

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130831/FO/2021

Date registered valid: 22 June 2021

Proposal: Change of use and conversion of former Greenfinch Public House including selective demolition to provide office accommodation (Use Class E) and 3 apartments (Use Class C3), and redevelopment of site to provide 8 dwellings (Use class C3) with associated works including landscaping and car parking

Address: 108 Palatine Road, Manchester, M20 3ZA

Ward(s): Didsbury West Ward

Applicant: Mr Richard Robinson, Anchorbridge Developments Ltd, C/o Agent

Agent (if any): Mr Tom Flanagan, Paul Butler Associates, 31 Blackfriars Road, Salford, M3 7AQ

Case officer: Jennifer Connor
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Recommendation: Approve

Date of recommendation: 13.01.2022

Application details

Type of application: Full Application Consent

Development type: Smallscale Major Dwellings

Date of site visit: 05.07.2021

Standard consultations:

Printed: 30 November 2021 Expired: 14 December 2021

Neighbour notifications

Printed: 30 November 2021 Expired: 14 December 2021

Site notice

Posted: 5 July 2021 Expired: 26 July 2021

Press advert

Published: 13 July 2021 Expired: 3 August 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The site is a former public house and a large surface area car park surrounding (with some landscaping) at the junction of Palatine Road and Lapwing Lane. It is bounded to the west by residential development, to the north by a number of commercial use and the Metrolink line, to the east by the continuation of the line, Northern Lawn Tennis Club and residential development beyond, to the south by predominantly large scale residential properties fronting Palatine Road.

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: Tree on site are protected by virtue of their location in the Albert Park Conservation Area. There are also 8 individual Tree Preservation Orders on site.

Description of development

Change of use and conversion of former Greenfinch Public House including selective demolition to provide office accommodation (Use Class E) and 3 apartments (Use Class C3), and redevelopment of site to provide 8 dwellings (Use class C3) with associated works including landscaping and car parking

Consultations & Notification Responses

One objection was received from a resident in relation to the renotification as follows:

“There is insufficient carparking provision for the business use and flats within the retained building. The site plan roadway is contorted and restrictive.

Traffic generation will be excessive, despite the nearby bus stops and tram station. Density should be reduced to improve greenspace provision and reduce hard surfacing to aid

environmental pollution control. Tree planting should include evergreen species for better year-round structure.”

One objection from a resident in Fallowfield on the grounds that:

“The revised drawings fail to address the poor relationship of the proposed new houses to Palatine Road and Lapwing Lane. The layout will create large extents of rear garden fences along a prominent boundary, creating safety issues for users. The proposals should be refused on poor design, which is contrary to the NPPF.”

6 objections were received in relation to the application as originally submitted on the grounds that:

- Loss of light - there are already a number of overhanging trees from the site which despite numerous requests, the applicant has shown no sign of applying for permission to trim them back. The new houses will further impact on the amount of light coming into our property.
Loss of privacy - some of the proposed houses, despite being at an angle will overlook our house and garden and significantly reduce our privacy.
Noise and disturbance - we have already had to endure our house shaking like an earthquake while they have been drilling in the carpark a few feet from our house. We were woken up at 6:30am on Saturday morning just gone by drilling. The full development would create a huge amount of noise and disturbance both to ourselves and our neighbours across the road.
The site would also create a large amount of dust and smell, which in a conservation area should be taken into account.
- Over-development of the site, lack of meaningful landscaping to mitigate pollution generated by the development, traffic movement within the site would be chaotic leading to conflict, excessive waste to public utility systems, traffic generation close to a busy road junction causing problems/congestion at peak times.
- Object to the current development proposals for this site on the basis that they do not represent an appropriate design response to this prominent corner site on a key junction in the Albert Park Conservation Area.
As currently designed, the scheme is inward facing and as such, there will be limited interaction between the development and Lapwing Lane / Palatine Road. This does not correspond with the prevailing character of the area. On this basis, it is considered that the proposals will not benefit the surrounding street scene.
It is considered that the current proposals are contrary to the requirements of the National Planning Policy Framework and Manchester City Council's Development Plan with respect to design. Therefore, the scheme design should be re-visited accordingly.
- The development provides a poor street scene to Palatine Road and Lapwing Lane and in essence creates a gated community with little natural surveillance to the surrounding roads on a prominent plot position. The properties should face out on the surrounding roads to create an active street frontage with these sufficiently set back (similar to those built on the former Peace Inn hotel further along Palatine Road).
- Over-all the plans look great. Concern however is with the number of parking spaces for the apartments. Many apartments still have multiple adults living there and consequently at least two cars associated with them. This plan only gives space for one car per apartment. This will result in more parking on the local streets which is not acceptable.
- Query over parking allocation and problem with parking to a neighbouring existing business and loss of line of Birch trees on the Raleigh Close boundary.

One resident supported the principle of the development however questioned the loss of the children's play area on site and the loss of the electric vehicle charging point on site.

One resident queried controls over the future conversion of the commercial office space into more apartments and suggested an alternative brick type to match the existing building.

West Didsbury Residents Association commented on the originally submitted scheme as follows:

Saw no inherent problems with the underlying concept of the proposal. Despite this there remain some minor issues:

- No dedicated disabled parking provision seems to be proposed for either office or Apartments
- Comment on traffic volumes and the existing closed pub
- Demand for on-street parking in the immediate locality - This arises from the many domestic and commercial properties with inadequate off street parking and is exacerbated by would-be patrons of the many bars and restaurants seeking somewhere to park. Most weekday morning busy periods see a tailback of vehicle traffic at Lapwing Lane traffic signals. Vehicles seeking to exit the application site may benefit from a yellow box junction at exit point from site onto Lapwing Lane
- Lack of affordable housing
- Tree removal at the perimeter of the site, especially of TPOs with screening benefits, exceeds what we were led to expect at pre-application site meeting.

West Didsbury Residents Association do not wish to object and recommend the following conditions:

- Construction Management Plan to include details of tree protection, temporary storage of spoil, locations of site buildings, contractor and visitor parking, arrangements for deliveries, working hours to be agreed
- Electric Vehicle Charging point for each dwelling
- Disabled parking for the office users and customers.

Ballbrook Conservation Area Group – The group supports the development because of its impact on the wider neighbourhood. Key features of the application which the Group supports are:

- The developer's pre-planning consultation with MCC's planning officers and the local community (including Ballbrook Conservation Area Group) and evidence of how this has informed the 'evolution of the design and guided the proposed development'
- Descriptions/elevations which explain the design/materials of the new houses, and how they are '...designed to be sympathetic to the character of the area including the Albert Park Conservation Area and the former Greenfinch Public House building'
- Proposed changes/enhancements to the existing Summerhill building (identified as a 'non designated heritage asset') and its stone boundary wall
- Significant landscaping scheme which retains existing planting where ever possible
- The developer's statement that 'A key aspect of the scheme has been to provide active frontage to Palatine Road and Lapwing Lane, and ensure that the development is outward looking and provides active frontage reflecting the characteristic of traditional housing in the area'.

Councillor John Leech commented on the originally submitted scheme as follows:

Does not oppose the development, but would like to make a couple of comments relating to parking and trees. Supports the comments from the WDRA and residents in Raleigh Close, regarding the retention of trees on the boundary - surely some minor amendments could be made that would allow for the retention of at least some of these trees, which act as a natural barrier between the development site and Raleigh Close.

Also has doubts that there are enough parking spaces for the flats and offices. Appreciates that the parking spaces may be enough for the current business, but were it to change hands, another business may require additional spaces. There is no available parking on Lapwing Lane or Palatine Road, and so the pressure on parking is likely to result in people parking on the private road adjacent to the site (Raleigh Close). Has consideration been given for a slight reconfiguration of the parking spaces, to see if a couple more could be accommodated for the flats and office?

Highway Services – Have no objections subject to the imposition of the following conditions:

- Requirement for additional measures to highlight to road users the presence of pedestrians within the site at detailed design stage, assumed to be in the form of either road signs or markings on the internal road surface.
- Requirement for the provision of secured and sheltered cycle parking provision of the offices
- Requirement for EV charging to be provided on site.

Environmental Health – Recommend conditions relating to deliveries, construction management, acoustic insulation, external equipment insulation, refuse, electric vehicle charging and contaminated land.

Neighbourhood Team Leader (Arboriculture) – No comments received

MCC Flood Risk Management – Recommend conditions relating to sustainable drainage and maintenance. They also recommend an informative relating to a culvert.

Greater Manchester Police – Scheme to be in accordance with the submitted Crime Impact Statement.

Transport for Greater Manchester - Metrolink have no objection to this application and whilst the development proposals are unlikely to affect Metrolink operations the site is reasonably close to the Metrolink boundary and the tramway underpass that runs beneath the Palatine Road/Lapwing Lane road junction, we would therefore like the applicant to be advised that the details of working safely near Metrolink can be found on the Metrolink Website at; <https://www.tfgm.com/publictransport/tram/working-safely> . Should the developer have any concerns at any time he should contact Metrolink using the contact details found in that link.

Greater Manchester Ecology Unit – No objections

Blackburn Park Conservation Society – No comments received

Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

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 EN 3, Heritage – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy DM1, Development Management – This policy states that all development should have regard to a number of specific issues, the most relevant of which are:-

- ☐ 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.
- ☐ Vehicular access and car parking.
- ☐ Effects relating to biodiversity, landscape, archaeological or built heritage.

Saved UDP Policies – Policy DC18 is considered of relevance in this instance:

Policy DC18, Conservation Areas – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- a) The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including
 - iv. street trees);
 - v. the effect of signs and advertisements;
 - vi. any further guidance on specific areas which has been approved by the Council.
- b) The Council will not normally grant outline planning permission for development

within Conservation Areas.

c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.

d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) - The proposals would provide 11 new homes within a sustainable location.

Section 6 – (Building a strong and competitive economy) - The proposal would create jobs during the construction period.

Section 8 (Promoting healthy and safe communities) – The proposals have been designed with safety and security in mind.

Section 9 (Promoting Sustainable Transport) – The proposal is in a sustainable location

Section 11 (Making Effective Use of Land) – The proposal would make effective use of land utilising previously developed site in an urban location.

Section 12 (Achieving Well-Designed Places) – It is considered that the proposals reflect the local character in terms of layout and scale of development and would achieve a well-designed place.

Section 16 (Conserving and enhancing the historic environment) – It is considered that the scheme has regard to the context of the site and the designated heritage in which it lies.

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.

Issues

Principle of the Proposal – Given that neighbouring uses are a mix of commercial and residential there is no objection in principle to the conversion of the public house (building to be retained) to partial office use and residential use and the erection of dwellings on the site. Notwithstanding this, the impact upon the conservation area must be assessed, along with potential impacts upon residential/visual amenity and existing levels of pedestrian/highway safety experienced.

Affordable Housing – Adopted planning policy H8 in the Core Strategy sets a target of 20% provision of on-site affordable housing where a development meets the required criteria. The application site by virtue of its size and number of houses proposed does not meet the criteria where affordable housing provision should be provided.

Design – The elevational designs of the proposed house types have been informed to respect the character of the local area. The proposed material palette would reflect materials used in neighbouring buildings and within the wider Conservation Area. Comment has been made that the brick type for the houses fronting Palatine Road and Lapwing Lane should replicate the material utilised in the former public house building holding the corner, however, the houses are

distinct and by utilising a differing material type to the large detached building (red brick), the contrast and positioning of the proposed new build dwellings will continue to highlight the prominence of the retained building, reinforcing the importance of the building at this prominent crossroads.

Each dwelling has been designed to meet and exceed the space standards set out within the Manchester Quality Residential Guidance.

Scale and Massing – The existing former public house building is 3 storey in height with lower level extensions of a later date which are to be removed. Properties fronting Palatine Road are large scale detached buildings with deep frontages. The two large houses proposed fronting Palatine Road have been designed to replicate this. To Lapwing Lane the houses are of smaller scale, sitting nearer to the back of pavement and the proposed semi detached houses fronting Lapwing Lane have responded to this context.

Given the above, the scale and massing of the proposal is considered in keeping with the locality and therefore acceptable.

Siting and Layout - The proposal as originally submitted included for two dwellings that were not in keeping with the historic pattern of development. Negotiations took place to reduce the number of units on site and place them more appropriately having regard to the site context. It is considered that the scheme now provides for appropriate amenity space and car parking provision for the dwellings proposed whilst maintaining an appropriate landscaped setting in the Conservation Area.

Impact on Albert Park Conservation Area - Policy EN3 of the Core

Strategy, along with section 16 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. In this instance, the application site is located within the Albert Park Conservation Area.

The requirement to preserve or enhance the Conservation Area is a key requirement within policy EN3 of the Core Strategy, saved UDP policy DC18, along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials. In terms of informing the character and form of new development in the area, it is considered that careful consideration should be given to the existing character of the area including the size, mass and appearance (including materials) of the older buildings.

Having regards to the retention of the existing former public house building, the loss of inappropriate additions to that building and to the design and scale/massing of the proposed houses and spaces provided within the scheme and between it and the adjoining dwellings it is considered to be representative of that seen throughout the Conservation Area. Given this and the use of materials, which will harmonise with materials used throughout the Conservation Area, it is considered that the proposal results in “less than substantial harm” upon the character and setting of this Conservation Area.

Public Benefit of the Proposal – Paragraph 202 of the National Planning Policy Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The reuse of the building and removal of inappropriate extensions is beneficial, as is the use of the land for the provision of much needed housing. The housing proposed is appropriate in its design, scale and massing to the character of the area and within the Conservation Area.

In addition, it should be noted that this development will be constructed taking into account residential space standards, energy efficiency standards and considering its impact on green infrastructure and ecology.

Given the above, it is considered that the public benefits of providing a sustainably Designed scheme that provides for a mix of housing types, of a scale that sits comfortably in this part of the Conservation Area, outweighs any harm that the construction of the development brings with it.

Visual Amenity – Given the design, scale and massing of the proposal it is not considered that the proposal will have an unduly detrimental impact upon the current levels of visual amenity enjoyed within the vicinity of the site.

Trees, Landscaping and Ecology – 44 trees are to be retained on site, 14 trees are to be lost (T2, T10, T11, T32, T38, T39, T40, T41, T42, T48, T51, T52, T54 and T50 a sapling with 30mm diameter trunk), 3 further trees (one off site) are to be removed due to health grounds.

There are 8 protected trees on site (first T reference in order, second T reference in submitted arboricultural statement, T1 - Weeping Willow (T48), T2 – Lime (T61), T3 – Birch (T51), T4 - Weeping Willow (T32), T5 – Sycamore (T33), T6 – Birch (T38), T7 – Birch (T40), T8 – Birch (T41) (T6/7/8 young specimens).

Six of the trees proposed for removal are listed within the Tree Preservation Order T4 (T32), T6 (T38), T7 (T40), T8 (T41), T1 (T48) and T3 (T51). The Tree Preservation Order was issued in January 2021, four of these trees were considered to be category 'C' (T6(T38), T7(T40), T8(T41) and T3(T51), with two trees (T4(T32) and T1(T48) graded as category 'B'.

The planting a significant number of replacement trees (on a three new trees for every tree to be removed basis - mix of native, pleached, ornamental and fruit) and for the planting of hedging to the boundaries (26 metres of mixed, 55 metres of yew and 70 metres of Holly) is proposed in mitigation for the loss of the 2 category B trees and mostly category C trees. It is considered that this will result in biodiversity enhancement.

Works to trees should be carried out in accordance with the measures set out in the submitted arboricultural statement, which shall be conditioned.

Greater Manchester Ecological Unit had no objections to the development or the submitted ecological statement. A condition is recommended in relation to breeding birds. The supporting statement submitted with the application states that bat bricks and swift boxes will be built into the facades of the houses and that bat and general bird boxes will be included to existing peripheral trees, a condition to this effect will be included.

The boundary treatment proposed on the submitted landscaping information is mostly retaining existing, repairing existing or replacing on a like for like basis, with additional subdivision between gardens of the proposed housing, which is considered to be appropriate.

Environmental Standards – The submitted statement sets out that the development was designed with a fabric first approach; with U-values, design air permeability and ventilation targets all aspiring to Passive House design standards and therefore significantly exceeding Building Regulations Part L 2013 standards. The development will also be adapting to climate change by incorporating sustainable drainage measures into the design, protecting existing ecology, enhancing biodiversity where possible and providing cycle storage provision to residents. Conditions to ensure that the development accords with the above commitments will be appended to this report.

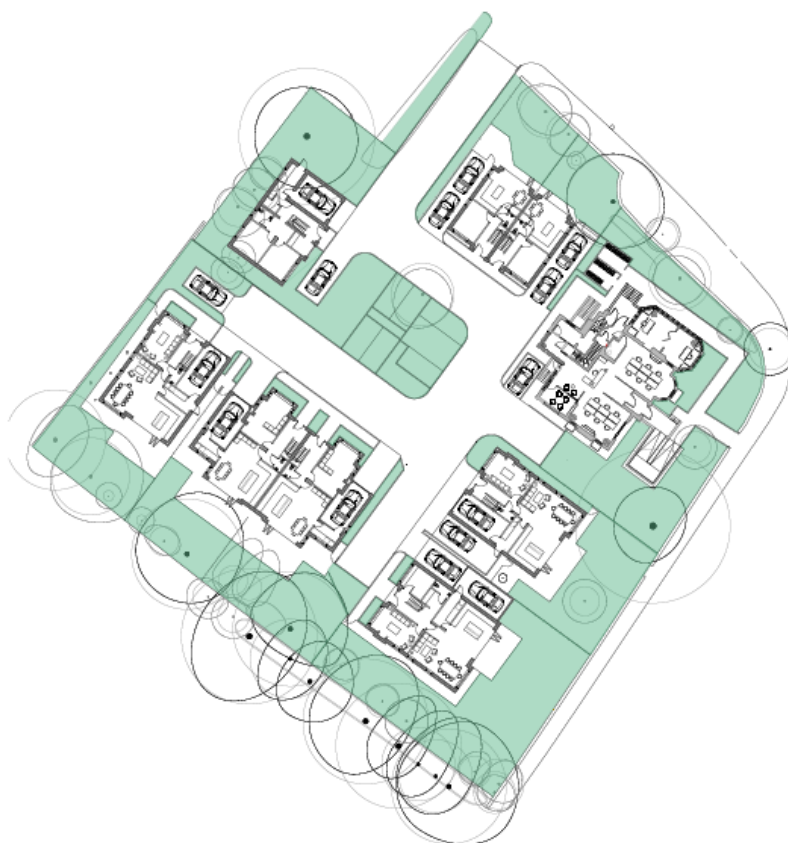
Electric Vehicle Charging – The scheme will provide charging points for each of the houses, one for the apartments and one for the offices, to be conditioned. A condition requiring this is appended to this report.

Car Parking and Cycle Parking and Pedestrian and Highway Safety – Car parking would be provided on the basis of two spaces per each of the 8 houses proposed which exceeds policy requirement, particularly in such a sustainable location opposite a Metrolink Station within short walking distance of a Bus Station, near to one local centre and one shopping parade. The three apartments (2 x 1 bed, 1 x 3 bed) within the converted public house and the office on the ground floor would have access to 6 centrally located grasscreted car parking spaces within a landscaped central facility, including a disabled accessible space for use by the offices. Electric Vehicle charging points would be provided throughout the scheme to be conditioned.

Space is available in the gardens of the housing / within housing for the provision of cycle storage. A condition requiring cycle parking facilities for the office has been imposed.

The proposals do not include a gate to the access.

The proposal will not have a detrimental impact have upon current levels of pedestrian and highway safety enjoyed along Palatine Road / Lapwing Lane. A condition has been recommended by Highways relating to a requirement for additional measures to highlight to road users the presence of pedestrians within the site at detailed design stage, assumed to be in the form of either road signs or markings on the internal road surface.



Residential Amenity –

Neighbours on Raleigh Close, amenity groups and the elected member express disappointment at the loss of the tree cover (three being young birch trees that were the subject of a tree preservation order) to the north western boundary shown on the plan below:

The proposals have been developed to provide adequate separation distances between the proposed and existing residential properties.

The existing building to be converted and properties fronting Palatine Road and Lapwing Lane are separated from neighbouring property by the width of substantial roads where road fronting. The gable end to the Lapwing Lane fronting properties is separated from the neighbouring commercial use by the width of a driveway, access road and an area of landscaping which includes a mature high level hedge.

The gable end of the Palatine Road fronting property keeping c 7m from the site boundary to provide a landscaped setting and protect existing trees to the shared boundary. Significant screening is being maintained and the neighbouring property on Palatine Road is significantly setback in this location and there is no opportunity for overlooking / loss of privacy.

The three properties to the west of the site behind the properties fronting Palatine Road keep c.9-10m from the southern shared boundary which has the mature boundary screening maintained. The neighbouring property at No. 114 Palatine Road sits c. 7m from that shared boundary, this is screened in large parts from the application site by boundary screening to be maintained, although to the rear of the site the screening diminished and the coachhouse that sits within the grounds of the neighbouring property is more visible on the shared boundary. The proposed separation distance is therefore between 16-17m, the gable of the coachhouse does not contain windows which look towards the rear elevation of the proposed properties. This is deemed to be appropriate separation.

The landscaping to the boundary with properties on Raleigh Close is described above. The gable of Unit 5 is proposed c. 2.1 – 2.7 m from the shared boundary. Landscaping is to be provided as described above, there are no windows to the neighbouring properties on Raleigh Close unduly effected with regards to loss of light / overbearing impact by the presence of development on this part of the site by virtue of the relationship of the proposed buildings. Windows to the gable of Unit 5, above ground floor level would need to be obscurely glazed.

Plot 6 would be located in line with the gable of a property, screening is to be maintained at ground floor level. The window to the rear elevation proposed are minimised with light available from other windows to other elevations and to be obscurely glazed. The proposed office window facing to the rear of the existing commercial use facing lapwing lane would also need to be obscurely glazed.

It is considered that this separation together with the retained boundary landscaping and proposed boundary landscaping would assist in ensuring the proposed development could be successfully assimilated into the existing residential area and not give rise to unacceptable impacts on residential amenity.

Whilst it is acknowledged that there is bound to be a certain degree of disamenity arising from the construction process, it is not considered that this can be controlled through the imposition of an appropriate condition relating to construction management.

General activity associated with the redevelopment of the site will not have a detrimental impact upon the levels of residential amenity currently enjoyed by the adjoining residents, especially having regards to the previous use of the building and land associated with it.

Response to other concerns expressed by residents –

Comments were made by one resident in relation to the loss of the current play facilities associated with the public house, these were not publicly available facilities, however, the agent for the development has confirmed that the equipment is currently being stored in the existing

building and this will be donated to the South Area Park Team for use in a local park. This is not conditioned as it is not a requirement of consent.

Comments were made by one resident about the ability of the commercial use to change to residential use utilising permitted development rights, the agent has confirmed that the applicant would agree to a condition restricting the commercial element to Class E (c). A condition to this effect is appended to this report.

Amenity Space – Sufficient amenity space will be provided for the future occupants of the dwelling.

Security and Crime Reduction – The Secured by Design condition will be attached to any approval granted.

Waste – The size and location of the bin stores are considered acceptable but it is considered necessary to add a condition requiring the approval of the detailed design of the store in order to ensure it has an appropriate appearance in the Conservation Area.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority 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 recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be acceptable and has been determined in a timely manner.

Condition(s) to be attached to decision for approval

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:

Application form and completed ownership certificates (prepared by Paul Butler Associates)

Air Quality Assessment (prepared by Redmore Environmental)

Crime Impact Statement (prepared by Greater Manchester Police Design for Security)

Design and Access Statement (prepared by AXI)

Environmental Standards Statement (prepared by Watt Energy and Consulting Engineers)

Extended Phase 1 Habitat Survey (prepared by Rachel Hacking Ecology).

Highways Technical Note (prepared by AXIS).

Noise Impact Assessment Report (prepared by Hann Tucker).

Planning and Heritage Statement, including Local Labour Agreement and Outline Construction Management Plan (prepared by Paul Butler Associates)

Phase 1 Contaminated Land Assessment (prepared by Geosmart).

Statement of Community Consultation (prepared by Paul Butler Associates).

Sustainable Drainage Assessment (prepared by Geosmart).

Drawings prepared by AXI:

000 Rev 00 Existing Public House Plans

002 Rev 00 Location Plan (Proposed)

002 Rev 00 Location Plan (Existing)

005 Rev 00 Existing Site Plan

060 Rev 00 Existing Public House Elevations

070 Rev 00 Public House Elevations Proposed Demolition

120 Rev 00 Proposed Public House General Arrangements

130 Rev 00 Plot 2 & Plot 5 Detached House Plans As Proposed

131 Rev 00 Plot 3 & 4 Semi Detached House Type Plans As Proposed

134 Rev 00 Plot 1 Detached House Plans As Proposed EXTN Garage

164 Rev 00 Plot 1 Detached House External Garage Elevations As Proposed

170 Rev 00 Public House Elevations Proposed

180 Rev 00 Palatine Road and Lapwing Lane Elevations As Proposed

Received 22 June 2021

161 Rev 01 Plot 3 & 4 Semi Detached House Type Elevations As Proposed

Received 05 July 2021

501 Proposed Refuse Strategy Plan Rev 3

Waste Management Strategy V2 (prepared by Paul Butler Associates).

Received 06 August 2021

100 Rev Rev 02 Site Plan and House Types as Proposed Alternative Planning

133 Rev 00 Plot 6 Small Detached House Plans and Proposed

163 Rev 00 Plot 6 Small Detached House Elevations as Proposed

Landscape proposals (prepared by Margaret Twigg)

Arboricultural Impact Assessment with Tree Protection Measures (prepared by Godwins).

Received 30 November 2021

132 Rev 01 7 & 8 Small Semi-detached House Plans As Proposed

162 Rev 01 7 & 8 Small Semi Detached House Elevations As Proposed

Received 13 January 2022

160 Rev 01 Plot 2 & 5 Detached House Type Elevations As Proposed

Received 14 January 2022

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

3. Above-ground construction (excluding demolition or internal strip out works) works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority.

Thereafter the development shall be carried out in accordance with those details.

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

4. With regards to the residential elements of the scheme hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no residential part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMOs 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 the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5. 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 garages, extensions, porches or outbuildings shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

6. 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 windows shall be inserted into the elevations of the dwelling houses hereby approved other than those shown on the approved drawings listed in condition 2.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

7. The development is to be undertaken in accordance with the submitted waste management strategy. The strategy shall be implemented in full prior to the first occupation of the authorised development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

8. Before the first occupation of the authorised development, full details of additional measures to highlight to road users the presence of pedestrians within the site shall be submitted to the City Council as local planning authority. The required works shall be fully implemented prior to the first occupation of any part of the development.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, EN19, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

9. Before the occupation of the development hereby approved, the car parking areas shown on drawings listed at condition 2 shall be surfaced and made available for use. The car parking spaces shall be maintained in situ prior to the occupation of the authorised development and remain in situ thereafter.

Reason - In the interest of residential amenity and pedestrian and highways safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

10. Prior to first occupation of the development a scheme for the storage of cycles for the office use shall be submitted to and approved in writing by the local planning authority. The approved scheme shall remain available for use whilst the development is occupied.

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

11. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
 - o A construction programme including phasing of works;
 - o 24 hour emergency contact number;
 - o Expected number and type of vehicles accessing the site: o Deliveries, waste, cranes, equipment, plant, works, visitors; o Size of construction vehicles; o The use of a consolidation operation or scheme for the delivery of materials and goods; o Phasing of works;
 - o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
 - o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;

- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

12. The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

13. With regards to the proposed office accommodation deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

14. Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Palatine Road and the proposed office 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.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

b) Prior to 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 have 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.

15. 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 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 of the Core Strategy and saved UDP policy DC26.

16. 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 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. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

17. 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.

18. Development of the hereby approved housing development shall not commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy (2012).

19. 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 local policies EN08 and EN14.

20. 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 and there is funding and maintenance mechanism for the lifetime of the development.

21. The development hereby approved shall be implemented in full accordance with the measures as set out within the Environmental Standards Statement, received by the City Council as local planning authority on 22 June 2021. 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 Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

22. 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 Core Strategy.

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

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

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

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

24. All tree work should be carried out in accordance with the measures set out in the measures set out in the Arboricultural Method Statement with Tree Protection Measures dated 25th November 2021.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

25. The details of the hard and soft landscaping treatment 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 Core Strategy.

26. The office hereby approved shall be used only as offices to carry out any operational or administrative functions as set out under part (C) of Use Class E and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1995 as amended, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for office purposes.

27. Prior to the occupation of the development, details of bird and bat boxes to be provided (including location and specification) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

28. The proposed first floor windows to the north west facing elevations of plot 5 and north west and north west and north facing elevation of plot 6, as shown on the drawings listed above, shall be obscurely glazed before first occupation, to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of the adjacent residential property from overlooking or perceived overlooking, in accordance with Policies SP1 and DM1 of the Manchester Core Strategy.

Informative

1. Metrolink would like the applicant to be advised that the details of working safely near Metrolink can be found on the Metrolink Website at; <https://www.tfgm.com/publictransport/tram/working-safely> . Should the developer have any concerns at any time he should contact Metrolink using the contact details found in that link.
2. Historic mapping highlights an unnamed culvert located within close proximity to the site (approximately 20 m to the northeast of the site), which does not appear in our asset register. While our records are frequently updated to ensure the highest level of

accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
Transport for Greater Manchester
Greater Manchester Ecology Unit
Ballbrook Conservation Area Group
Blackburn Park Conservation Society
West Didsbury Residents Association

List of properties notified on Uniform

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change of Use from Class C3 to Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH