

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129623/JO/2021
Date registered valid:	11 March 2021
Proposal:	Variation of condition number 2 (specified plans) from planning approval reference 121828/FO/2018 to allow for removal of basement and relocation of plant room to the ground floor; reduction in length of the building to allow wider vehicular access; the raising of floor levels by 600mm and provision of ramped access; addition of commercial bin store to the rear and consequent reduction of 1 No. car parking space.
Address:	351-359 Palatine Road, Manchester, M22 4FY
Ward(s):	Northenden Ward
Applicant:	Mr Tom Morgan Gustav Bonnier St Johns House, 22 Royal Green Road, M22 4NG
Agent (if any):	Mr Harry Calder Calderpeel Architects Market Court, 20-24 Church Street, Altrincham, WA14 4DW
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	10/6/2021

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Dwellings

Standard consultations:

Printed: 31 March 2021 Expired: 21 April 2021

Neighbour notifications

Printed: 31 March 2021 Expired: 21 April 2021

Site notice

Posted: 1 April 2021 Expired: 22 April 2021

Press advert

Published: 13 April 2021 Expired: 4 May 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

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

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

The applicant obtained planning permission (121828/FO/2018) in August 2020 for the erection of a 4 storey building to form 16 two bed apartments with commercial unit on the ground floor.

The applicant is now proposing to vary condition no. 2 (approved drawings) to amend the approved drawings to incorporate the following revisions:

- removal of basement and relocation of plant room to the ground floor;
- reduction in length of the building to allow wider vehicular access;
- the raising of floor levels by 600mm and provision of ramped access;
- addition of commercial bin store to the rear and consequent reduction of 1 No. car parking space.

Consultations & Notification Responses

Local Residents – Correspondence has been received from a local resident:

“Would you be able to confirm there will be no increase in ridge/parapet height to accommodate the 600mm level raise at ground floor. If it is the case that over overall height is raised this would be an objection, I’m not sure a 600mm increase would be covered in a variation of a condition application.”

Highway Services – If the ramped pedestrian access is entirely on an area of private forecourt then this can be supported. We recommend it should have a minimum gradient of 1:20 and a minimum width of 1.2m. Because of internal reconfiguration, the commercial bin store is now proposed to the rear with a subsequent reduction of one car parking space. This is acceptable from a highway perspective

Flood Risk Management – Have made the following comments:

- The application form states “the floor level has been raised 600mm above the flood level (as requested in condition 7) therefore ramped access has been added.”

- No floor levels or flood levels are shown on the submitted information under 129623/JO/2021. We cannot comment without this information, however, the applicant should ensure the floor levels are set in accordance with Condition 7. This will be assessed at submission to discharge Condition 7.
- The Variation under this application 129623/JO/2021 does not alter our previous response provided in February 2019, which is included as Conditions 5, 6 and 7 in the Decision Notice for 121828/FO/2018.

Policies

The National Planning Policy Framework (February 2019) – The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

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

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

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

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

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

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

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

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

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

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

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

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

The policy states further that development in District Centres should:

- Prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active;
- Promote the development of employment which provides opportunities for local people;
- Promote the efficient use of land, particularly through considering options for multi-storey development. New development should positively contribute to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies;
- Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function. Development should also promote a range of retailers and shop formats;
- Promote choice and competition particularly where development will support the independent sector;
- Remedy deficiencies in areas with poor access to facilities.
- New development should respect and enhance the character of existing centres.
- New development should deliver improvements to the quality and accessibility of the centre environment. Opportunities should be taken to adopt sustainable building design and practises to assist in adapting to climate change

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

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

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

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

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

- 1) New development will contribute to the City-wide target for 20% of new housing provision to be affordable. Developers are expected to use the 20% target as a starting point for calculating affordable housing provision. It is envisaged that 5% of new housing provision will be social or affordable rented and 15% will be intermediate housing, delivering affordable home ownership options.
- 2) The proportion of affordable housing units will reflect the type and size of the development as a whole; and where appropriate provision will be made within Section 106 agreements to amend the proportion of affordable housing in light of changed economic conditions, subject to a financial viability assessment.
- 3) Affordable housing units will be inclusively designed to reflect the character of development on the site.

- 4) Either an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the proportions of socially rented and intermediate housing, or a lower commuted sum, may be permitted where either a financial viability assessment is conducted and demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; or where material considerations indicate that intermediate or social rented housing would be inappropriate. In the latter case, such circumstances could include:
- There is a very high level of affordable housing in the immediate area;
 - There is either a high proportion of social rented (35%), or low house prices in the immediate area compared to average incomes;
 - Affordable housing would be prejudicial to the diversification of the existing housing mix. The inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Frameworks, planning frameworks or other Council approved programmes;
 - It would financially undermine significant development proposals critical to economic growth within the City;
 - The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability;
 - There is a need for additional housing provision for older people or disabled people either as affordable or market housing dependent on the results of a financial viability assessment of the scheme.

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

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

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

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

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

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

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

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

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

Year 2010 – Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

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

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

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

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

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

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

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

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

Policy NC2.2, *Create positive and distinctive landmarks* – state that landmarks that exist should be preserved and their setting enhanced. New 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 not least the previous planning permission on the site, the principle of redeveloping this site is considered acceptable.

Notwithstanding the above, the impact of the proposed revisions 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.

Design – The proposed building is still contemporary in design and would be constructed from a mix of brick and cladding. The ground floor commercial element would consist predominantly of glazing to provide an active frontage, while the first and second floors would be constructed out of brick with the front and rear façades broken up by a series of vertical windows and a contrasting band of cladding.



Original approval

Proposed revision



The changes in the overall height are minimal and will not be perceptible from the street, the originally approved scheme was 13.23 metres high, whilst the revision would be 13.30 metres high.

Overall, the design of the proposal remains acceptable.

Space Standards – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester's space standards for residential developments.

Despite the amendments to the width of the building, the amount of floor space proposed for each apartment still complies with the guidance:

- Apartment 01 - 1 bed 50m² (Space Standard – 50m²)
- Apartment 02 - 1 bed 50m² (Space Standard – 50m²)

- Apartment 03 - 2 bed 61m² (Space Standard – 61m²)
- Apartment 04 - 2 bed 61m² (Space Standard – 61m²)
- Apartment 05 - 2 bed 61m² (Space Standard – 61m²)
- Apartment 06 - 2 bed 70m² (Space Standard – 61m²)
- Apartment 07 - 1 bed 50m² (Space Standard – 50m²)
- Apartment 08 - 1 bed 50m² (Space Standard – 50m²)
- Apartment 09 - 2 bed 61m² (Space Standard – 61m²)
- Apartment 10 - 2 bed 61m² (Space Standard – 61m²)
- Apartment 11 - 2 bed 61m² (Space Standard – 61m²)
- Apartment 12 - 2 bed 70m² (Space Standard – 61m²)
- Apartment 13 - 1 bed 50m² (Space Standard – 50m²)
- Apartment 14 - 2 bed 71m² (Space Standard – 70m²)
- Apartment 15 - 2 bed 70m² (Space Standard – 70m²)
- Apartment 16 - 2 bed 79m² (Space Standard – 70m²)

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

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.

The originally approved development included 15 car parking spaces at the rear of the premises. This revision sees that reduced to 14 in order to accommodate the commercial bin store at the rear (previously the bin store had been located internally). Given the location of the proposal within a district centre and the number of buses that run through it, the level of parking is considered acceptable.

Residential and Amenity – The amendments to the design of the proposed building will not have a detrimental impact upon the levels of residential amenity (privacy and overshadowing) enjoyed by adjoining residents.

Notwithstanding this, it is still felt prudent to attach conditions requiring the premises to be acoustically insulated to prevent noise nuisance.

Visual Amenity – Given the design, scale and massing of the proposed building it is not considered that the development have an unduly overbearing appearance and as a result would not have a detrimental impact upon the levels of visual amenity that are experienced in Northenden District Centre.

Pedestrian and Highway Safety – It is not considered that the proposal 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.

Waste Management – Despite the bin stores being relocated, the number and type of bins remain the same. Accordingly the submitted Waste management Plan is considered acceptable and will be conditioned.

Floor Levels and Access Ramp – The floor levels are required to be raised as a flood prevention measure and this is welcomed. The access ramp, which will be solely within the applicant's site, is required as a result of the changes in floor levels and is considered acceptable.

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 to resolve any matters 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 planning permission reference 121828/FO/2018, that date being 14 August 2020.

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

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

- a) Drawing 18158(PL)102A, stamped as received on 20th December 2019
- b) Drawing 18158(PL)110H, stamped as received on 8th March 2021
- c) Drawing 18158(PL)112B, stamped as received on 11th March 2021
- d) Drawing 18158(PL)119C, stamped as received on 20th September 2019
- e) Drawing 18158(PL)120K, stamped as received on 8th March 2021
- f) Drawing 18158(PL)121G, stamped as received on 8th March 2021
- g) Drawing 18158(PL)122H, stamped as received on 8th March 2021
- h) Drawing 18158(PL)123H, stamped as received on 8th March 2021

- i) Drawing 18158(PL)200A, stamped as received on 8th March 2021
- j) Drawing 18158(PL)202, stamped as received on 12th November 2018
- k) Drawing 18158(PL)203, stamped as received on 12th November 2018
- l) Drawing 18158(PL)211, stamped as received on 12th November 2018
- m) Drawing 18158(PL)212B, stamped as received on 20th September 2019

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

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

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

4) No above ground works shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

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

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

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

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

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, Policies EN8 and EN14 in the Manchester Core Strategy.

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

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

8) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

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

8.00am to 10.00pm

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

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

Mondays to Saturdays - 7.30am to 8.00pm

Sundays and Bank Holidays - no deliveries/waste collections

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

17) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 11 March 2021 and shall remain in situ whilst the development is in operation.

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

18) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for private residential purposes pursuant to policies SP1, DM1, H1, H6 and H11 of the Core Strategy for Manchester and the guidance contained within National Planning Policy Framework including section 16.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. the designated route for construction and delivery vehicles
2. the parking of vehicles of site operatives and visitors
3. loading and unloading of plant and materials
4. storage of plant and materials used in constructing the development
5. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
6. wheel washing facilities
7. measures to control the emission of dust and dirt during construction
8. a scheme for recycling/disposing of waste resulting from demolition and construction works
9. hours of working

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

27) Prior to the occupation of the development, a detailed scheme of off-site highway works, in order to provide an adequate servicing facility and street trees 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) Amendments to the Traffic Regulation Order to allow for the provision of an on-street loading bay and to limit and/or restrict on-street parking in the loading bay.
- b) The provision of street trees.

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)

Informatives

1) Informative for condition 5 - In order to discharge the above drainage condition the following additional information has to be provided:

- o Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;

- o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- o Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- o Hydraulic calculation of the proposed drainage system;
- o Construction details of flow control and SuDS elements.

2) Informative for condition 10 - Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

3) Informative for condition 11 - 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

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management
Greater Manchester Police
Environment Agency
United Utilities Water PLC
High Speed Two (HS2) Limited

Apartment 10 Palatine Place, 265 Palatine Road, Northenden, M22 4ET
44 Royle Green Road, Manchester, M22 4WR
68, Bronington Close, Northenden, Manchester, M22 4ZR
24 Brett Street, Northenden, Manchester, M22 4EX
38, Allanson Road, Manchester, M22 4WW
48 Allanson Road, Northenden, Manchester, M22 4WW
24, Orchard Road East, Northenden, Manchester, M22 4ER
Flat 2, 9 Mill Lane, Manchester, M224HJ
19 Allanson Road, Northenden, M224hn
48 Allanson Road, Northenden, Manchester, M22 4WW
3 Rosewood Park, Lurgan, BT667AQ
351 - 359 Palatine Road, Manchester, M22 4FY
2 Halsall Buildings, Southport, PR9 9BW
46 Allanson Road, Northenden, Manchester, M22 4WW
50 Allanson Road, Northenden, Manchester, M22 4WW

24 Brett Street, Northenden, M22 4EX
50 Allanson Road, Manchester, M22 4WW
369A Palatine Road, Manchester, M22 4FY
349B Palatine Road, Manchester, M22 4FY
349 Palatine Road, Manchester, M22 4FY
377B Palatine Road, Manchester, M22 4FY
Ground Floor, 369 - 371 Palatine Road, Manchester, M22 4FY
GODFREY HOLLAND LIMITED, Ground Floor, 341 Palatine Road, Manchester, M22 4FY
First Floor And Second Floor, 341 Palatine Road, Manchester, M22 4FY
366 - 368 Palatine Road, Manchester, M22 4FZ
Flat 2, 377B Palatine Road, Manchester, M22 4FY
Flat 1, 377B Palatine Road, Manchester, M22 4FY
341 Palatine Road, Manchester, M22 4FY
Flat 3, 373 Palatine Road, Manchester, M22 4FY
Flat 2, 373 Palatine Road, Manchester, M22 4FY
Flat 1, 373 Palatine Road, Manchester, M22 4FY
369 - 371 Palatine Road, Manchester, M22 4FY
371A Palatine Road, Manchester, M22 4FY
363A Palatine Road, Manchester, M22 4FY
349A Palatine Road, Manchester, M22 4FY
Ground Floor, 365 Palatine Road, Manchester, M22 4FY
343 Palatine Road, Manchester, M22 4FY
58 Allanson Road, Manchester, M22 4WW
44 Allanson Road, Manchester, M22 4WW
375 Palatine Road, Manchester, M22 4FY
38 Allanson Road, Manchester, M22 4WW
342 Palatine Road, Manchester, M22 4HE
358 - 362 Palatine Road, Manchester, M22 4HD
362A Palatine Road, Manchester, M22 4HD
345 - 347 Palatine Road, Manchester, M22 4FY
365 Palatine Road, Manchester, M22 4FY
Flat Rear Of, 365 Palatine Road, Manchester, M22 4FY
343A Palatine Road, Manchester, M22 4FY
62 Allanson Road, Manchester, M22 4WW
60 Allanson Road, Manchester, M22 4WW
56 Allanson Road, Manchester, M22 4WW
54 Allanson Road, Manchester, M22 4WW
52 Allanson Road, Manchester, M22 4WW
48 Allanson Road, Manchester, M22 4WW
46 Allanson Road, Manchester, M22 4WW
42 Allanson Road, Manchester, M22 4WW
40 Allanson Road, Manchester, M22 4WW
377 Palatine Road, Manchester, M22 4FY
373 Palatine Road, Manchester, M22 4FY
367 Palatine Road, Manchester, M22 4FY
363 Palatine Road, Manchester, M22 4FY
364B Palatine Road, Manchester, M22 4HD
364A Palatine Road, Manchester, M22 4HD
360A Palatine Road, Manchester, M22 4HD
358A Palatine Road, Manchester, M22 4HD
356A Palatine Road, Manchester, M22 4HD
354B Palatine Road, Manchester, M22 4HD
354A Palatine Road, Manchester, M22 4HD
352A Palatine Road, Manchester, M22 4HD

350A Palatine Road, Manchester, M22 4HD
348A Palatine Road, Manchester, M22 4HD
346A Palatine Road, Manchester, M22 4HD
344B Palatine Road, Manchester, M22 4HD
344A Palatine Road, Manchester, M22 4HD
344 Palatine Road, Manchester, M22 4HE
364 Palatine Road, Manchester, M22 4HD
356 Palatine Road, Manchester, M22 4HD
352 Palatine Road, Manchester, M22 4HD
350 Palatine Road, Manchester, M22 4HD
348 Palatine Road, Manchester, M22 4HD
346 Palatine Road, Manchester, M22 4HD
1 Heyridge Drive, Manchester, M22 4HB
48 Allanson Road, Manchester, M22 4WW
370 Palatine Road, Manchester, M22 4FZ
361 Palatine Road, Manchester, M22 4FY
365 Palatine Road, Northenden, Manchester, M22 4FY

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
Flood Zones Type 2 (low to medium risk) -
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH