line in scale and appearance and will have a detrimental impact on the overall design.
- The proposed application would really distort the profile of this section of Palatine road. The development currently is staggered on both sides to the developments located either side. The proposed addition of a floor on top of block A would remove this effect and become a more imposing presence on our neighbour of Riverside Court.
- Core Strategy Policy H6 'South Manchester' states that *"High density development in South Manchester will generally only be appropriate within district centres. 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"*. The policy justification notes state that *"It is important to increase housing choice by adding to the stock of larger housing units to complement new housing on higher value sites to retain or attract high income earners by releasing under-occupied property"*. The site is not located within a district centre, and as such the proposed market value flats are not appropriate provision of housing for the location. The proposals will intensify the density of an already dense development, and will not contribute to the provision of larger housing units for high income earners and families which Policy H6 confirms there is identified need for.
- The application does not demonstrate how the development shall achieve a level 4 rating under Code for Sustainable Homes scheme as required by Core Strategy Policy DM 1.
- The proposed car parking area will reduce the surface area of soft landscaping and increase the level of hardstanding. The site is located within a flood zone and the level of risk from flooding has increased since the approval of application 106052/FO/2014/S2 in 2014. In addition, the Environment Agency maps show this to be in an area of high risk to surface water flooding. It is therefore considered details of the drainage system should be provided prior to the planning application being determined and not via condition.
- The proposed new parking is in an area already under strain from off-street parking due to the density of accommodation in both Riverside Lodge and Riverside Court and for visitors to The Britannia Country House Hotel. The use of the grass verge to provide additional hard surface parking is likely to encourage others to use the remainder of the grass verge for parking and as is seen in other areas this is almost impossible to manage. This is likely to create more problems with surface drainage, runoff further adding to surface water flooding and greatly impacting on the visual appearance of the area.

- It is also noted that the noise assessment was undertaken in 2017. Local environmental conditions have changed during this time with increased traffic on Palatine Road. As such, the previous noise report is outdated and request that it should be repeated.
- The existing refuse storage and collection arrangements are struggling to cope, this proposal will exacerbate the matter.
- A minimum of one cycle space per apartment should be provided. No details of additional cycle storage have been submitted, nor is the existing cycle provision made clear in the current application. This point should be addressed in the planning proposal.
- The ancient woodland to the west is home to a variety of animals such as bats/foxes and a range of wildlife. The bats also use the space over both blocks as a corridor to Palatine Road where the lights attract insects. The tree line to the southeast of the development is home to breeding herons. The herons fly directly over the block to access the water courses to the west. An ecology report should be carried.
- As the property is Leasehold, all apartments have a lease which states in Schedule 5 paragraph 1:
'That the tenant paying yearly rent...shall peaceably and quietly hold and enjoy the demised premises during the term without any lawful interruption from the landlord or any person or persons rightfully claiming under or in trust for it'
- The demised premises would have to be utilised if the planning proposal is passed, meaning the landlord is in breach of the lease he has with all tenants. The landlord of the Freehold has also not discharged a covenant in the lease whereby the common parts should have been transferred to the management company on the sale of the last flat.
- The site is controlled by a fob entry system. This system is full to capacity and the addition of the four apartments would not be able to be added to the current system to gain access to the site. The current entry system does not make provision for any other pedestrian entry other than the fob system.
- The lifts in block A would need to be suspended in order for the current lift shaft to be extended to reach the proposed additional floor. This would result in residents on site not able to access this service for a prolonged period of time whilst this was completed. This seems inconsiderate to the needs of residents.
- The proposed build method statement states that the additional apartments would tap into the services already on site. Currently the water is delivered using a water pump system; this would create two problems, firstly the system would be put under more strain with the increase in capacity and secondly, the whole system would have to be interrupted in order to introduce provision for the four proposed apartments. The same problem would occur with the waste/sewage removal system which is currently served by an underground pump which feeds into the main sewage drain.

- The Hotel have implemented parking charges in their carpark. The result of this is to push drivers to park on the access Road, in some cases the grass verge and directly on Palatine Road to avoid the charges. The increased volume in parking has been seen mainly at weekends when the Hotel has lots of bookings and evenings when those as members of Spindles are using the Hotels Gym. As the parking charge is new, we feel the full impact on the parking outside is yet to be seen but is already causing a problem for both residents and the users of Palatine Road.

Riverside Lodge Freehold Limited – Object to the proposal and have reiterated the objections raised by the Riverside Lodge Management Company Limited

West Didsbury Residents Association (WDRA) – WDRA object to the proposal for the following reasons:

- The supporting documentation provides insufficient assurances that construction operations would not cause damage to the long term wellbeing of trees at and near the site. No tree protection plan is provided despite the two blocks being surrounded by trees that have great amenity and air cleansing value.
- The number of parking spaces proposed is insufficient and the proposed “Parking for Apartments only” signage is unlikely to work.
- The construction of the proposal will have a detrimental impact upon the amenities of existing residents.
- All aspects of fire safety at the site to be revisited by all relevant bodies so that a public reassurance can be given as to fire safety, whether the proposal is approved or not.
- In the event that approval is contemplated WDRA request the inclusion of the same conditions as were attached to 106052/FO/2014/S2 with additional requirements as follows:
 - a) Submission of a Tree Protection Plan
 - b) Submission of a Construction Method Statement
 - c) Inclusion of an informative advising residents of the evacuation/egress routes in the event of a flood.
 - d) Submission of revised drainage and flood risk proposal

Ward Councillors – Letters of objection has been received from Cllrs Kilpatrick, Leech and Stanton, the comments are as follows:

- The proposed additional parking arrangements are wholly inadequate. This is not sufficient additional parking spaces for 4 additional flats, in a location where there is clearly not the available on street parking space.
- It is impossible to ensure that the proposed land that is to be used to for residents' parking will not be used by others. To suggest that a residents' only parking sign will be sufficient, is pure fantasy.
- There is already a problem with parked vehicles blocking access to the entrance to Riverside Court and this is very likely to become more of a problem with some of the existing space set aside for use of cars for the proposed new flats.

- There appears to be no plan as to how access for residents of Riverside Court will be maintained.
- This area is very close to the Mersey flood plain. The increase in building in the area has a major impact on the drainage and the infrastructure is too weak. Although the flats themselves will not be at risk, the development will need to ensure that it does not worsen drainage capacity. A full flood/surface drainage report should be carried out before a decision is made rather than a condition of planning after the committee.
- If approved this development will set a precedent.
- The proposal will have a serious impact on residents' amenity.

Highway Services – Highway Services have made the following comments:

- The addition of 4 apartments to the existing 16 units is unlikely to generate any significant intensification of vehicle trips with no network impact anticipated.
- The site is suitably accessed on the local bus network, with regular services routed along Palatine Road.
- An additional 5 car parking spaces are proposed in an echelon arrangement adjacent to Palatine Road. There is no requirement for vehicles to reverse onto the adopted highway.
- The inclusion of signage within the car park to identify that spaces are associated with the apartments is appropriate, given the proximity to the adjacent hotel. It is unclear where these spaces are allocated to individual apartments and whether this is any visitor parking associated with the site.
- It is strongly recommended that electric vehicle charging facilities for each of the spaces is provided.
- The existing servicing arrangements will remain unaffected by the proposals. There is a designated refuse storage area highlighted within the curtilage of the site which is accepted in principle.
- A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Environmental Health – Suggest the imposition of an acoustic insulation and refuse storage condition.

MCC Flood Risk Management – Given their elevated position there are no objections to the proposed flats.

The five car parking spaces are proposing to drain to ground via the soft landscaped areas. This is considered acceptable given the small footprint that they occupy.

Greater Manchester Ecology Unit (GMEU) – GMEU do not object to the proposal and have made the following comments:

- The existing building has very low potential to support bats and the proposed extension will not change this.
- Local bats will be used to the existing massing of the building and are unlikely to be affected by the roof extension.

- In terms of birds flying into windows, the risk is not substantially different to what it is now.
- The installation of artificial bat boxes is recommended on the building or nearby once the works are complete.

Environment Agency – The Environment Agency have made the following comments:

- The existing apartment block is located within Flood Zone 3 but there is no objection in principle to the proposed rooftop extension.
- It is recommended that the applicant register with Floodline to receive free flood warnings and prepare an emergency evacuation plan.

Policies

The National Planning Policy Framework (February 2019) – The National Planning Policy Framework (NPPF) 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 NPPF 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:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 59 states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 102 states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 105 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 163 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

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.

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 H6, *South Manchester* – 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 EN 1, *Design Principles and Strategic Character Areas* – This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy 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 8, *Adaptation 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):-

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.

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 – Given the existing uses on this and the adjoining sites, the principle of providing additional residential units in this location is acceptable. In addition, the granting of the identical scheme in 2014, under reference 106052/FO/2014/S2 is a material consideration, particularly given that there has been no change to the relevant National and City Council policies since that time and the scheme was considered to comply with all those relevant policies. Notwithstanding this, consideration must be given to the potential impact the proposal would have upon existing levels of residential and visual amenity, pedestrian/highway safety and any ecological features within the vicinity of the site.

Policy H6 – Several objectors have stated that the development is contrary to Core Strategy Policy H6 as the proposal, for high density living, is not located within a district centre. However, as this proposal is not for a new development of apartments but rather a modest increase in the number of apartments on the site it is not considered that the proposed scheme is contrary to Policy H6 in this instance.

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 a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester's space standards (SS) for residential developments.

The amount of floor space proposed for the four units ranges from 74m² to 83m². As the space standards require either 61m² or 70m², dependent on whether three or four people reside there, the proposed accommodation complies with these space standards.

Land Ownership – A number of residents have raised concerns about land ownership issues, e.g. covenants and leases. However, these are civil matters between third parties and are not a material consideration in the determination of the proposal.

Affordable Housing – As the proposal is for four flats it falls below the triggers relating to affordable housing in Policy H8 of the Manchester Core Strategy, i.e. 15 units.

Residential Amenity – The proposal's impact on existing levels of residential amenity has been assessed in respect of noise, privacy and overshadowing.

Noise - Concerns have been raised about the potential impact from noise transfer between the proposed and existing flats. To ensure that this is mitigated, a condition requiring the submission of an acoustic insulation scheme between the existing and proposed accommodation is suggested.

There is also concern that the noise generated by vehicles using the proposed car parking spaces would have an impact on the residents of Riverside Court. However, given the relatively low number of spaces proposed, the fact that this area adjoins a busy road and vehicle often park to the front of Riverside Court, it is considered that the siting of the proposed car parking spaces would not have an unduly detrimental impact upon existing levels of residential amenity.

Privacy - The southern elevation of the proposed apartments would consist of 6 habitable windows (2 x bedroom, 4 x living/dining/kitchen) and they would be located approximately 23 to 29 metres away from the northern elevation of Riverside Court. Given that this arrangement replicates the window pattern already in existence on the floors below, it is not considered that the additional floor and the accompanying habitable room windows would have an unduly detrimental impact upon the levels of privacy enjoyed by the residents of Riverside Court.

The northern elevation of the proposed apartments would consist of the same number of windows found in the southern elevation plus an additional window serving the communal staircase. These windows would be located approximately 9.10 metres away from the existing 4th floor flats in Block B and would again replicate the window pattern of the four floors below. As the proximity of the proposed (Block A) and existing windows (Block B) is the same as that currently in existence between the ground, 1st, 2nd and 3rd floors of the two blocks, it is not considered that the provision of the additional apartments would prove detrimental to the levels of privacy currently enjoyed by the occupants of the apartments in Block B.

Overshadowing – The applicant has used industry standard methodology as prescribed by BRE (Building Research Establishment) and British Standard guidance to prepare a Daylight, Sunlight and Overshadowing Assessment in order to analyse the impact of the proposal on adjoining properties.

The submitted report is split into two elements, namely Annual Probable Sunlight Hours (APSH) and Vertical Sky Component (VSC) and has analysed the impact of the proposal on windows in the northern elevation of Riverside Court and in the southern elevation of Block B, Riverside Lodge.

APSH is a measure of the amount of potential direct sunlight that is available to a given surface, in this case the southern elevation of Block B, Riverside Lodge. It should be noted that only those windows to the north of the proposal need to be assessed for the APSH test. If a reference point in the centre of a window can receive more than one quarter of the APSH, including at least 5% of the APSH during the winter months, then the room should receive enough sunlight. The impact of this proposal on the APSH is assessed as follows:

- 29 of the 30 windows in the southern elevation of Block B achieved the relevant sunlight BRE criteria for annual and winter APSH. The window which did not achieve the relevant criteria (window 26 on the ground floor) is representative of a room which is not considered to be sensitive to changes in sunlight, i.e. a bedroom. As such, the impacts of the development on APSH are considered not significant.

VSC 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 a building. The VSC measured at the centre of a window should be no less than 80% of its former value. The impact of this proposal on the VSC is assessed as follows:

- Windows in the northern elevation of Riverside Court – the VSC ranges from 95.6% to 97.54%.
- Windows in southern elevation of Block B, Riverside Lodge – the VSC ranges from 81.7% to 93.77%

Given these findings, i.e. they are all above the minimum of 80%, the impact on the amount of daylight reaching the existing windows in the adjoining properties would not be significant.

In addition to the APSH and VSC studies, the assessment also examined the potential of the proposal to overshadow the amenity space at the rear of Riverside Lodge. A sun-path analysis was produced to determine the amount of time the amenity area was not overshadowed on the 21st March, i.e. the worst-case scenario. The assessment indicated that 98.23% of the amenity area would achieve at least 2 hours of sunlight. This complies with BRE guidance and as such any impact on the amenity space as a result of overshadowing is not considered to be significant.

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.

Disruption during Construction – To protect residential amenity during the construction process implementation of the submitted Construction Management Plan has been conditioned (condition no. 9). The approved Construction Management Plan, which covers such topics as dust suppression, waste management, delivery of materials, has been considered acceptable by Environmental Health.

Visual Amenity – The southern element of Block B is already 5 storeys in height and the proposal is seeking to replicate this. Block A would change in height from approximately 13.10 metres to 15.6 metres, matching the 5 storey element in Block B. It is not considered that the changes in the height of Block A would have a detrimental impact upon the levels of visual amenity enjoyed along this stretch of Palatine Road.

Design – As with the proposal approved in October 2014, the design of the additional flats mimics the existing buildings in terms of window heights, materials, brick banding and balcony detailing. As a result, the overall design of the proposal is considered acceptable.

A number of residents have raised concerns that the introduction of the additional floor would have a detrimental impact upon the streetscene, as Riverside Lodge was originally designed to “step down” to the adjoining Riverside Court. Given that the upper floors replicate the original design and the massing of the extensions is broken up by the windows, balconies and brick detailing, it is not considered that the additional floor (which can be seen on page 2 of this report) would have a detrimental impact upon the streetscene.

Pedestrian and Highway Safety – It is not considered that the four additional residential units would generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety enjoyed along Palatine Road in the vicinity of the site. The local highway authority raise no objections on the basis of impacts of the proposals on highway or pedestrian safety.

Car Parking – Residents have raised concerns about the existing parking problems in the vicinity of the site and specifically along the access road to the front of the Britannia Hotel and Riverside Court. While it is acknowledged that this unadopted access road does experience issues with unauthorised parking by customers of the hotel/gym and a number of local residents, it is considered that the provision of the additional five car parking spaces will assist in preventing the unauthorised parking from worsening.

Given the number of flats proposed and the proximity of bus stops on Palatine Road, it is considered that the number of parking spaces proposed is acceptable.

Disabled Car Parking – The applicant has amended the scheme to allow for the inclusion of a disabled parking space, this is welcomed.

Ecology – The proposal would not have a detrimental impact upon any protected species, particularly bats, or any other flora and fauna that adjoins or passes through the site. This has been confirmed by GMEU.

Notwithstanding this, a condition is suggested which would require the applicant to install bio-enhancements in the form of bat boxes.

Impact on the Green Belt – The Green Belt is located between 81 to 88 metres to the northwest of Block A and is separated from it by approximately ½ hectare of mature woodland which is protected by a Tree Preservation Order. Given the above, it is not considered that erecting an additional floor on top of Block A would have a detrimental impact upon the setting of the Green Belt or views into and out of it.

Amenity Space – Though no additional private amenity space is proposed, it is acknowledged that each new apartment would have its own balcony area. Given the provision of the balconies, along with the existing private amenity space at the rear of Blocks A and B and the proximity of the Mersey Valley Area, it is considered that sufficient amenity space exists for the future occupants of the four apartments.

Flood Risk – The site is within Flood Zone 3 and for this reason the Environment Agency were consulted. While offering no objections they did highlight the need for future residents of the development to register with Floodline to receive Flood Warnings and prepare an evacuation plan. This advice would be included as an *informative* on any approval notice issued.

The City Council's Flood Management Team have also been consulted and have confirmed that the proposal is acceptable in drainage terms.

Refuse Storage – The City Council's waste management guidance states that a development of this size should provide a refuse storage area of 16.34m² (36 apartments x 0.43m²). As the existing bin store is 19.6m² in size and consists of six 240 litre bins to cater for general refuse and recycling the provision is considered acceptable.

Energy Efficiency – The previous planning permission for the additional flats (106052/FO/2014/S2) required the scheme to achieve Level 4 under the Code for Sustainable Homes scheme. Since March 2015, energy saving requirements have been dictated by Building Regulations approved documents set at a level equivalent to the now discontinued Code for Sustainable Homes.

Building Regulations state that by 2020 buildings should have a 30% emission reduction and the way to achieve this is by using renewable energy technologies.

The site's resources and the building's heat and power loads have been assessed to establish which low and zero carbon technologies might be suitable for integration into the building, the findings are as follows:

- Construct the building with elements providing an improvement over the Part L2 requirements.
- Solar Hot Water generation will be considered for the site however this will not alone provide a 20% reduction in energy and CO₂ emissions.
- Wind Turbines are not a viable proposition due to the average wind speed of the location being 5.2m/s which is below the minimum requirement of 6.0m/sec.
- Heat Pumps will be considered for use on the site as a viable LZC technology.
- Energy metering and sub metering will be included as described within Approved Document Part L2a.

- Building air tightness will be improved over the requirement of Approved Document Part L2a of 5m³ /hr/m² @ 50Pa to 3m³ /hr/m² for buildings under 500m² .
- Items of heating plant will be selected from the Enhanced Capital Allowance (ECA) scheme for greater efficiency.
- Lighting installation to comprise of low energy LED systems.
- The extension to be constructed with materials that would improve the energy efficiency of the building.

These findings show that the easiest way to achieve the Building Regulations requirements is to increase the thermal performance of the building as well as maintaining a high standard of building quality; this in turn will allow the applicant to achieve a lower air leakage test.

To ensure that the findings of the applicant's report are incorporated into the proposal an appropriately worded condition is suggested.

Vehicle Charging Points – All of the proposed car parking spaces would incorporate a free standing electric vehicle charging point of the fast charging type (AC 7 to 22kW). This is welcomed.

Trees – The proposal would not have an impact on any existing trees within or adjacent the application site. Notwithstanding this it is considered prudent to attach the standard tree protection condition to ensure that existing trees are protected during the construction phase.

Landscaping – To compensate for the loss of part of the verge for the five parking spaces, the applicant is proposing to plant the following shrubs:

- 24 x “Butchers Broom” shrubs
- 8 x “Black Hawthorn” shrubs

The proposed landscaping scheme is considered acceptable.

Drainage – A slot channel drain, which would serve all five car parking spaces, would drain into a 6.9m³ soakaway to be located at the side of the spaces. The Flood Risk Management Team have confirmed that this is acceptable given the small number of car parking spaces proposed.

Cycle Storage – At present there are seven cycle hoops in the basement parking area, providing storage for 14 cycles. The applicant is proposing to install a further cycle stand to provide storage for an additional two cycles. Overall the provision is considered acceptable.

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 the overall significance of the 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.

Conclusion

This application is identical to that approved on 17th October 2014, under reference 106052/FO/2014/S2. As that planning permission was never implemented and subsequently lapsed in 2017, the applicant was required to resubmit the proposal. The fact that the previous scheme was approved by the Planning and Highway Committee, and there have been no changes to the relevant policies, is a material consideration. Notwithstanding this, as the proposal will not have a detrimental impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site, or have an impact upon existing levels of pedestrian and highways safety along this stretch of Palatine Road, it is considered the proposal complies with Policy DM1 in the Manchester Core Strategy.

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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation - APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application.

Conditions

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. 1399.P.02, stamped as received on 16th October 2019
- b) Drawing no. 1399.P.03A, stamped as received on 31st January 2020
- c) Drawing no. 1399.P.04A, stamped as received on 31st January 2020
- d) Drawing no. 1399.P.10, stamped as received on 16th October 2019
- e) Drawing no. 1399.P.11, stamped as received on 16th October 2019
- f) Drawing no. 1399.P.15B, stamped as received on 16th October 2019
- g) Drawing no. 1399.P.16A, stamped as received on 13th November 2019
- h) Drawing no. 1399.P.17B, stamped as received on 16th October 2019

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

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

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

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

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

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26

5) The development hereby approved shall be acoustically insulated in order to secure a reduction in the level of noise emanating from the apartments. The scheme shall be submitted to and approved in writing by the City Council as local planning authority and completed before the development becomes operational.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

6) The car parking facilities and associated signage, as indicated on the approved plans, shall be made available for use prior to the residential accommodation hereby approved being occupied. The car parking facilities shall then be available at all times whilst the dwelling units are occupied.

Reason - To ensure that there is adequate parking for the development proposed when the dwelling units are occupied, pursuant to policy DM1 in the Manchester Core Strategy

7) Before the development hereby approved commences, details of the proposed soakaways to the car parking area shall be submitted to and be approved in writing by the City Council as local planning authority. The development shall then be implemented and thereafter maintained in accordance with the approved details.

Reason - To reduce the risk of flooding by ensuring the satisfactory storage/disposal of surface water from the car parking facilities, pursuant to Policy DM1 in the Manchester Core Strategy.

8) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref. 1399.P.04.A, stamped as received on 31st January 2020, shall be implemented not later than 12 months from the date of completion of the construction works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

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

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

10) The development hereby approved shall be implemented in full accordance with the measures as set out within the Sustainability Statement (Walker Design), stamped as received by the City Council as local planning authority on 5th December 2019: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development.

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

11) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. the designated route for construction and delivery vehicles
2. the parking of vehicles of site operatives and visitors
3. loading and unloading of plant and materials
4. storage of plant and materials used in constructing the development
5. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

6. wheel washing facilities
7. measures to control the emission of dust and dirt during construction
8. a scheme for recycling/disposing of waste resulting from demolition and construction works
9. hours of working

Reason - In the interest of pedestrian and highway safety and residential amenity, as specified in policies SP1 and DM1 of Manchester Core Strategy.

12) In this condition "retained tree" means an existing tree, shrub or hedge, within or adjoining the site, which is to be retained 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.

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: 125186/FO/2019 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

West Didsbury Residents Association
Northenden Civic Society
Northenden Neighbourhood Forum

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
West Didsbury Residents Association
Ward Councillors

Relevant Contact Officer : David Lawless
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Application site boundary • Neighbour notification
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