

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
120665/FO/2018	16 <sup>th</sup> Aug 2018	15 <sup>th</sup> Nov 2018	Northenden Ward

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

**Location** 391 Palatine Road, Manchester, M22 4JS

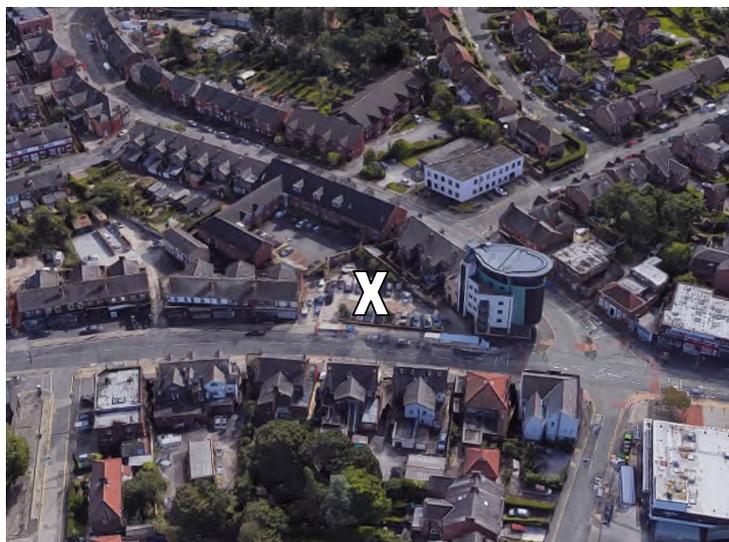
**Applicant** Mr Jon Wylson, Mansion House Project Management Limited, Tatton House, 20 Tipping Street, Altrincham, WA14 2EZ,

### **Description**

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

The application site relates to a vacant site, approximately 891m<sup>2</sup> in size, which was formerly used as an unauthorised car park and previously occupied by a garage, workshop and office. This irregular shaped site is situated within a prominent frontage within the heart of Northenden District Centre, close to the junction with Palatine Road and Church Road.

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



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

- a ground floor commercial unit for Class A1 (retail) and Class A2 (offices) providing 234.5m<sup>2</sup> of floor space.
- 6 x one bedroom apartment.
- 6 x two bedroom apartments.
- car parking for seven vehicles, including one disabled space.
- two motorcycle parking spaces.
- provision of an access drive off Palatine Road.

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

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

### **Consultations**

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

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

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

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

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

**Highway Services** – Highway Services have made the following comments:

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

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

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

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

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

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

## Policies

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

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

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

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

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

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

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

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

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

The policy states further that development in District Centres should:

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

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

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

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

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

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

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

Policy EN 6, *Target Framework for CO2 Reductions from Low or Zero Carbon Energy Supplies* – This policy requires applications for residential development of 10 or more units and all other development over 1,000m<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 spaces appear dilapidated and neglected. It is important that high quality design and streetscape are an integral part of efforts to revitalise neighbourhood centres.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Guide to Development in Manchester Supplementary Planning Guidance –**

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

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

### **Issues**

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

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

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

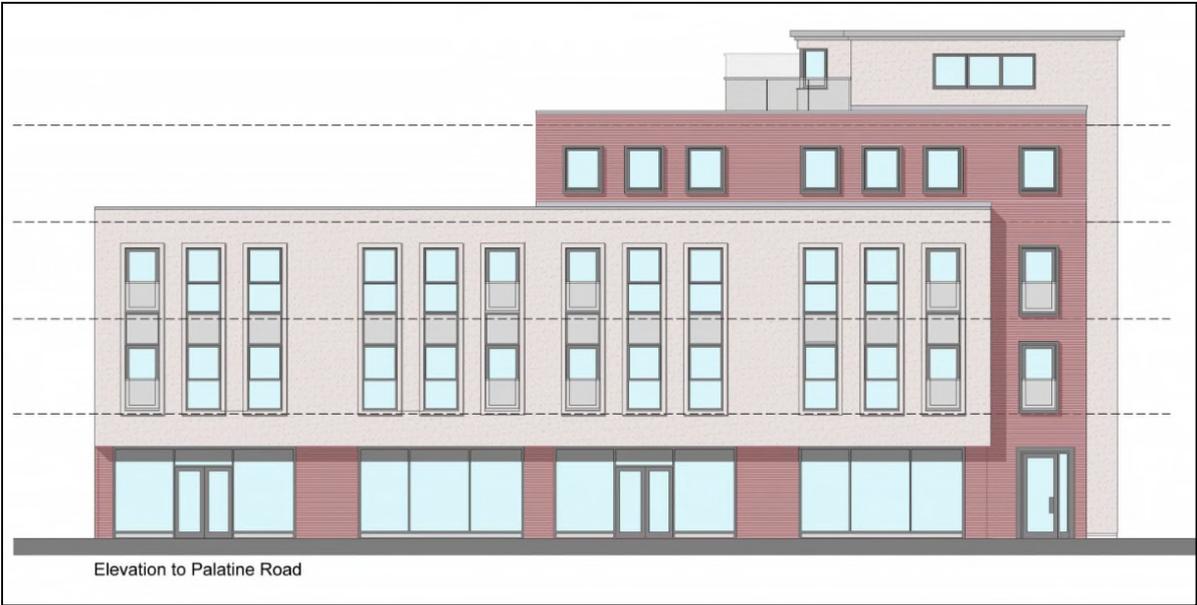
Notwithstanding the above, the impact of the proposal upon existing levels of visual and residential amenity must be assessed, as well as any impact upon existing levels of pedestrian and highway safety along this section of Palatine Road.

**Affordable Housing** – As the proposal is for 12 apartments on a site approximately 891m<sup>2</sup> in size it falls below the triggers relating to affordable housing in Policy H8 of the Core Strategy, i.e. 15 apartments or a site 3,000m<sup>2</sup>.

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

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

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



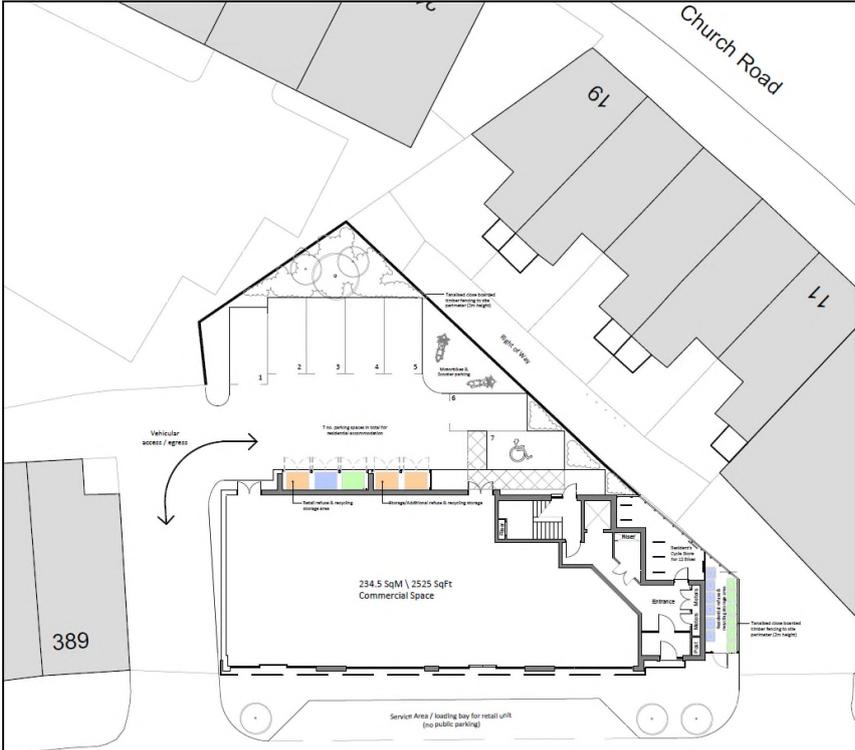
**Scale** – The building is arranged over three, four and five storeys, stepping up in height to help it better assimilate with the larger, six storey building on the corner of Palatine Road and Church Road. Whilst the proposed building is larger than the majority of the immediate context, the split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

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



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

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



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

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

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

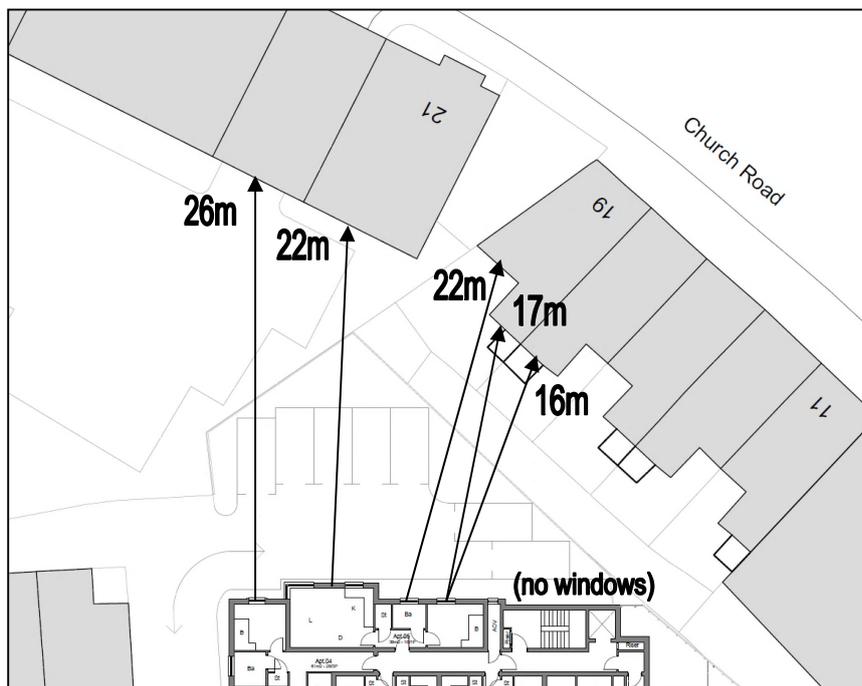
The proposal complies with the space standards.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

For the residential element, current guidance states that 0.43m<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 5.16m<sup>2</sup> of space. In this case the applicant has provided a bin store with a floor area of 11m<sup>2</sup> which provides the flexibility to house twelve 240 litre containers or a larger number of smaller containers to allow recycling of garden/food waste, glass, metal, plastics, paper/cardboard and general household waste. A food caddy will also be located in each of the apartments.

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

**Commercial Use** – Given, the amount of floorspace proposed (234.5m<sup>2</sup>) and the location of the site within a district centre, the proposed retail (Class A1) and office (Class A2) use would provide a facility that is appropriate in policy terms, whilst also providing a business opportunity that would complement the existing offer along the Northenden high street. A condition is suggested which will ensure that either a Class A1 or A2 is the first lawful use of the commercial unit.

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

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

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

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

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

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

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

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

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

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

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

### **Conclusion**

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

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

**Human Rights Act 1998 considerations** – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation      APPROVE**

### **Article 35 Declaration**

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

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

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

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

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

- a) Drawing no. MHG-13(PL)03 C, stamped as received on 4th October 2018
- b) Drawing no. MHG-13(PL)04 C, stamped as received on 4th October 2018
- c) Drawing no. MHG-13(PL)05 C, stamped as received on 4th October 2018
- d) Drawing no. MHG-13(PL)06 C, stamped as received on 4th October 2018
- e) Drawing no. MHG-13(PL)07 C, stamped as received on 4th October 2018
- f) Drawing no. MHG-13(PL)08 C, stamped as received on 4th October 2018
- g) Drawing no. MHG-13(PL)09 C, stamped as received on 4th October 2018
- h) Drawing no. MHG-13(PL)10 C, stamped as received on 4th October 2018
- i) Drawing no. MHG-13(PL)11 C, stamped as received on 4th October 2018

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy (2012).

4) The commercial premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full and thereafter maintained before the commercial use commences.

Reason - To safeguard the amenities of the occupiers of the residential accommodation and occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1.

5) Above-ground construction works shall not commence until a scheme for acoustically insulating the proposed residential accommodation against noise from Palatine Road and nearby commercial/licensed premises has been submitted to and approved in writing by the City Council as local planning authority. The approved acoustic insulation scheme shall then be installed, and thereafter maintained, before the residential accommodation is occupied.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1.

6) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The approved scheme shall be implemented, and thereafter maintained, before the external plant, equipment and servicing becomes operational.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1.

7) Land remediation shall be undertaken in accordance with the Phase II Geoenvironmental Site Investigation Report (GeoCon Site Investigations Ltd ref. H0139 AD (GIS0789) PII SMTM 130717), stamped as received on 11<sup>th</sup> October 2018.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

8) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

9) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason – To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN08 and EN14 in the Manchester Core Strategy (2012) and national policies within the NPPF and NPPG.

10) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

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

Reason – To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system, pursuant to policies EN08 and EN14 in the Manchester Core Strategy (2012) and national policies within the NPPF and NPPG.

11) Above-ground construction works shall not commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

12) Above-ground construction works shall not commence until a hard and soft landscaping treatment scheme (including details of trees to be planted at the front of the development) has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

13) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 10th August 2018 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

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

- a) 0730hrs to 2000hrs, Monday to Saturday,
- b) no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy (2012) and extant Unitary Development Plan Policy DC26.1

15) The opening hours of the ground floor commercial use hereby approved shall be submitted to and agreed in writing by the City Council as local planning authority before first use commences.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

16) Any external lighting installed shall be designed and installed so as to control glare and overspill onto nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

17) Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Council. The Construction Management Plan shall contain the following:

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification) no part of any dwelling shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason – In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1, H7,H8 and DM1 of the Manchester Core Strategy (2012).

19) The commercial unit, as indicated on drawing no. MHG-13(PL)05 C, stamped as received on 4th October 2018, can be occupied as Class A1 or Class A2. The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in the interest of residential amenity, pursuant policy DM1 of the Manchester Core Strategy (2012).

20) Prior to the occupation of the development, a detailed scheme of highway works, in order to provide an adequate servicing facility in the vicinity of the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- a) The provision of loading bay to the front of the site.
- b) Amendments to the Traffic Regulation Order to limit and/or restrict on-street parking in the loading bay.

The approved scheme shall be implemented and be in place prior to first use of the commercial element of the development hereby approved and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012)

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 120665/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

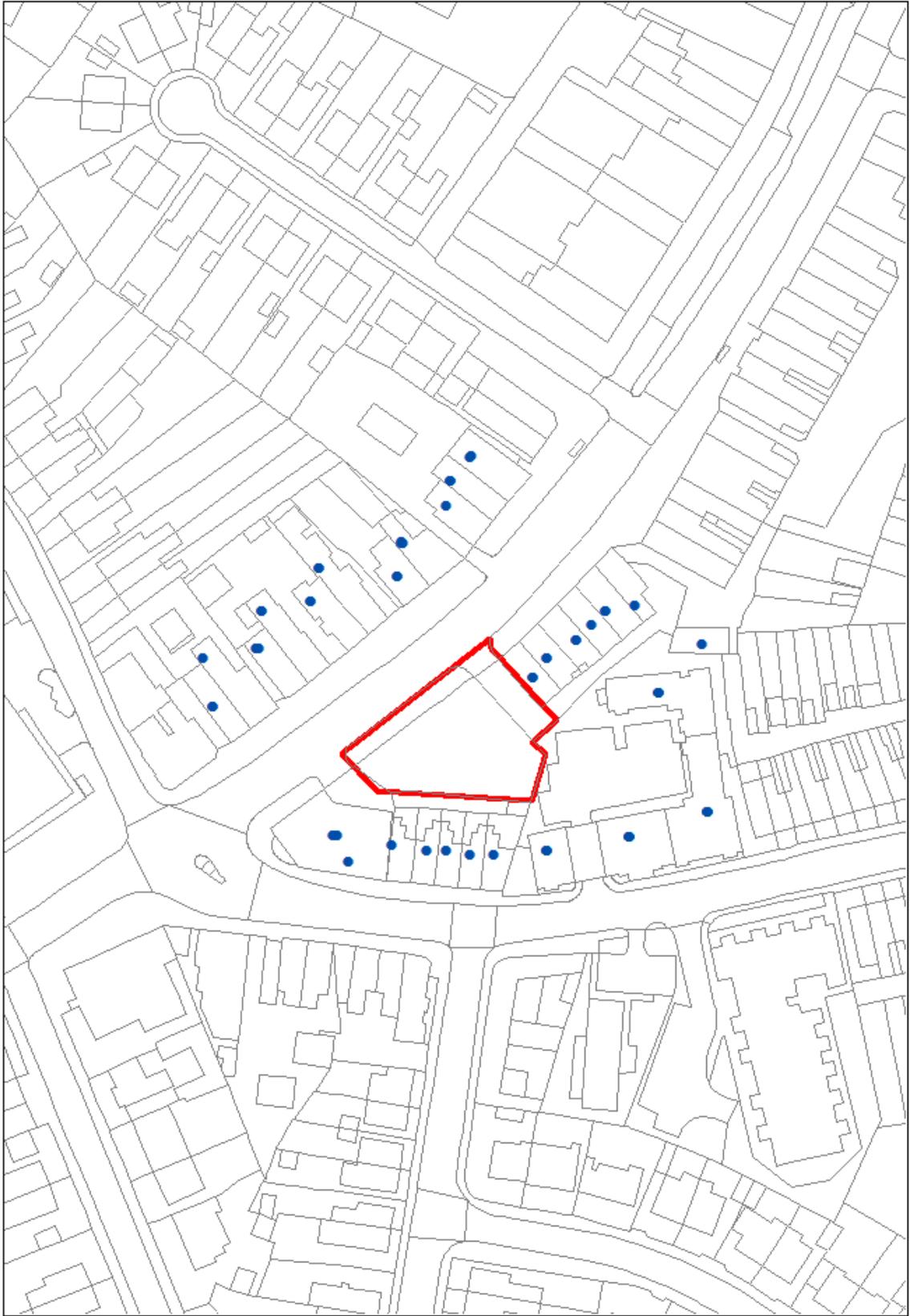
Greater Manchester Police  
Environment Agency  
Northenden Civic Society  
Northenden Neighbourhood Forum  
United Utilities Water PLC

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

### **Representations were received from the following third parties:**

Northenden Civic Society  
Northenden Neighbourhood Forum  
United Utilities Water PLC

**Relevant Contact Officer :** David Lawless  
**Telephone number :** 0161 234 4543  
**Email :** d.lawless@manchester.gov.uk



 Application site boundary  Neighbour notification  
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