

Application Number	Date of Appln	Committee Date	Ward
092003/FO/2009/N1	16th Dec 2009	11th Mar 2010	Higher Blackley Ward

Proposal Erection of replacement Class A1 superstore, 3 no. new retail units, new petrol filling station and associated car wash with associated 711 space car park, relocated servicing road, landscaping and recycling facilities

Location Heaton Retail Park, Heaton Park Road West, Blackley, Manchester, M9 0QS,

Applicant Terrace Hill (Heaton) Ltd , Westminster, St Marks Court, Teesdale, Stockton On Tees, TS17 6QP

Agent Mr Jonathan Wallace, Nathaniel Lichfield and Partners, Third Floor, One St James Square, Manchester, M2 DN

Description

The site

The application site is approximately 4.9ha in area and is located in the Higher Blackley area of North Manchester, immediately to the south of junction 19 of the M60 Motorway. Manchester City Centre is approximately 7km to the south of the application site. The site is known as Heaton Retail Park and currently has an existing Sainsbury's supermarket, plus 3 no. smaller retail units, currently occupied by Wickes, Currys and American Golf. The site also has an existing petrol station and a car park for 671 cars. The site is not located within or adjoining a conservation area, there are no listed buildings on the site, and none of the existing trees on the site are subject to tree preservation orders. The site is bounded by the River Irk and junction 19 of the M60 to the north, by Heaton Park Road and Heaton Park Road West to the south, a public footpath to the east and by the A567 Middleton Road to the west. Beyond the immediate boundaries of the site there are residential properties to the east and south, and Heaton Park can be found on the opposite side of Middleton Road to the application site. The site is accessible by foot (via a network of pedestrian footpaths), an advisory cycle route, or by car (via Heaton Park Road West). The nearest bus stop to the site is 200m away on Middleton Road and Bowker Vale Metrolink Station is approximately 1.8km to the southwest of the application site.

The existing Sainsbury's store was granted planning permission in 1988. At the time of this application (ref. 29665), the main store that was approved was 66,850 sq. ft, plus there was a DIY store approved of 35,000 sq. ft, a 10,000 sq. ft garden centre, and separate retail units totalling 3,150 sq. ft. The Sainsbury's store was opened in 1991 and an extension was later added in the late 1990s following the approval of application 053442, taking the total floorspace at the store to 78,642 sq. ft. A further extension at the site was granted in 1996 meaning that the total existing gross implemented and approved floorspace at the site is currently 12,648 sq. m (136,143 sq. ft). It should also be noted that in August 2009, a Certificate of Lawfulness was issued for the retail park, excluding the garden centre, petrol filling station and a part implemented 1,394 sq. m of floorspace that was specifically applied for as non-food retail floorspace (under application 049469, and renewed under application 061553). The certificate was issued for use of existing buildings within the retail park for open

Use Class A1 (shop) use, incorporating a total floorspace of 11,254 sq. m, excluding the three buildings mentioned above. This means that the buildings within the retail park could be used for any purpose within Use Class A1, i.e. food and non-food, which reflects the absence of any planning conditions on previous approvals at the site and/or legal agreements restricting what the A1 floorspace could be used for.

The existing Sainsbury's store, as well as selling both convenience and comparison goods, provides a range of supporting facilities, including an in-store cafe, pharmacy, doctors consulting room, dentist, podiatrist, cash machines and recycling facilities. Approximately 70% of the floorspace within the existing store is dedicated to the sale of convenience goods, whereas 30% of floorspace is for comparison goods.

The proposal

Planning permission is sought for the erection of a replacement Use Class A1 superstore, 3 no. new retail units, a new petrol filling station and a new car wash, along with an associated 711 space car park, relocated servicing road, landscaping and recycling facilities. The total gross internal floorspace of the new store and 3 no. new retail units would be 12,671 sq. m which would be broadly in line with the existing approved and implemented floorspace at the current retail park site, which as detailed above is 12,648 sq. m. It should be noted that the existing store would be demolished as part of the redevelopment, but only however once the new store was open for business. The new Sainsbury's foodstore would comprise 11,731 sq. m gross/7573 sq. m net sales floorspace. Of this net sales area, it has been assumed that around 63% (4786 sq. m) would be used for the sale of convenience goods, and the other 37% (2787 sq. m) would be used for comparison goods sales. Of the 3 no. retail units proposed, American Golf have committed to take occupation of one of the units whereas the operators of the other two units have yet to be determined. As stated above, the new car parking area would have 711 spaces. Of these 711, 44 would be fully accessible spaces and 30 would be parent and child spaces. There would also be parking areas for 12 no. motorcycles and 66 no. pedal cycles. It should be noted however that not all of the 711 parking spaces would be available when the new store opens for business. This is because approximately 350 of the spaces would eventually be demarcated where the existing store currently sits. The applicant has provided a commentary regarding the phasing of the construction seeing as the proposed store would be built whilst the existing store is still trading. Once the new store is open, and the proposed store is demolished, the remaining car parking spaces would be made available.

The applicant has stated that the reasons for the proposed new replacement store are:

- The existing store is restricted in terms of its size which leads to compromises in terms of the layout and the retail offer provided.
- The new store would be brought up to date with current energy efficiency standards
- The current position of the existing store means that the service road and yard is located in close proximity to existing residential properties which has an adverse impact on residential amenity within the area. Complaints have previously been

made to the Council regarding noise disturbance from delivery and heavy goods vehicles.

In light of the above, the new store would be larger so would be able to sell an enhanced range of food and non-food goods in order to allow it to compete more effectively with large stores in the surrounding area. In addition, the new store would be repositioned on the site meaning that the service yard/road would also be repositioned in a location that would eradicate conflict between residents and noise from delivery vehicles. The applicant's have stated that the existing retail park site is the only realistic location for a replacement Sainsbury's store that would better meet the needs of its existing catchment area by being able to sell the company's full range of food and non-food goods. This is particularly the case given the location and accessibility of the site.

In terms of its appearance, the proposed new building is designed to be as simple and contemporary as possible, with clean lines and modern materials. The main materials proposed for the elevations are white and grey metal cladding panels, terracotta rainscreen cladding and extensive amounts of glazing. In terms of landscaping, the existing retail development has a landscaping scheme that was planted at the time of construction of the existing store to provide amenity and environmental benefit and ameliorate its visual impact on its surroundings. This existing landscaping has been largely successful and has become well established. Regarding landscaping for the redeveloped site, it would be a combination of retained vegetation and supplementary native tree planting for screening and/or ecological enhancement. The valuable landscape buffer that currently exists along Heaton Park Road West would be unaffected by the proposed development. The current car park area has 34 trees within it, but as the redevelopment of the site necessitates their removal, 41 no. new trees are proposed as part of the redevelopment, 20 of which would be semi-mature trees.

As stated above, the service road and yard would be relocated on the site as part of the redevelopment. The existing store has one vehicular approach via Heaton Park Road West and the existing servicing route currently runs along the southern and eastern boundaries of the site, adjacent to residential properties. There have been ongoing problems with the location of the existing servicing road/yard due to pedestrians crossing the servicing road, noise and light pollution, and the fact that adjacent residential properties overlook an unattractive service yard. The proposed scheme would retain the existing vehicular access to the site but the servicing road and yard would be relocated to the western and northern boundaries of the site. This would mean that the service area would be situated away from residential properties, thereby minimising/eradicating the current problems.

The new store has been developed with a crime prevention plan in mind in order to make the redeveloped retail park site as secure as possible. Measures that would be introduced include the fact that the layout of the site, including the landscaping, has been designed so as to not provide any hidden areas, dead ends or areas that do not benefit from natural surveillance, CCTV and security would be provided to all areas of the site, and the ATMs would be located at the front of the store to provide a safe location for customers using the facility that benefits from natural surveillance. In terms of energy efficiency/sustainability terms, Sainsbury's aim for every new store to

achieve a BREEAM rating of 'very good' and this is no exception for the proposed new store. In addition, the new store would include several environmental/sustainable features including rainwater harvesting, low flush WCs, weir screens and night blinds for refrigeration areas, and energy ICT sub metering.

Consultations

Publicity - The application was advertised in the local press as a major development and a departure from the development plan. No representations have been received as a result of this publicity.

Neighbours - Occupiers of properties surrounding the application site were notified of the proposal. No representations have been received.

Salford City Council - No objections

Bury Metropolitan Borough Council - No objections

Rochdale Metropolitan Borough Council - No objections

Engineering Services - Commitment to acceptable cycle park location is noted. Quantity is not revealed, but any scheme should allow for increase. A s278 agreement is required to ensure adequate design of vehicular egress and access junctions from the adopted roundabout, and of revised pedestrian and cycle access measures. Mutually maintainable delineation is required at the highway boundary.

Environmental Health - Stated that the submitted waste management strategy is acceptable, the hours and delivery hours as applied for are acceptable, and a condition is needed relating to the acoustic insulation of any externally mounted actually equipment

Contaminated Land Section - Stated that a condition should be attached to any approval granted requiring that any possible contaminated land at the site should be investigated and, if applicable, the necessary remediation measures to deal with any land contamination should be carried out

Environment & Operations (Trees) - No representations received

North Manchester Regeneration Team - Comments will be reported to Committee

Environment Agency - Initially objected to the application but following the submission of additional information to supplement the original flood risk assessment (FRA), the Environment Agency is now satisfied that a 30% reduction in surface water runoff rates will be provided and so have removed their objection. However, the proposed development will only be acceptable if a planning condition is imposed requiring drainage details as recommended in the submitted FRA and the supplementary information provided. 2 conditions regarding contaminated land at the site have also been suggested.

Greater Manchester Police - A Crime Impact Statement was submitted with the application. GMP initially stated that they were generally supportive of the proposals but there is still an area of significant concern in relation to the proposed layout in terms of the arrangements for cash transfer between security vehicles and the store. Following the submission of further information in relation to this, GMP are now happy to support the scheme

Greater Manchester Ecology Unit - The surveys appear to have been conducted by suitably qualified consultants and to an appropriate standard. Overall I would assess this application as not having substantive nature conservation impacts and I therefore have no objections to the development on ecological grounds.

Bats - Although no bat emergence and/or activity surveys have been conducted, no bats or signs of bats were found during roof void inspections and I would assess the buildings as having only low-medium potential to support bats. I would conclude that it is unlikely that building demolitions will have a significant impact on local bat populations. I would not therefore recommend that any additional bat surveys need to be conducted prior to determining the planning application. However, given the presence of the adjacent river corridor and the proximity of the Park (very good bat foraging habitat) some further precautions as regards bats are justified, either through a requirement for additional precautionary emergence/activity surveys prior to demolition (if demolition is to take place during the period May to September) or through a requirement for careful demolition to take place (if demolition is to take place during the period October to April). The bat mitigation described in section 5 of the 'Bat Roof Void Inspection' should be followed by the developer.

River corridor - The river corridor adjacent to the application site has some nature conservation interest. I would recommend that best construction practice be followed throughout the construction period for the scheme to ensure that no harm is caused to the watercourse, particularly through pollution.

Nesting birds - No vegetation clearance required by the scheme should take place during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified persons.

Japanese knotweed - There are some stands of Japanese knotweed on the application site. It is an offence to spread this invasive weed, and therefore a method statement should be prepared and implemented for the control of this plant during the course of the development.

The Highways Agency - The Highways Agency would not wish to raise any in-principle objection to this application, but should the Council grant consent to the application, a condition which states that no part of the development shall be brought into use unless a detailed travel plan is submitted should be attached to any approval. The Highways Agency should be consulted on the submitted travel plan prior to it being agreed.

Issues

National Policy

Planning Policy Statement 1: Delivering Sustainable Developments (2005)

PPS1 encourages the promotion of urban regeneration to improve the well being of communities, improve facilities, promote high quality and safe development, and create new opportunities for the people living in those communities. Planning should facilitate and promote sustainable and inclusive patterns of urban development by ensuring high quality development through good and inclusive design, ensure that development supports existing communities, and contributes to the creation of safe, sustainable, liveable and mixed communities. It also states that local authorities should strive to achieve high quality and inclusive design from all developments. PPS1 also states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. For the reasons outlined below, it is considered that the development is consistent with PPS1.

Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009)

PPS4 was published in December 2009 and replaces the following Planning Policy Statements and Guidance:

- Planning Policy Guidance 4: Industrial, Commercial Development and Small Firms
- Planning Policy Guidance 5: Simplified Planning Zones
- Planning Policy Statement 6: Planning for Town Centres
- Planning Policy Statement 7: Sustainable Development in Rural Areas

The new PPS4 states that the government's overarching objective is sustainable economic growth. To help achieve this, one of the government's objectives is to promote the vitality and viability of town and other centres as important places for communities. To do this, the government wants, amongst other things, new economic growth to be focused in existing centres, competition between retailers, and enhanced consumer choice through the provision of innovative and efficient shopping in town centres.

When assessing the need for retail and leisure development, local planning authorities (LPAs) should, amongst other things:

- Take account of both the quantitative and qualitative need for additional floorspace
- Give additional weight to meeting qualitative deficiencies in deprived areas that lack access to a range of services and facilities
- Include realistic assessments of existing and forecast population levels
- Assess whether there is provision and distribution of shopping facilities which allow genuine choice to meet the needs of the whole community, particularly those living in deprived areas
- Look at the degree to which shops may be overtrading.

PPS4 states that at a local level, LPAs should consider setting floorspace thresholds for the scale of edge and out of centre development which should be subject to an

impact assessment. LPAs should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably. Better developments are those that would limit carbon dioxide emissions, would be accessible by a choice of means of transport, would have a positive impact on economic and physical regeneration (including the impact on deprived areas), and a positive impact on local employment.

PPS4 also states that a sequential assessment is required for planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan. In considering sequential assessments, LPAs should, amongst other things, ensure that sites are assessed for their availability, suitability and viability, and ensure that firstly all in-centre options and secondly all edge of centre options have been thoroughly assessed before other sites are considered. In configuring the impact assessment, planning applications should be assessed against the following impacts on centres:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- The impact of the proposals on in-centre trade/turnover and on trade in the wider area

PPS4 concludes that planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date development plan should be refused where:

- The applicant has not demonstrated compliance with the requirements of the sequential approach
- There is evidence that the proposal is likely to lead to significant adverse impacts

If no significant adverse impacts are identified, planning applications should be determined by taking account of the positive and negative impacts of the proposal and the likely cumulative effect of recent permission, developments under construction and completed developments.

A detailed assessment of the proposal in relation to PPS4 is given below but it should be noted that it is considered that the proposal accords with the guidance in PPS4.

Planning Policy Guidance Note 13: Transport (2001)

PPG13 aims to encourage the use of alternative modes of transport that have less of an environmental impact and reduce the reliance on the private car. The applicant has submitted a traffic impact assessment in support of the proposal and this has been examined by the Head of Engineering Services. As stated above, the site is very accessible seeing as it is located just off a major arterial route into the city (Middleton Road) which has a regular bus service and it is very near to junction 19 of the M60, The new car park at the site would accommodate 711 cars once fully developed, and there would also be parking for motorcycles and pedal cycles. It should also be noted that a condition will be attached to the approval requiring the

submission of a green travel plan to encourage people to travel to and from the site by non-car based travel models. It is concluded that the proposal accords with the principles of PPG13.

Regional Policy

The Regional Spatial Strategy (RSS) for the North West of England policy DP2 promotes sustainable communities by focusing on achieving a high quality of life and fostering sustainable relationships between homes, workplaces and other concentrations of regularly used facilities and services. Policy DP7 is related to promoting environmental quality and states that local planning authorities should promote good quality design in new development and ensure that development respects its setting. For the reasons outlined below, it is considered that the development is consistent with policies DP2 and DP7 of the RSS.

Local Policy

The Unitary Development Plan for Manchester

Policies S2.1, S2.2, S2.4, S2.5 and S2.6 below all deal with 'Shopping'.

Policy S2.1 advises that the Council recognises the importance of good quality local and convenience shopping facilities within easy reach of people's homes and will seek to ensure that all parts of the City are well provided for and that facilities are accessible to everyone. It also states that new shops to meet local need will be encouraged where current provision does not adequately meet requirements.

Policy S2.2 deals with large out of centre stores and advises that in considering such proposals, the Council will ensure that they do not undermine the viability and vitality of the City Centre or nearby district/town/local centres. The policy also seeks to ensure that proposals for large out of centre stores will be accessible to a wide cross-section of people, including disabled people and non-car users, and will not give rise to unacceptable environmental or traffic problems. The policy also states that in coming to a decision about out of centre shopping developments, the Council will take into account the cumulative effects of other recent and proposed retail developments in the locality.

Policy 2.4 states that new shopping facilities should not significantly affect the amenities of nearby residential areas.

Policy S2.5 seeks to ensure that new shopping facilities are of a high standard of design, have adequate parking provision and provide a safe and attractive environment for shoppers.

Policy S2.6 states that the Council will ensure that all major shopping developments provide a wide range of facilities and benefits for the comfort and convenience of shoppers, such as access for disabled people and the provision of cycle parking and toilets.

UDP policy H2.2 'Housing' states that the Council will not allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution. For the reasons outlined below, the development is considered to be consistent with this policy.

UDP policies T2.4 and T2.6 relating to 'Transport' are concerned with developments meeting their own car parking needs, including having fully accessible spaces. The development would have 711 no. car parking spaces, 44 of which would be fully accessible. This is considered to be acceptable.

UDP policy E3.5 'Environmental Improvements and Protection' states that new developments should be designed with safety in mind so that it leads to a safer environment for all people living in and using the City. Greater Manchester Police have been involved in the formulation and amendment of the proposed scheme and the development is considered to be acceptable from a security point of view, subject to the recommendations in the submitted Crime Impact Statement being carried out.

UDP policy DC9.1 'New Commercial and Industrial Development' states that new development should meet high standards of accessibility for disabled people. The new building would be fully accessible throughout, have level entrances, and the car park would have 44 fully accessible parking spaces.

For the reasons outlined below, it is considered that the proposal is consistent with the above UDP policies.

North Manchester Strategic Regeneration Framework

Schemes are well underway to make better use of the area's green spaces, be it parkland or derelict open space. Past open space strategies have led to the development of the current restoration of the Irk Valley, in which the application site sits. A key piece of work is the bringing together of all available resources for the Valley and strategically co-ordinating efforts. The Framework states that the Irk Valley should be consolidated as a green corridor in which employment, recreation and housing can co-exist. At the outset, the river should be cleaned to restore its health and to create an attractive environment for recreational activities, and linked trails should be built along the River Irk to restore the river as a central feature in North Manchester.

In terms of shopping in North Manchester, the Framework states that the current hierarchy in shopping provision is determined by the higher quality supermarket provision that is primarily located within and on the periphery of North Manchester. Sainsbury's at Heaton Retail Park is named as one of those outlets and its states that low car ownership makes it difficult for some of North Manchester's residents to avail themselves of the opportunities presented by these stores. The Framework also recognises that the poor physical environment of North Manchester, as well as the proliferation of fast food takeaways and the lack of quality goods, has an impact on the quality of life of existing residents and disadvantages them by offering poorer quality products, particularly food, which affects health and lifestyle. It also means the

leakage of spending power as some residents will travel outside the area for better quality and choice. Higher quality shops are needed to support the regeneration of the area.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (adopted April 2007)

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance states that a high quality environment is created by buildings that reflect their purpose and respect the place in which they are located. Each new development should be designed having full regard to its context and the character of the area. The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings and enhance the streetscene. In terms of site boundaries, the Guide states that the impact of site boundaries can be significant and must be taken into account and incorporated into the design of new developments.

The proposed redevelopment of the Heaton Retail Park as proposed under this application is considered to be acceptable as it would be consistent with this document in that it would be a contemporary building that would not detrimentally affect visual amenity within the area, the location of the new building and the service road/yard etc. has been carefully considered in order to minimise the affect on nearby residents from noise and light pollution, and the development would retain most of the existing landscaping as well as have some supplementary planting in order to give the retail park an enhanced setting.

Principle of Development

The principle of the proposed development, including the amount of floorspace proposed, is considered to be acceptable (subject to restrictions and necessary conditions) as when comparing the proposed floorspace to that which is existing (implemented) and approved at the existing retail park site, the difference is minimal. As also outlined above, the redeveloped store would have three main benefits, namely that the new store would be able to sell a more extensive range of food and non-food goods, thereby better meeting the needs of shoppers in the local area, it would be a lot more sustainable than the existing store, and the service yard/road would be relocated away from residential properties. For these reasons, the principle of the development proposed is considered to be acceptable.

Retail need and impact

As part of the documents put forward in support of the proposal, a detailed retail assessment was submitted with the application that looked at the need for the proposed new store and also the impact of the redeveloped retail park site on other shopping centres in the city. It should be noted that when the application was submitted, the new PPS4 had not been published so the development was assessed in relation to the 5 tests of the now cancelled Planning Policy Statement 6 (Planning for Town Centres). The 5 tests are as follows:

1. The need for the development

2. The development should be of an appropriate scale
3. There are no more central sites for the development
4. There are no unacceptable impacts on existing centres
5. The location is accessible.

The main points made in the submitted retail assessment (based on the tests of PPS6) are as follows:

1. The new store would provide a more attractive customer environment, including an improved internal layout, more circulation space and wider aisles.
2. It is acknowledged that the proposed development is not located within an existing centre, but the proposal seeks to redevelop an existing retail park that already includes a large foodstore. The development will not result in an intensive development significantly greater in scale than the existing buildings as the total floorspace proposed is broadly in line with the existing and approved floorspace at the existing Heaton Retail Park. Furthermore, as stated above, all existing built and occupied floorspace on the site could be occupied for convenience retail purposes without the need for planning permission. In this context, and taking into account both their intended role and function, and the level of retail expenditure capacity forecast, it is considered that the proposed food store and three other retail units are of an appropriate scale.
3. It has been demonstrated that there is sufficient expenditure capacity to support, and therefore a quantitative need for, the additional convenience and comparison goods turnover that would be generated by the proposals. This reflects a number of factors, including growth in expenditure over time, the performance of existing retail floorspace and the significant potential for both committed schemes and the proposed development to claw-back expenditure which is currently leaking to stores and centres beyond the primary catchment area (PCA). It has also been demonstrated that there is a qualitative need for the proposed new Sainsbury's store and the three smaller units.
4. The new Sainsbury's store would allow the company to sell their full range of food and non-food goods, thereby reducing the need for people to travel further afield to fully meet their shopping needs. The three smaller units would provide complementary new facilities which would allow customers to make linked trips through one journey to the site.
5. There are no sequentially preferable sites or vacant units that are fully suitable, viable and available to accommodate a food store of a similar size to that proposed. Consideration was given to the extent to which a number of smaller sites within and on the edge of existing centres in the PCA could accommodate the proposed development, however none of the sites were considered to be suitable, viable and available to accommodate the proposed new food store and/or other retail units. All of the sites were small in scale and a number are subject to existing planning permissions, current proposals and/or development plan allocations for alternative forms of redevelopment. They are also subject to various other constraints including the close proximity of other uses, including residential, servicing restrictions, and restriction over their availability within a reasonable period of time.

6. It has also been demonstrated that the proposed development would not have any significant adverse impact upon the vitality and viability of existing centres, whether in terms of new investment, their range of shops and services, or the number of vacant properties.

7. It is understood that the emerging Core Strategy for Manchester proposes the designation of the site as a local centre which reflects the current and future role of the Heaton Retail Park site is serving the surrounding residential area.

Although the submitted retail assessment was written in the policy context of PPS6, the assessment was examined by the Local Planning Authority and also an independent retail consultant in relation to the tests of the new PPS4. As the application site is not located within an existing centre and is not in accordance with an up-to-date development plan, the applicant needs to demonstrate compliance with the requirements of the sequential approach outlined in PPS4. In terms of the sequential assessment the applicant should:

- Ensure that all in-centre options have been thoroughly assessed before less central sites are considered
- Ensure that sites are assessed for their availability, suitability and viability
- Give preference to edge of centre locations where there are no town centre sites to accommodate the proposal
- Ensure that account has been taken in flexibility in terms of scale, format, car parking provision and disaggregation.

The applicant also needs to show clear evidence that the proposal is not likely to lead to significant adverse impacts on existing centres

Following an assessment of the submitted retail assessment in relation to the tests of PPS4, the Local Planning Authority had the following concerns/wanted confirmation of the following issues:

1. The new store would sell a larger range of both convenience and comparison goods which could increase its attractiveness and consequently serve to perpetuate an unsustainable pattern of development.
2. The size of the primary catchment area (PCA), the source and analysis of the survey information used, the assumptions regarding the retention of expenditure within the PCA, and the influence of proposals outside the PCA on shopping patterns within it.
3. Confirmation of the amount of net floorspace proposed
4. The belief that 25% of trade for the replacement store would come from areas beyond an already very large catchment area.
5. More details were requested regarding the effect of the levels of trade diversion anticipated from other areas of the city.
6. The growth figures used were very optimistic

7. Reference being made to the retail park being designated as a local centre as this is not going to be the case

Following these comments, the applicant submitted some further information in support of the application, the main points of which are as follows:

1. Following the publishing of PPS4, there is now no requirement to demonstrate a need for the proposed development, but the retail assessment does run through the tests of the sequential approach and impact. It is the applicant's opinion that the application proposal complies with national and local planning policy requirements.

2. The site location is a very sustainable one, next to a major arterial route and public transport corridor, and the submitted Transport Assessment demonstrates that there will be a reduction in trip arrivals and departures at the site both during the evening and Saturday peak periods.

3. With regard to expenditure retention, existing commitments would claw back some of the expenditure currently leaking out of the defined PCA when assessing capacity, but claw back that would be likely to be achieved by the proposed development has not been taken into account. The committed schemes analysed would all divert trade from existing facilities located beyond the defined PCA of the proposed replacement Sainsbury's, thereby increasing the existing expenditure retention level.

4. When looking at changes in net floorspace, there would be a reduction of 268 sq. m for the proposed scheme.

5. There is now no requirement to demonstrate a need for the proposed development but the retail assessment identifies sufficient capacity to accommodate the proposals alongside all existing committed developments.

6. Nectar Card data indicates that 76.7% of spending at the existing store originates from within the PCA, so it is assumed that 25% of turnover would originate from beyond the PCA. Should this proportion be higher than 25%, the implications would be modest.

7. There is no prospect of any nearby superstores closing as a result of the proposal, even when considered cumulatively with committed developments, and it is concluded that the redeveloped store would not be likely to affect Newton Heath centre

8. The different annual growth rates used in the retail assessment are those recommended by Experian. Beyond 2011, an Experian suggested growth rate of 0.5% per annum has been used for convenience goods spending

9. Even if the application site is not to be designated as a local centre, the application proposal is consistent with national policy for out of centre locations

10. The level of retail floorspace proposed is broadly the same as that which is already existing and approved on the site. It should also be noted that a Certificate of

Lawfulness has recently been granted which confirms that all of the existing occupied retail floorspace on the site can be used for any purpose within Use Class A1.

11. The development has significant benefits including the reorientation of the site, the new store would be able to sell a larger range of both food and non-food goods, and the new store would be brought in line with current energy efficiency standards.

The supplementary information provided was considered fully and it is considered that the proposed redevelopment of Heaton Retail Park is acceptable in terms of the impact it would have on retail provision and shopping patterns in the rest of the city. This is due to the following:

- The current existing (built) and approved floorspace at the application site is only marginally different to the floorspace proposed as part of the redevelopment. The development would therefore not result in an intensive development significantly greater in scale than the existing buildings
- There is already an existing foodstore at the site so the proposal would not be developing the site an entirely new foodstore
- Due to the absence of any conditions on previous approvals at the site for the type of floorspace that the buildings could be used for, the recently granted Certificate of Lawfulness has confirmed that the quantum of floorspace within the buildings included within the application site for the Certificate= could be used for any purpose within Use Class A1, i.e. food and non-food, without the need for planning permission.
- It has been demonstrated that the redevelopment of the retail park site would not affect the vitality and viability of other shopping centres within the city and there are no sequentially preferable sites or vacant units that are fully suitable, viable and available to accommodate a foodstore of a similar size to that proposed.
- The redeveloped retail park site would provide more goods in one place, thereby leading to improved consumer choice in an area that is not well served by food and non-food retail units
- The retail park site is very accessible and the redeveloped site would have adequate car parking to meet its own needs
- It has been demonstrated that there is sufficient expenditure capacity to support, and therefore a quantitative need for, the additional convenience and comparison goods turnover that would be generated by the proposals. It has also been demonstrated that there is a qualitative need for the proposed new Sainsbury's store and the three smaller units
- The benefits to adjacent residents in relation to the reorientation of the store and service road/yard are welcomed
- The new store would be a lot more energy efficient and sustainable than the existing store
- The application proposal complies with national and local planning policy requirements

Notwithstanding the above, it is considered necessary to control certain aspects of the development. Following discussions with the independent retail consultant, it is considered that conditions relating to the following should be attached to the approval:

1. The new store should not be sub-divided
2. The 3 no. small retail units should not be combined (together or with the Sainsbury's store)
3. A limit on the total gross and net floorspace is needed
4. A limit on the total net floorspace for the sale of comparison goods is needed

These conditions are needed in order to stop the retail park site becoming a more intensive development and to protect the vitality and viability of existing shopping centres within the city, thereby being compliant with national and local planning policy regarding new shopping developments.

Traffic considerations

The site is accessible by public transport and the submitted Transport Assessment forecasts that there will be a small reduction in traffic generated from the site via vehicular traffic during the evening and Saturday peak periods following the implementation of the proposed development. The new car parking area would have 711 car parking spaces (when all the spaces are available, following the demolition of the existing store). Of these 711, 44 no. would be fully accessible space and 30 no. would be parent and child spaces. There would also be parking areas for 12 no. motorcycles and 66 no. pedal cycles. Vehicular access into the site would remain as existing from Heaton Park Road West. This is considered to be acceptable. A condition requiring timescales for the demolition of the existing store and the development of the remaining car parking spaces will be attached to the approval.

Regeneration and employment benefits

The area in which the application site is located has high unemployment. Manchester's unemployment rate as a whole is above the national average, and Higher Blackley's unemployment rate is above Manchester's overall rate. It is forecast that whereas the retail park currently employs 359 people (304 in the Sainsbury's store), the redeveloped retail park would employ 510 people (477 at the Sainsbury's store). Therefore, the redevelopment is welcomed in the fact that it would aid unemployment in the area by creating new jobs that could be taken by local people. The applicant has confirmed that they are prepared to enter into a local employment agreement whereby people living within the area surrounding the application site would have the first opportunity at applying for jobs in the new store. The proposal would also increase economic investment in the area and lead to the reduction of social exclusion by giving local residents better access to a range of services.

Building footprint

Considerations were made to locating the proposed new store at the front of the site in order to create an active frontage onto Heaton Park Road West. However, due to ongoing concerns regarding the location of the existing servicing yard and road, as well as the requirement for the existing store to continue trading whilst the new store is being built, the store is proposed to be located at the rear of the site. The applicant has also stated that the operational requirements of the supermarket also suit this layout. Due to the benefits to adjacent residents that would occur as a result of the

relocation of the store and service yard/road within the site, the location of the proposed new building is considered to be acceptable. It should be noted that the existing building also does not front Heaton Park Road West.

Appearance and design

The existing retail units are of an inconsistent architectural style, so it is considered that the redevelopment of the site would allow for a consistent approach to the design of the buildings within the retail park which would positively enhance visual amenity within the area. The contemporary design of the building and the modern materials palette proposed are acceptable.

Residential amenity

There is a substantial change in level between the application site and the adjacent residential properties to the east which ensures that the existing dwellings would not be overlooked by the proposed store. The heights of the adjacent residential properties are above that of the proposed store. This is considered to be acceptable. As also stated above, there would be a significant benefit to adjacent residents as a result of the redevelopment due to the fact that the service road and yard which currently runs along the southern/eastern boundaries of the site would be relocated to the western/northern boundaries, well away from any nearby residents. On balance, the scheme is considered to be acceptable in terms of its impact on residential amenity as it would actually make the currently unacceptable situation a lot better with regard to the location of the servicing route.

Landscaping

As stated above, the existing retail development has a landscaping scheme that was planted at the time of construction of the existing store to provide amenity and environmental benefit and ameliorate its visual impact on its surroundings. This existing landscaping has been largely successful and has become well established. Regarding landscaping for the redeveloped site, it would be a combination of retained vegetation and supplementary native tree planting for screening and/or ecological enhancement. The valuable landscape buffer that currently exists along Heaton Park Road West would be unaffected by the proposed development. The current car park area has 34 trees within it, but as the redevelopment of the site necessitates their removal, 41 no. new trees are proposed as part of the redevelopment, 20 of which would be semi-mature trees. This is considered to be acceptable.

Disabled access

The redeveloped retail park will be fully accessible throughout and the car park would have 44 no. fully accessible parking spaces. The applicant has stated that dropped kerbs would be provided on pedestrian routes through the car park to the store entrance and tactile paving would be used as necessary. All store entrances would have level access and the main entrances would have sliding doors. Fully accessible toilets would be provided within the store.

Sustainability

The new store would be brought into line with current energy efficiency standards in order to reduce as far as possible its environmental impact and enhance its overall sustainability. It should also be noted that a BREEAM pre-assessment was undertaken for the proposed development and the new store should achieve a 'very good' rating. This will be conditioned as part of the approval.

Security

A Crime Impact Statement was submitted with the application and Greater Manchester Police have been involved with the design of the proposed store, even prior to the current application being submitted. As part of the consultation response to the application, the Police made some comments in order to make the redeveloped site function as safely and securely as possible. These comments have been addressed by the applicant. It should also be noted that a condition requiring the development to achieve Secured by Design will be attached to the approval.

Environmental Impact Assessment

The proposed development was subject to a screening opinion on 7 January 2010 in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and Circular 2/99 ('The Regulations'). In light of the information and documents received with the current planning application, it was concluded that in this particular instance, although the development will have some impact on the area, an Environmental Impact Assessment was not required. The applicant was also advised however that the City Council as Local Planning Authority reserves the right to seek an Environmental Impact Assessment if any future planning submissions on this site are significantly different, either in size, form or in terms of uses.

Section 106

The applicant has agreed to enter into a section 106 agreement in order to secure a financial contribution that would be used to improve the landscape of the Irk Valley. The Unitary Development Plan for Manchester, the North Manchester Strategic Regeneration Framework, the Irk Valley Local Plan and the emerging Local Development Framework open space strategy all highlight the importance of the Irk Valley to the quality of life in North Manchester and the key role which the Valley can play in improving the quality of the environment across the whole area and specifically around the Sainsbury's site which is the only large scale commercial business use in or near to this section of the Valley. The City Council has identified a number of improvements that are desired within the Irk Valley area, and it is considered that it is reasonable, relevant and necessary for Sainsbury's to contribute to these desired improvements in order to mitigate against any perceived harm that could be caused by having a much larger Sainsbury's store than existing at this location. Not only would the improvements have a positive impact on the land surrounding the new development to the benefit of the local community, but would improve land that is both within and outside the applicant's ownership. It is considered that it would be both reasonable and directly related to the proposed

development if the section 106 money was used to pay for improvements along the River Irk near to the application site, as it would improve pedestrian routes and linkages to and from the new store. The neighbourhoods surrounding the application site have high deprivation and low car ownership levels and there is very little choice in terms of where people are able to shop for comparison and convenience goods. For many people, a safe, attractive and well-managed footpath and cycle route through the Irk Valley will be the most convenient way for them to access local shopping facilities. It is therefore considered that the requested section 106 is directly related to the proposed development in this respect.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation **MINDED TO APPROVE** subject to the signing of a section 106 agreement relating to a financial contribution to the upgrading of the Irk Valley within the vicinity of the site and the referral of the application to the Secretary of State for Communities and Local Government in accordance with the Town and Country Planning Act 1990 because it represents a departure from the adopted Unitary Development Plan and under the Town and Country Planning (Consultation) (England) Direction 2009

Approve in the light of policies DP2 and DP7 of the Regional Spatial Strategy and policies S2, H2.2, T2.4, T2.6, E3.5 and DC9.1 of the Unitary Development Plan on the basis that the development would not adversely affect the vitality and viability of existing shopping centres within the city, it would not adversely affect visual or residential amenity within the area, it would be acceptable from a traffic generation point of view, it would have adequate car parking, it would be built with high levels of safety and security, it would have acceptable landscaping, it would aid regeneration, it would be sustainable and energy efficient, and it would be fully accessible throughout

Conditions and/or Reasons

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 unless otherwise agreed in writing by the City Council as Local Planning Authority:

Drawings

P51 Rev C
P52 Rev D
P54 Rev B
P55 Rev E
P56 Rev B
P57 Rev A
P58 Rev B
P59 Rev B
P60 Rev B
P61 Rev B
P63 Rev A

776-01 Rev B
776-02 Rev B
776-03 Rev C
776-04 Rev B

all stamped as received by the Local Planning Authority on 16 December 2009

Drawing P53 Rev N, stamped as received by the Local Planning Authority on 1 March 2010

The submitted waste management strategy

The recommendations and mitigation measures outlined in section 5 of the submitted Bat Roof Void Inspection report by AECOM dated 30 November 2009

The mitigation measures as detailed in section 6.2 of the submitted acoustic report by AECOM dated November 2009

The typical delivery schedule as outlined in the email from the agent dated 10 February 2010

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

3) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

4) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development is first occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

5) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies T2.4 and T2.6 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding condition 5, prior to the development hereby permitted first being brought into use, a full management plan, including timescales, for the demolition of the existing Sainsbury's store and the subsequent development and demarcation of the remaining car parking spaces at the site to serve the new store shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development/demolition shall then be undertaken in accordance with the approved details and the demarcated car parking spaces shall be available for use so long as the replacement Sainsbury's store is in use.

Reason - To ensure that there is adequate parking for the development proposed when the new Sainsbury's store is operational in order to comply with Policies T2.4 and T2.6 of the Unitary Development Plan for the City of Manchester.

7) a) 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.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report 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 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 H2.2 of the Unitary Development Plan for the City of Manchester.

8) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies T3.1, T3.6 and T3.7 of the Unitary Development Plan for the City of Manchester.

9) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 776-03 Rev C, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree

or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agreed in writing by the City Council as local planning authority.

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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed 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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) The development hereby approved shall not be occupied until full details of the Local Employment Agreement as outlined in the Agent's letter of 10 February 2010 has been submitted to and approved in writing by the City Council as Local Planning Authority and thereafter the development shall not be occupied unless the terms of the agreed Local Employment Agreement are adhered to.

Reason - To safeguard local employment opportunities, pursuant to policy R1 of the Unitary Development Plan for the City of Manchester

12) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure 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 secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

13) Details of a Travel Plan with the objective of encouraging sustainable modes of transport for future users of the development and including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented shall be submitted to and approved in writing by the City Council as local planning authority before development commences. For so long as the use is in operation the local planning authority shall be provided with such

information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.

Reason - In order to promote sustainable modes of transportation, in accordance with the provisions contained within PPS13

14) The wheels of contractor's vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

15) None of development hereby permitted shall be brought into use until the existing retail floorspace has ceased trading.

Reason - To ensure that the existing and replacement stores are not trading at the same time in order to protect the vitality and viability of existing centres within the city, and to be consistent with national and local planning policy, in particular PPS4 and UDP policy S2

16) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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 equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

17) Before development commences, full details of the design and delineation of the vehicular egress and access junctions and the design of the revised pedestrian and cycle access areas from the adopted roundabout on Heaton Park Road West shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of pedestrian and highway safety, pursuant to UDP policy H2.2

18) Before the development hereby approved commences, a method statement for the eradication and disposal of Japanese knotweed at the application site shall be submitted to and approved in writing by the City Council as Local Planning Authority. The eradication and disposal shall then be carried out in accordance with the approved details.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

19) Prior to the development hereby approved commencing, a scheme to protect the River Irk from materials and other sources of pollution during the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason - To ensure construction best practice is followed and to prevent pollution of the River Irk, pursuant to policy E1.3 of the Unitary Development Plan for the City of Manchester.

20) No vegetation clearance or demolition of buildings shall take place in the bird-breeding season (March to July) inclusive, unless nesting birds have been shown to be absent by a suitably qualified person.

Reason - To ensure wildlife habitats are not adversely affected and to be consistent with UDP Policy E2.4

21) The development hereby permitted includes for 1 large replacement superstore that shall remain as 1 retail unit at all times. It shall not be sub-divided to create more than 1 retail unit.

Reason - To ensure that the scale and nature of the retail development at this out of centre site does not lead to significant changes in retail activity which could have an unacceptable impact on nearby centres, pursuant to national and local planning policy in relation to shopping, namely PPS4 and policy S2 of the Unitary Development Plan for the City of Manchester

22) The development hereby permitted includes for 3 no. retail units. These retail units shall not be combined with either each other or with the larger superstore to create a larger unit.

Reason - To ensure that the scale and nature of the retail development at this out of centre site does not lead to significant changes in retail activity which could have an unacceptable impact on nearby centres, pursuant to national and local planning policy in relation to shopping, namely PPS4 and policy S2 of the Unitary Development Plan for the City of Manchester

23) The total gross retail floorspace within the development hereby permitted shall not exceed 12,671 sq. m and the development hereby permitted includes for 1 large superstore where the total net floorspace shall not exceed 7573 sq. m

Reason - To ensure that the overall scale and nature of the retail development at this out of centre site does not lead to significant changes in retail activity which could have an unacceptable impact on nearby centres, pursuant to national and local planning policy in relation to shopping, namely PPS4 and policy S2 of the Unitary Development Plan for the City of Manchester

24) The development hereby permitted includes for 1 large superstore where the total net floorspace used for the sale of comparison goods shall not exceed 4785 sq. m

Reason - To ensure that the scale and nature of the retail development at this out of centre site does not lead to significant changes in retail activity which could have an unacceptable impact on nearby centres, pursuant to national and local planning policy in relation to shopping, namely PPS4 and policy S2 of the Unitary Development Plan for the City of Manchester

25) 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 2.4 and 2.6 of the Unitary Development Plan for the City of Manchester.

26) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) submitted by Hadfield Cawkwell Davidson Ref 2007-247/JZ/PSA/ dated 10 December 2009 and the subsequent correspondence dated 16 February 2010, has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
- details of how the scheme shall be maintained and managed after completion

Reason - To prevent the increase risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to PPS25

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 092003/FO/2009/N1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Salford City Council
Bury Metropolitan Borough Council
Rochdale Metropolitan Borough Council
Engineering Services
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
North Manchester Regeneration Team
Planning Strategy
Environment Agency
Greater Manchester Police
Greater Manchester Ecology Unit
The Highways Agency
12 Wyville Drive, Manchester, M9 0QL
13 Wyville Drive, Manchester, M9 0QL
45 Parksway, Manchester, M9 0GL
47 Parksway, Manchester, M9 0GL
49 Parksway, Manchester, M9 0GL
51 Parksway, Manchester, M9 0GL
53 Parksway, Manchester, M9 0GL
55 Parksway, Manchester, M9 0GL
57 Parksway, Manchester, M9 0GL
59 Parksway, Manchester, M9 0GL
Nevada Bobs, Heaton Park Road, Manchester, M9 0QS
11 Southwood Drive, Manchester, M9 0QG
14 Southwood Drive, Manchester, M9 0QG
13 Southwood Drive, Manchester, M9 0QG
13 Westway, Manchester, M9 0GA
11 Westway, Manchester, M9 0GA
15 Westway, Manchester, M9 0GA
9 Westway, Manchester, M9 0GA

7 Westway, Manchester, M9 0GA
17 Westway, Manchester, M9 0GA
18 Westway, Manchester, M9 0LQ
12 Westway, Manchester, M9 0LQ
14 Westway, Manchester, M9 0LQ
10 Westway, Manchester, M9 0LQ
16 Westway, Manchester, M9 0LQ
6 Westway, Manchester, M9 0LQ
8 Westway, Manchester, M9 0LQ
1 Wyville Drive, Manchester, M9 0QL
3 Wyville Drive, Manchester, M9 0QL
Currys Ltd, Heaton Park Road, Manchester, M9 0QS
5 Wyville Drive, Manchester, M9 0QL
7 Wyville Drive, Manchester, M9 0QL
9 Wyville Drive, Manchester, M9 0QL
11 Wyville Drive, Manchester, M9 0QL
Wickes, Heaton Park Road, Manchester, M9 0QS
173 Heaton Park Road West, Manchester, M9 0TZ
9 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
10 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
12 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
11 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
The Three Arrows Hotel, Middleton Road, Manchester, M24 4GY
Swarbricks, Three Arrows, Middleton Road, Manchester, M24 4GY
126a, Heaton Park Road, Manchester, M9 0QQ
128 Heaton Park Road, Manchester, M9 0QQ
130 Heaton Park Road, Manchester, M9 0QQ
1a, Southwood Drive, Manchester, M9 0QG
1 Southwood Drive, Manchester, M9 0QG
3 Southwood Drive, Manchester, M9 0QG
5 Southwood Drive, Manchester, M9 0QG
7 Southwood Drive, Manchester, M9 0QG
9 Southwood Drive, Manchester, M9 0QG
131 Heaton Park Road, Manchester, M9 0PE
129 Heaton Park Road, Manchester, M9 0PE
127 Heaton Park Road, Manchester, M9 0PE
125 Heaton Park Road, Manchester, M9 0PE
16 Glenbrook Road, Manchester, M9 0PW
14 Glenbrook Road, Manchester, M9 0PW
179 Heaton Park Road West, Manchester, M9 0TZ
177 Heaton Park Road West, Manchester, M9 0TZ
175 Heaton Park Road West, Manchester, M9 0TZ
12 Glenbrook Road, Manchester, M9 0PW
10 Glenbrook Road, Manchester, M9 0PW
2 Glenbrook Road, Manchester, M9 0PW
8 Glenbrook Road, Manchester, M9 0PW
4 Glenbrook Road, Manchester, M9 0PW
6 Glenbrook Road, Manchester, M9 0PW
7 Glenbrook Road, Manchester, M9 0PP
5 Glenbrook Road, Manchester, M9 0PP

3 Glenbrook Road, Manchester, M9 0PP
1 Glenbrook Road, Manchester, M9 0PP
1 Errol Avenue, Manchester, M9 0PF
3 Errol Avenue, Manchester, M9 0PF
7 Dexter Road, Manchester, M9 0GG
5 Dexter Road, Manchester, M9 0GG
3 Dexter Road, Manchester, M9 0GG
1 Dexter Road, Manchester, M9 0GG
1 Corriss Avenue, Manchester, M9 0GQ
3 Corriss Avenue, Manchester, M9 0GQ
139 Heaton Park Road, Manchester, M9 0PE
5 Corriss Avenue, Manchester, M9 0GQ
7 Corriss Avenue, Manchester, M9 0GQ
137 Heaton Park Road, Manchester, M9 0PE
Sainsburys Supermarkets Ltd, Heaton Park Road, Manchester, M9 0QS
11 Corriss Avenue, Manchester, M9 0GQ
9 Corriss Avenue, Manchester, M9 0GQ
135 Heaton Park Road, Manchester, M9 0PE
13 Corriss Avenue, Manchester, M9 0GQ
15 Corriss Avenue, Manchester, M9 0GQ
133 Heaton Park Road, Manchester, M9 0PE
18 Dexter Road, Manchester, M9 0GG
20 Dexter Road, Manchester, M9 0GG
14 Errol Avenue, Manchester, M9 0PF
16 Dexter Road, Manchester, M9 0GG
14 Dexter Road, Manchester, M9 0GG
13 Errol Avenue, Manchester, M9 0PF
12 Dexter Road, Manchester, M9 0GG
10 Dexter Road, Manchester, M9 0GG
11 Errol Avenue, Manchester, M9 0PF
8 Dexter Road, Manchester, M9 0GG
9 Errol Avenue, Manchester, M9 0PF
5 Errol Avenue, Manchester, M9 0PF
7 Errol Avenue, Manchester, M9 0PF
6 Dexter Road, Manchester, M9 0GG
4 Dexter Road, Manchester, M9 0GG
2 Dexter Road, Manchester, M9 0GG
141 Heaton Park Road, Manchester, M9 0NZ
143 Heaton Park Road, Manchester, M9 0NZ
145 Heaton Park Road, Manchester, M9 0NZ
147 Heaton Park Road, Manchester, M9 0NZ
1 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
2 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
3 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
4 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
5 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
7 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
6 Cawley Terrace Heaton Park Road, Manchester, M9 0QR
8 Cawley Terrace Heaton Park Road, Manchester, M9 0QR

Representations were received from the following third parties:

Salford City Council
Bury Metropolitan Borough Council
Rochdale Metropolitan Borough Council
Engineering Services
Environmental Health
Contaminated Land Section
Environment Agency
Greater Manchester Police
Greater Manchester Ecology Unit
The Highways Agency

Relevant Contact Officer : Carolyn Parry
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Email : c.parry@manchester.gov.uk