

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
121828/FO/2018	21st Jan 2019	12 <sup>th</sup> Mar 2020	Northenden Ward

**Proposal** Erection of a 4 storey building to form 16 two bed apartments with one commercial unit (Class A1 to Class A4)) on the ground floor, with associated car parking, refuse and cycle stores at the rear, following demolition of existing building.

**Location** 349 - 359 Palatine Road, Northenden, M22 4FY

**Applicant** Mr Tom Morgan , Gustav Bonnier, St Johns House, 22 Royle Green Road, Manchester, M22 4NG,

**Agent** Mr Harry Calder, Calderpeel Architects, Market Court, 20-24 Church Street, Altrincham, WA14 4DW

### **Description**

The site consists of a terrace of commercial properties, namely 349 to 359 Palatine Road, located with the Northenden District Centre. The properties are currently vacant but were last used as a beauty salon, a café and a bar on the ground floor, with associated commercial space above. To the rear of the site there is a service/parking area and beyond that lies a terrace of two storey dwellings, namely 38 to 50 Allanson Road. On the opposite side of Palatine Road there is a three storey terrace of commercial properties with residential accommodation above. On one side of the site there is an access road and further commercial properties, while on the other side, the terrace of commercial properties continues.

The applicant is proposing to demolish the existing terrace and replace it with the following:

- Erection of a 4 storey building consisting of a ground floor commercial unit (226m<sup>2</sup>), with 16 two bed apartments above.
- Creation of 15 parking spaces at the rear of the site, access to which would be via the existing access road at the side of the property. Two of these spaces would be disabled parking spaces.
- Erection of an external bin and cycle store.

Originally the proposal overhung the whole of the access road but the proposal was reduced in length to form a break between the site and the adjoining commercial properties.

### **Consultations**

**Local Residents** – 16 letters have been received from local residents, 3 in support of the proposal and 13 objecting to it. The points raised can be summarised as follows:

- A high street needs new development and new shops to create consumer interest and draw people to the local area encouraging them to spend money and support local businesses.
- This new development will not only freshen up the area but it will draw new people in and provide a much needed retail space below, replacing the tired, dilapidated space.
- Many residents are complaining about the already struggling businesses but healthy competition once again brings footfall to an area, and this can only be a good thing.
- The existing bar has changed hands a number of times over the past 10 years and is scruffy and not much of an asset to the high street. Retail and apartments is a much better idea.
- The existing commercial units are often short term lets to unreliable vendors and unpleasant bars etc., it should be ensured that the design of the building fits in with the current infrastructure. The area in which it is intended to be built is an area of red brick, often with a dark slate roof. You only have to look behind the high street to see this. This design was also replicated by the new estate on Peggy Lane at the bottom of the town.
- There is a lack of parking in the town as Express Solicitors continues to grow, taking up the majority of parking on Mill Lane, Allanson Road, Brett Street and Queenhill Road during the day. The new estate on Peggy Lane has also absorbed a lot of spare parking. Although the new flats will have car parking, it will be one space to two bedrooms, therefore with two individuals, two cars, and visitors, it is only natural that they will take up additional spaces. It should be considered whether, as part of their investment into the area, the support of a car park could be considered, such as the one on Mill Lane.
- It is inappropriate to create a block of flats in an area such as Northenden, which borders Wythenshawe, without affordable housing. It has to be recognised that this is an up and coming area, popular with young professionals, and an area which is currently lived in by a lot of low income families, these individuals should not be priced out of the area as they have been with Didsbury and Withington.
- The height of the proposed development will be out of keeping with surrounding buildings, interrupting their continuity of height and appearance.
- The proposed development is dominating, overbearing in size, scale and proximity and not in keeping with the character of the immediate vicinity and wider village area, particularly along Palatine Road. Due to the close proximity and size, the development will also be visually intrusive when viewed from adjoining dwelling and their external amenity areas, resulting in a significant loss of privacy and amenity.
- The proposed development will tower above the adjacent two storey buildings, be totally incongruous, and its modern design will not be in keeping with this locality.
- At the rear of the proposed development (to the east) are the courtyards and garden areas of Allanson Road residents (numbers 38-50), all of which will suffer overshadowing by this proposed development. The southern aspect of the development sits opposite the rear of No. 48, meaning that residents will suffer from a loss of sunlight in the courtyard and rear lounge window during

the late afternoon/early evening in July and August (from approximately 5pm onwards).

- As a result of the proposed balconies at the rear of the development, the residents of Allanson Road will be completely overlooked to an intrusive and unacceptable level. The development may be over 23 metres away from those properties but the overbearing height at four storeys will mean the upper levels will have direct views into the properties' gardens and habitable rooms creating immense discomfort. Conversely, and unacceptably, the residents of the proposed development would not have any of their habitable rooms overlooked and would therefore have a higher degree of privacy.
- The proposal would be contrary to Policy DM1 due to its impact on privacy and overshadowing.
- The use of modern materials proposed for this construction, will add to its ill-fitting appearance alongside much older buildings.
- The building will protrude forward onto the paved area on Palatine Road. This may cause conflict between pedestrians and drivers should commercial vehicles park in front of the building for offloading etc, since the pavement area would be restricted.
- The demolition of buildings and construction of a new building will increase traffic congestion and noise along Palatine Road, which already has traffic flow problems. Any increase in traffic will have a negative impact on the shopping area, causing difficulties for pedestrians and motorists alike, as well as increasing pollution levels.
- Given our current Climate Crisis, it would be better to renovate existing buildings rather than add to CO2 levels, through the necessary quarrying and road haulage needed for a new build.
- No consideration has been given to bio-diversity. Older buildings are preferred as nesting sites for birds, in particular House Martins have used this stretch of Palatine Road for many years. There is no mention in the plans to accommodate them within the new build structure.
- An insufficient number of parking spaces are proposed for the number of flats/residents.
- Would there be access for refuse collection to the rear of neighbouring properties on Palatine Road?

**Ward Members** – A joint letter of support has been received from Councillors Monaghan and Russell. Their comments are summarised as follows:

- The applicant's previous developments in Wythenshawe are of high standard.
- Northenden needs this investment to improve Palatine Rd and attract new businesses.
- The site as it stands, is shabby and unattractive and despite many bars and restaurants opening here, none have made it and survived.
- The site needs investment and redevelopment.
- Four shops near here are to close.
- This new row will no doubt attract major retailers to the area and make Palatine Rd more modern and inviting.
- The development should address residents' concerns about car parking.

**Northenden Civic Society** – No objections raised.

**Northenden Neighbourhood Forum** – Have expressed 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.
- The parking proposals provide for 16 suitably sized bays (one space per unit) of which one is designated for disabled use, this is considered acceptable.
- Whilst no off-site parking is being provided for the retail unit, it is considered that any further parking demand can be accommodated within the district centre.
- Secure cycle storage is being provided to the rear for 18 cycles which is considered acceptable.
- It is recommended that either the loading restrictions on Palatine Road are amended as part of the development to allow only off-peak or evening loading and unloading, or that some of the servicing is accommodated within the rear courtyard.
- The swept path analysis provided verifies that the necessary vehicle manoeuvres can be undertaken once the access has been widened. Alterations to the highway will therefore be required and are to be undertaken through a S278 agreement.
- Waste storage for the residential units is provided in the rear courtyard whilst the commercial bin store is to the rear of the ground floor and each of these storage areas is considered acceptable.
- The applicant should submit a Construction Management Plan before work commences on site.

**Environmental Health** – Recommends that a number of conditions are imposed on any approval granted in respect of acoustic insulation, refuse storage, hours of operation and contaminated land.

**Greater Manchester Ecology Unit (GMEU)** – GMEU have requested information about potential bat habitation. Any comments from GMEU will be reported at the committee.

**Greater Manchester Police** – Recommend that a condition to reflect the physical security specifications set out in the Crime Impact Statement be added should the application be approved.

**MCC Flood Risk Management** – Suggests the imposition of two conditions designed to secure proper drainage of the site and to manage the risk of flooding and pollution.

**United Utilities Water PLC** – United Utilities also suggest the imposition of conditions designed to secure proper drainage of the site and to manage the risk of flooding and pollution.

## **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.

**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 H 8, *Affordable Housing* – This policy states that the following requirements for affordable housing or an equivalent financial contribution currently apply to all residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed. These thresholds will be subject to amendment over the lifetime of the Core Strategy to reflect changing economic circumstances.

- 1) New development will contribute to the City-wide target for 20% of new housing provision to be affordable. Developers are expected to use the 20% target as a starting point for calculating affordable housing provision. It is envisaged that 5% of new housing provision will be social or affordable rented and 15% will be intermediate housing, delivering affordable home ownership options.
- 2) The proportion of affordable housing units will reflect the type and size of the development as a whole; and where appropriate provision will be made within Section 106 agreements to amend the proportion of affordable housing in light of changed economic conditions, subject to a financial viability assessment.
- 3) Affordable housing units will be inclusively designed to reflect the character of development on the site.
- 4) Either an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the proportions of socially rented and intermediate housing, or a lower commuted sum, may be permitted where either a financial viability assessment is conducted and demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; or where material considerations indicate that intermediate or social rented housing would be inappropriate. In the latter case, such circumstances could include:
  - There is a very high level of affordable housing in the immediate area;
  - There is either a high proportion of social rented (35%), or low house prices in the immediate area compared to average incomes;
  - Affordable housing would be prejudicial to the diversification of the existing housing mix. The inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Frameworks, planning frameworks or other Council approved programmes;
  - It would financially undermine significant development proposals critical to economic growth within the City;
  - The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability;
  - There is a need for additional housing provision for older people or disabled people either as affordable or market housing dependent on the results of a financial viability assessment of the scheme.

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 1,000m<sup>2</sup> 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 space 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 landmarks 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** – This property is currently in use as three separate businesses, all of which ceased trading some time ago. Replacement occupants have not been forthcoming and it is acknowledged that several operators of the bar

have attempted to make a success of the drinking establishment but none have succeeded. It is considered that a new, purpose built development, offering modern commercial premises with apartments above would inject some vitality into Northenden District Centre and improve its continued viability. 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.

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** – Policy H8 requires that development should contribute to the City-wide target that 20% of new housing is affordable. 20% is used as a starting point for calculating affordable housing and homes should be available for social or affordable rent or affordable home ownership. If this is not provided on site, an equivalent financial contribution should be made to off-site provision. The level of affordable housing required should reflect the type and size of the development and take into account factors such as an assessment of a particular local need, any requirement to diversify housing mix and the need to deliver other key outcomes, particularly regeneration objectives. Should a viability assessment demonstrate that a scheme cannot deliver affordable housing, the applicant may request an exemption from providing affordable housing, or provide a lower proportion, a variation in the mix of affordable housing, or a lower commuted sum. Examples of these circumstances are set out in part 4 of the Policy H8.

The application proposes to sell the 16 apartments and rent out the commercial unit. The proposal would create an active street frontage in a prominent position within the Northenden District. It would be a quality scheme in terms of its appearance and would comply with the Residential Quality Guidance. It also delivers a significant component of commercial space. All these matters have an impact on the scheme's overall viability.

A viability report, that has been assessed and verified by the Council, demonstrates that it is not possible to provide a contribution towards affordable housing in this instance. This is based on a site value of £500,000 and a total development cost £3,512,705. Based on the inputs and outputs this would lead to deficit of -£201,352, if affordable housing was included in the scheme, or a deficit of -£142,987 if no affordable housing was provided. Notwithstanding this, the developer has set out that whilst they are making a loss on this site they believe the development is deliverable, as it is intended for the applicant to retain ownership of the commercial element, with revenue to be collected as rent from tenants over a very long-term period.

The figures above clearly demonstrate that the scheme is not viable, but that the developer believes that the scheme is deliverable as a long-term investment. The viability report has been tested by the Council and it has been agreed that it would not be possible for the development to make provision on site or a financial contribution towards offsite affordable housing without undermining viability.

Notwithstanding the above, the applicant has agreed to enter into a legal agreement which would include a provision for a reconciliation contribution payment should these values change at an agreed point.

**Design** – The proposed building is contemporary in design and would be constructed from a mix of brick and cladding. The ground floor commercial element would consist predominantly of glazing to provide an active frontage, while the first and second floors would be constructed out of brick with the front and rear façades broken up by a series of vertical windows and a contrasting band of cladding. In addition, these recessed windows and corresponding brick panels provide shadowing and modelling to add interest and break up what would otherwise be a flat façade. The top floor would be constructed from cladding and set back from the Palatine Road frontage to reduce the overall impact of the proposal and to provide an external seating area. The rear elevation would also consist of two external seating areas which also break up the massing of the proposal.

In terms of materials, the ground floor consists predominantly of glazing with the external skin of the upper floors consisting of a combination of light brickwork and cladding panels. Windows are proposed to be framed with grey aluminium frames.

A number of residents have raised concerns about the contemporary design as they feel the area is predominantly one of red brick buildings topped by slate roofs. While this might be the case with the more domestically scaled building in Northenden, the taller buildings within the district centre do depart from that. The commercial buildings opposite (as see below) are constructed from a lighter brick, and the modern building being constructed at 391 Palatine Road, which stands at 3 to 5 storeys, uses a combination of brick, render and cladding. The building which currently stands at the corner of Palatine Road and Church Road is also constructed from a combination of lighter coloured brick and cladding panels.

The architecture within the Northenden District Centre is varied with the traditional two storey terraces being punctuated by new developments which are taller and comprising of more modern materials. It is considered that this proposal adds to that variety.



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



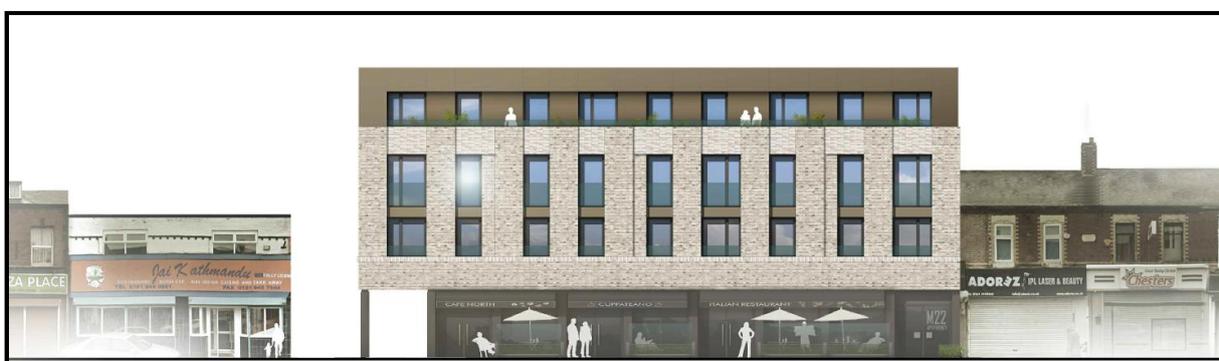
Rear elevation



**Scale and Massing –**

The building is arranged over four storeys with the top floor set back from the front elevation. Whilst the proposed building is larger than the properties that immediately adjoin it, it is comparable to the commercial parade on the opposite side of Palatine Road and the smaller than the development under construction at 391 Palatine Road and that situated at the junction of Palatine Road and Church Road. Given this, it is considered that the scale of the development is appropriate for the Northenden District Centre and adds to the visual interest on this part of Palatine Road.

By introducing a varied palette of materials and articulation around the windows, as well as setting back the top floor, the impact of the proposed building has been reduced and the massing considered acceptable. The front elevation of the proposal in the context of the adjoining commercial properties is shown below:



Examples of taller buildings within the Northenden District Centre are shown below:

Building at the junction of Palatine Road and Church Road



Building approved at 391 Palatine Road



**Site Layout** – The footprint of the proposal has been reduced from that submitted. It is linear in shape 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 a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester’s space standards for residential developments.

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

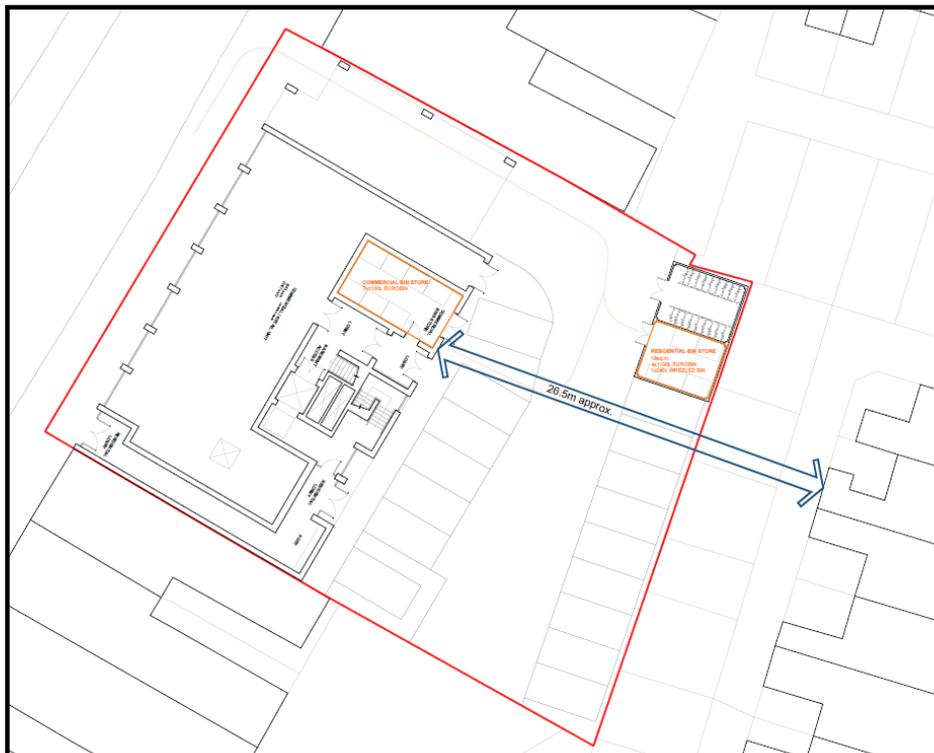
- Apartment 01 - 1 bed 50m<sup>2</sup> (Space Standard – 50m<sup>2</sup>)
- Apartment 02 - 1 bed 50m<sup>2</sup> (Space Standard – 50m<sup>2</sup>)
- Apartment 03 - 2 bed 61m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 04 - 2 bed 61m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 05 - 2 bed 64m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 06 - 2 bed 64m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 07 - 1 bed 50m<sup>2</sup> (Space Standard – 50m<sup>2</sup>)
- Apartment 08 - 1 bed 50m<sup>2</sup> (Space Standard – 50m<sup>2</sup>)
- Apartment 09 - 2 bed 61m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 10 - 2 bed 61m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 11 - 2 bed 64m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 12 - 2 bed 64m<sup>2</sup> (Space Standard – 61m<sup>2</sup>)
- Apartment 13 - 1 bed 50m<sup>2</sup> (Space Standard – 50m<sup>2</sup>)
- Apartment 14 - 2 bed 72.4m<sup>2</sup> (Space Standard – 70m<sup>2</sup>)
- Apartment 15 - 2 bed 70m<sup>2</sup> (Space Standard – 70m<sup>2</sup>)
- Apartment 16 - 2 bed 77.5m<sup>2</sup> (Space Standard – 70m<sup>2</sup>)

Given the above that the proposal complies with Manchester's space standards.

**Disabled Access** – Access to the ground floor commercial premises would be obtained via a level access off Palatine Road. Level access to the proposed apartments is provided from Palatine Road and also from the residents' parking area at the rear. Both lead to a lift which allows access to all of the apartments. In addition, two of the 15 parking spaces have been designated as disabled parking spaces. 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 approximately 26.5 to 29 metres away from the rear elevations of the nearest dwellings on Allanson 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 "directly opposite" habitable windows, as in the case of the proposed rear elevation and the rear elevation of those properties on Allanson Road, a distance of 21 metres.

On the whole the proposal exceeds these longstanding recommended privacy distances and as such it is not considered that the development would lead to any undue loss of privacy resulting from overlooking, especially from the two rear

balcony areas. In addition, as the nearest habitable room window in the proposed development would be approximately 18 metres from the common boundary with the Allanson Road dwellings, it is not considered that the proposal would lead to excessive overlooking of the rear amenity areas.

Noise – It is not considered that the proposal would be an inherently noise generating use. Any comings and goings associated with the proposed commercial element would be replacing those associated with the three separate uses that used to operate from the site. 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. It should be noted that a condition would limit the opening hours of the commercial element to the following:

- Sundays to Thursdays – 8.00am to 11.30pm
- Fridays and Saturdays – 8.00am to midnight

A separate condition would require the external seating area to cease operation by 10.00pm.

Daylight/Overshadowing – Annual Probable Sunlight Hours (APSH) is a measure of sunlight that a given window may expect over a year period. North facing windows may receive sunlight on only a handful of occasions in a year, and windows facing eastwards or westwards will only receive sunlight for some of the day. Therefore, Building Research Establishment guidance states that only windows with an orientation within 90 degrees of south need be assessed. In this case as all of the window receptors in the rear elevations of the dwellings on Allanson Road face towards the west there is no need to undertake an APSH study. Notwithstanding the above, the applicant has run a series of computer simulations to show how much the proposed development would overshadow neighbouring dwellings. These simulations take place at 9.00am, 12 noon, 3.00pm and 6.00pm in January, April, July and October and demonstrate that given the orientation of the sun, the dwellings on Allanson Road would not be subjected to overshadowing to any great degree. As can be seen below, these simulations demonstrate that only the “6.00pm April” test show nos. 38 and 40 Allanson Road would be subject to some form of overshadowing.

The impact is considered to be acceptable in this instance.



**Visual Amenity** – Given the design, scale and massing of the proposed building it is not considered that the development have an unduly overbearing appearance and as a result would not have a detrimental impact upon 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.

Originally the applicant proposed 16 car parking spaces at the rear of the premises. However, in order to add an additional disabled car parking space and introduce a number of trees to the rear of the development the number has been reduced to 15.

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 15 spaces, which includes two disabled parking spaces, for 16 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.

Outside seating is proposed and this would be comparable with the outside offer already in existence on the site. This would not prejudice pedestrian safety in this location.

**Servicing** – The ground floor commercial use is to be serviced from Palatine Road, which would require the applicant to vary the Traffic Regulation Order that is currently in place in that location. In terms of refuse disposal, the bins would be sited on Palatine Road on the morning of collection and returned to their store once they have been emptied.

These arrangements are acceptable for this 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 applicant would provide 7 x 1,100 litres Eurobins which would provide storage for general waste, food waste, pulpable and mixed recycling.

For the residential element, current guidance states that 0.43m<sup>2</sup> of space should be provided for each apartment, in this instance that would equate to a bin store with a floor area of 6.88m<sup>2</sup> of space. In this case the applicant has provided a bin store with a floor area of 18m<sup>2</sup> which provides the flexibility to house 4 x 1,100 litre Eurobins and a 240 litres wheelie bin to allow recycling of garden/food waste, glass, metal, plastics, paper/cardboard and general household waste. A food caddy would also be located in each of the apartments. To access the refuse storage area the residents would have to walk across the car parking area. The location can be seen on the site layout plan displayed earlier on in this report.

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.

A local business did raise concerns about refuse collection being prevented by the proposal. As the access road to the side of no. 367 Palatine Road would remain refuse collections for the adjoining businesses would still be possible from Palatine Road.

**Commercial Use** – Given the amount of floorspace proposed (225.5m<sup>2</sup>) and the location of the site within a district centre, the proposed commercial use (Class A1 to A4 – retail, offices, restaurant or drinking establishment) 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.

**Energy Efficiency** – 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. It is acknowledged that the usual preference is to convert existing buildings given the reduced carbon footprint associated with such conversions. However, it is recognised that these buildings have become dilapidated over time and that their replacement would be more energy efficient and that this outweighs their retention.

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.

The proposal would include the following key points:

- Thermal performance of construction elements which exceeds Building Regulations in combination with renewable technologies to further reduce energy demand (i.e. photo voltaic roof panels) aspiring to achieve not less than 15% reduction in CO2 emissions compared with Building Regulations 2010;
- Internal water use within all dwellings to be reduced to 105 litres per person per day through the provision of water saving fittings;
- Waste minimisation principles adopted both during construction and in the lifespan of the development through provision of recycling/composting facilities.
- Use of materials in the construction process which have a low environmental impact as determined by the BRE's Green Guide;
- Maximising the use of recycled and sustainably sources building materials.
- As the parking spaces are not designated per flat, the provision of three vehicle charging points in the proposed car park.

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

**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.

**Trees** – The applicant has revised the rear parking area in order to allow for the planting of four trees. In addition, the applicant has also stated his willingness to plant street trees in the vicinity of the site. Both are welcomed and would be the subject of a planning condition.

**Ecology** – Whilst it is not anticipated that bats have inhabited the premises, given the lack of a roof void as the upper floor has been used as an event space, the

comments of GMEU have been sought. Any observations would be reported at the committee.

Whilst there is little vegetation at the rear of the property a condition limiting the time when this can be cleared would be attached to protect nesting birds. Another condition requiring the installation of bird and/or bat boxes within the development is suggested.

**Crime and Anti-Social Behaviour** – As requested by Greater Manchester Police, a condition requiring that the proposed physical security specifications are incorporated into the development is suggested in this instance.

### **Conclusion**

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 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 – MINDED TO APPROVE** (subject to the signing of a legal agreement which will include a provision for a reconciliation, which would require a contribution to be paid if values change at an agreed point, there would also be provision for a future review mechanism so if the residential units are to be retained as a rented scheme or are changed from rented to sale at a future date.)

### **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 18158(PL)102A, stamped as received on 20th December 2019
- b) Drawing 18158(PL)110F, stamped as received on 2nd March 2020
- c) Drawing 18158(PL)112A, stamped as received on 20th September 2019
- d) Drawing 18158(PL)119C, stamped as received on 20th September 2019
- e) Drawing 18158(PL)120D, stamped as received on 20th September 2019
- f) Drawing 18158(PL)121C, stamped as received on 20th September 2019
- g) Drawing 18158(PL)122D, stamped as received on 20th September 2019
- h) Drawing 18158(PL)123D, stamped as received on 20th September 2019
- i) Drawing 18158(PL)202, stamped as received on 12th November 2018
- j) Drawing 18158(PL)203, stamped as received on 12th November 2018
- k) Drawing 18158(PL)211, stamped as received on 12th November 2018
- l) Drawing 18158(PL)212B, stamped as received on 20th September 2019
- m) Drawing 18158(PL)253B, stamped as received on 20th September 2019
- n) Drawing 18158(PL)254B, stamped as received on 20th September 2019
- o) Drawing 18158(PL)255A, stamped as received on 20th September 2019
- p) Drawing 18158(PL)256A, stamped as received on 20th September 2019

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 works 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) No above ground works shall 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 Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

5) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that 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. This condition is imposed in light of national policies within the NPPF and NPPG and Policies EN8 and EN14 in the Manchester Core Strategy.

6) 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:

- a) Verification report providing photographic evidence of construction as per design drawings;
- b) As built construction drawings if different from design construction drawings;
- c) 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 and there is funding and maintenance mechanism for the lifetime of the development, Policies EN8 and EN14 in the Manchester Core Strategy.

7) Ground floor levels should be a minimum of whichever is the higher of 300millimetres (mm) above the general ground level of the site or 600mm above the estimated flood level of the River Mersey.

Reason – To promote sustainable development and to manage the risk of flooding. This condition is imposed in light of national policies within the NPPF and NPPG and Policies EN8 and EN14 in the Manchester Core Strategy.

8) 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 Manchester Core Strategy.

9) 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.

10) The 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 before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

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 acceptable 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 safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy.

11) 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.

12) 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 scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

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.

13) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy.

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

- Sundays to Thursdays - 8.00am to 11.30pm
- Fridays and Saturdays - 8.00am to midnight

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 Manchester Core Strategy.

15) The external seating area associated with the commercial element of the development hereby approved shall not be open outside of the following hours:-

8.00am to 10.00pm

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 Manchester Core Strategy.

16) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

- Mondays to Saturdays - 7.30am to 8.00pm
- Sundays and Bank Holidays - no deliveries/waste collections

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy.

17) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 20 December 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

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.

19) 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 and rear 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

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

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

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

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

22) Above-ground construction works shall not commence until the specification of the electric vehicle charging points, as shown on drawing number 18158 (PL) 110 REV F stamped as received on 2 March 2020, have been submitted to and been approved by the City Council as local planning authority. The approved electric vehicle charging points shall then be installed prior to the occupation of the residential accommodation and remain in-situ in perpetuity.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy

23) The development hereby approved shall be implemented in full accordance with the measures as set out within the Environmental Standards Statement stamped as received by the City Council as local planning authority on 20 December 2019. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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

24) Above-ground construction works shall not commence until the design and specification of the roller shutters to be installed on the commercial premises have been submitted to and approved by the City Council as local planning authority. The approved roller shutters shall then be installed and thereafter maintained in accordance with the approved details.

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

25) The roller shutters to the commercial premises shall be open between the hours of 8.30am to 10.30pm Mondays to Saturdays and 9.30am to 10.30pm on Sundays and Bank Holidays

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

26) 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.

### **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: 121828/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  
United Utilities Water PLC  
Environment Agency  
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:**

United Utilities Water PLC

<b>Relevant Contact Officer :</b>	David Lawless
<b>Telephone number :</b>	0161 234 4543
<b>Email :</b>	d.lawless@manchester.gov.uk



Application site boundary    Neighbour notification  
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