Application Number | Date of Appln | Committee Date | Ward
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Proposal
Part retrospective application to planning permission ref no: 074034/FO/2004/S2 consisting of changes to external elevations and alterations to rooftscape to permit 2 additional apartments forming 16 apartments in total.

Location
Palatine Road/ Church Road, Northenden, Manchester,

Applicant
Mr Derek Fisk & Mr Martin Rawlings, 1st Floor Offices, 440 Wilmslow Road, Withington, Manchester, M20 3BW

Agent
Mr D K Seddon, Howard and Seddon, 64 Washway Road, Sale, Cheshire, M33 7RE

Background
Planning permission was granted in 2005 for the erection of 6 storey building to create 14 apartments and a ground floor retail unit at this application site. In April 2010 worked commenced at the site to implement the 2005 consent.

In December 2010, the proposal, subject to this planning application, was submitted. This sought to change the rooftscape of the building to create two additional apartments and to allow elevational alterations. On closer inspection of the drawings it also appeared that there were alterations to the proposed car par layout which sought to accommodate 6 spaces instead of the 8 approved in 2005.

The planning application was reported to the Wythenshawe Area Committee on the 24 March 2011 where Members deferred the application to allow the Committee the opportunity to carry out a site visit.

The site visit was carried out on the 26 May and was considered again by the Wythenshawe Area Committee that evening. Members were Minded to Refuse the application on the grounds of over development due to insufficient car parking.

During the meeting of the 26 May, Members requested that officers provide further details in respect of the enforcement investigations which have been carried out at this site and give consideration to the applicants offer to provide remote car parking spaces for the occupants of the apartment that will not have an allocated car parking space.

In respect of the enforcement investigations, the steel work associated with the development begun to be erected in September/October 2010. Following reports from residents that the building was being built higher than that allowed under planning permission 074034, several site visits were undertaken by the enforcement officer. A visit was also carried out with the Building Regulations Officer. During those visits the building appeared to being built in accordance with the planning permission. Monitoring continued to be carried out throughout November.
On submission of the proposal, the subject of this planning application it appeared that there was additional information required for the consideration of the planning application that was not included in the planning submission. As such, the application was deemed invalid. On request for the additional information, the applicant was asked if any of the works which related to this planning application were retrospective. The applicant’s agent confirmed that the works had begun in respect of this new proposal and accordingly the application was termed ‘part retrospective’.

In considering this planning application, the City Council commissioned an independent architect to undertake an assessment of the differences between the original planning permission, the building being built at the site and the changes being sought by the applicant. The architect was commissioned in order to inform any decision to take enforcement action. On the production of the evidence by the independent architect, it revealed that the building was no higher than originally approved and that such evidence therefore did not support any enforcement action for the reason given with the report below.

In terms of the offer by the applicant to provide off site car parking, this option has been previously considered by officers. However, officers did not consider this to be a viable option due to the remoteness of the proposed off site car park from the application site. The developer has also indicated that this provision would only be on a short term basis. There is no reason why the developer cannot offer these spaces on an informal basis.

**Description**

The application site is approximately 0.07 hectares and is positioned on the corner of Palatine Road and Church Road within Northenden District Centre as identified on the Proposal Map contained within the Unitary Development Plan for the City of Manchester (1995).

Until recently, the site was vacant and covered by hardstanding having previously been used for the parking of vehicles associated with the Car Options site. In April 2010, work commenced on the construction of a 6 storey building to provide 14 apartments and retail on the ground floor. Consent was approved in 2005 under planning permission 074034/FO/2004/S2 by the Wythenshawe Area Committee.

To the north of the site are the shops and services associated with the District Centre. The premises are primarily two storey in height with some of the properties having residential accommodation at first floor. To the north east of the application site is a vacant site which had planning permission for part three, part four storey building to form 14 apartments, retail on the ground floor and offices. This consent was granted in 2005 under planning permission 074033/FO/2004/S2. The site has recently been used as a compound for the development taking place at the application site.

Tesco Express is positioned to the north west of the site with further shops and services located to the south west of the application site facing Church Road. To the
south east, is Church Road which provides the transition between the District Centre and the more residential parts of Northenden.

This planning application seeks permission for changes to planning permission 074034. This will involve alterations to the approved roofscape to form two additional apartments and associated elevational alterations.

**Consultations**

**Local Residents/neighbours**

A total of seven letters of objection have been received in respect of this planning application. The comments can be summarised as follows:

- The changes to the roof to facilitate a further floor for two apartments is unacceptable;
- The building looks taller than 21 metres;
- The building is an eyesore and not in keeping with the surrounding buildings;
- The extra flats need additional parking along with visitor parking for the whole development. Without this it will impact further on the limited local parking in the area;
- There will be only 6 car parking spaces for 16 apartments. Parking is already limited in the Northenden area with motorists regularly parking on the footpaths causing an obstruction;
- The junction of Palatine Road and Church Road is already very busy and this proposal could place further pressures. The entrance of the car parking area is within close proximity of this junction;
- Why was planning permission originally granted for this development with inadequate parking?
- The building is causing a loss of light at this busy location;
- It is a good thing that effort is being made to tidy up Northenden but they should not be able to go ahead without planning permission;
- The new building is too high and it looms in an overbearing way and the choice of materials is not consistent with the Mancunian red brick of our high streets;
- The developer is blocking the access of the cottages back access;
- There appears to be discrepancy in respect of the site bench mark in relation to the general pavement height. The architects drawing has a basement retail unit at 31.423m above Ordnance Datum, but the ground floor entrance is at 31.280m OD. This places the basement 15cm above ground level and in consequence has created a whole storey extra to the six stated in the wording of the original application. The building should be checked as the drawings currently show a building 3 metres higher above the stability of ground level;
- The building has a negative impact on the visual environment of the neighbourhood.

A petition has been received in respect of this planning application, objecting to the proposal, which contains 123 signatures. No reason for objection has been given.
Wythenshawe Regeneration Team

The proposed development will result in a landmark building being developed on a vacant site which has blighted this part of Northenden Village for many years. The development of this site is supported by the objectives of the Northenden Village Local Plan and is one of the local plans key deliverables.

Northenden Civic Society

The Civic Society objects to the planning application on the grounds of insufficient car parking arrangements.

Ward Members (Northenden) – Cllr Di Mauro

The alterations to the proposal are substantial: changes to external elevations and alteration to the roofscape to permit two additional apartments, forming 16 in total.

The building was original granted planning permission for 14 flats with only 8 car parking spaces in the basement accessed via a lift. This was, in my opinion, woefully inadequate. The area around this building and the village as a whole has a chronic lack of parking. If the original provision was unacceptable, then the addition of two extra apartments with no extra provision for parking is a matter of despair for local residents.

Residents and the Civic Society also have concerns for the residents of the adjoining properties on Church Road. Apart from being dwarfed by the new development, the access to the rear of their properties appears to have been blocked by this development. I have great concerns about the safety of these residents should the Fire Brigade need access to the rear of their properties in an emergency.

I strongly object to this retrospective application on the basis that it exacerbates the disamenity caused to local residents by the lack of car parking provision. Health and safety concerns for local residents, including access for the emergency services, should also be taken into consideration.

Issues

The Development Plan

The Development Plan consists of:

- The North West of England Plan Regional Spatial Strategy (RSS) to 2021 and;
- The Unitary Development Plan for the City of Manchester (1995).

North West of England Plan Regional Spatial Strategy (RSS) to 2021 (Adopted September 2008)

Policy DP1 'Regional Development Principles' states that proposals and schemes should be located so as to make effective use of land, buildings and infrastructure
and a sequential approach to development should be adopted to meet development needs.

Policy DP2 ‘Promote Sustainable Communities’ seeks to create places where people want to live and work.

Policy DP4 states that a sequential approach should be given the development site selection. Existing building and previously developed land should be used first. Secondly, suitable infill within settlements should be utilised. Finally, land should be well located to other services and infrastructure.

The proposal is considered to be in accordance with the aforementioned policies as it will see the redevelopment of a vacant and previously developed site within a sequentially sustainable area.

**The Unitary Development Plan for the City of Manchester (1995)**

Policy H2.1 states that the Council will encourage environmental improvements to make residential areas safer and more attractive.

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. Matters which the Council will take into consideration are the scale, mass and appearance of the development and whether there will be any implications in terms of traffic and noise as a result of the development.

Policy H2.7 states that new housing schemes will be expected to be of a high standard of design and make a positive contribution towards improving the City’s environment.

Policy E1.1 outlines the Council’s aspirations to reduce the levels of air pollution caused by vehicle fumes. In order to achieve this the Council will:

a) Promote public transport and cycling and improve conditions for pedestrians;
b) Discourage the use of the private car for peak times trips to the City Centre and other manor areas;
c) Require all major new development to be located where it can be easily served by public transport.

In addition, to sustainable travel patterns, policy E1.5 states that the City Council will contribute towards energy conservation by:

a) Ensuring where practicable that new major development is located where it can be easily served by public transport; and
b) Encouraging high standards of energy efficiency in new developments.

Building materials for new developments will also need to be environmentally friendly (Policy E1.6).
Policy E3.5 states that the Council will promote measures which will lead to a safer environment for all people living in and using the City. These measures will include:

a) Ensuring that the layout of new development is designed with safety in mind and does not lead to the creation of isolated areas;
b) Designing landscaping schemes so as to minimise the risk of attack;
c) That community facilities are located where they are easy and safe to get to;
d) Providing safe places for children to play;
e) Improving road safety.

The Council will expect new developments to make adequate provision for their car parking requirements. In deciding appropriate levels of provision, regard will be had for the site’s environmental capacity, physical appearance and effect on neighbouring activities. In addition, consideration will also be given to the local road network’s ability to accommodate the traffic generated (Policy T2.4).

Priority is also given to cycling provision. Policy T3.6 states that the Council will promote cycling in the City by developing a safe network of routes and facilities for cyclists.

Policy S1.2 states that the Council, in partnership with the private sector, will encourage, where appropriate, the improvement and redevelopment of existing District Centres in order to ensure that they remain the focus for both shopping and a full range of community facilities. These Centres include Northenden where particular emphasis will be given to improving quality and increasing economic viability.

Policy S2.5 provides that new shopping development will be expected to be of a high standard of design with adequate parking provision and provide a safe and attractive environment for all shoppers.

EW1 states that in deciding attitudes to proposals in East Wythenshawe the City Council will have regard to:

(a) Achieving the right balance between protecting its character as an attractive area in which to live and realising its potential in terms of its location for commercial development;
(b) Protect and improve of the quality of both the built and the open environment;
(c) Ensure a range of local shopping choice in convenient and accessible locations.

EW16 states that the Council will improve the external environment of shopping areas in East Wythenshawe. Particular reference is made to Northenden District Centre.

Other relevant guidance

PPS1 ‘Delivering Sustainable Development’ sets the overarching planning policies on the delivery of sustainable development through the planning system. There are four
aims identified in the statement to deliver sustainable development which should be a priority for the planning process:

- Social progress which recognises the needs of everyone;
- Effective protection of the environment;
- The prudent use of natural resources; and
- The maintenance of high and stable levels of economic growth and employment.

PPS4 ‘Planning for Sustainable Economic Growth’ outlines the Government’s objectives in respect of creating prosperous communities in relation to economic development projects. In respect of retail development, new economic growth and development of main Town Centre uses should be focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment.

PPG13 ‘Transport’ provides general guidance of transport related matters including car parking and travel planning.


This document provides guidance to help develop and enhance Manchester. The following chapters are relevant to this appeal.

- Chapter 2 ‘Design’ – outlines the City Council’s expectations that all new developments should have a high standard of design making a positive contribution to the City’s environment;
- Chapter 6 ‘Parking Guidelines’ – provides guidance on how to prioritise pedestrians, disabled people, and cyclists above the needs of the car. In particular, it provides detail of matters which must be taken into consideration in designing the location and design of parking facilities;
- Chapter 8 ‘Community Safety and Crime Prevention’ – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;
- Chapter 11 ‘The City’s Character Areas’ – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place. Reference will be made to what is required from development proposals to ensure they contribute and enhance the character and quality of District Centres and the image and sense of place.

Wythenshawe Strategic Regeneration Framework

This document provides the most up-to-date guidance for the Wythenshawe Area:
- Part 4 section (12) ‘Shopping and Local Facilities’
- 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.
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”

Planning History

Planning permission was granted on the 28 April 2005 for the erection of a 6 storey building to form a ground floor retail unit with 14 flats above and basement parking incorporating a car lift (LPA ref: 074034/FO/2004/S2).

The application was reported to the Wythenshawe Area Committee 28 April 2005 where the Committee were Minded to Approve the application subject to the signing of a Section 106 which would secure monies for improvements to the junction at Church Road and Palatine Road and various public realm improvements.

Principle

The applicants are seeking planning permission for changes to planning permission 074034/FO/2004/S2. This will involve amendments to the roofscape, various external alterations and the addition of 2 further apartments.

Works commenced on implementing the development approved under 074034 during the latter part of 2010 with the steel frame of the building being completed in January 2011. The developer has indicated that 9 of the approved apartments have been sold and they are in talks with a retailer about the occupation of the ground floor retail unit.

Given the extent of the works which have taken place at the site, the principle of the entire development as a whole is not being revisited. Consideration should only be given to the changes to the roof and elevations to form the two additional apartments.

The application sites’ redevelopment is a major priority in terms of the delivery of the Northenden Village Local Plan. As such, the commencement of work at the site to implement the planning permission is strongly supported. This is reiterated by Wythenshawe Regeneration Team who also welcome the commencement of work on what will be a landmark building in the Village. The site was previously vacant.
and in a prominent location which has had a negative impact on the visual amenity of the Village for years.

As the Local Plan seeks to support a residential use at the site, the proposal to now create two further residential apartments is considered to be acceptable, in principle.

The changes to the roofscape, to facilitate the two additional apartments, have largely taken place at the site by the introduction of the steel work to support the floor area. Accordingly, there are elevational alterations which need to take place to the façade of the building to reflect the changes to the previously agreed roof. This work has clearly taken place without the benefit of planning permission and the developer has been asked to cease all work until the determination of this planning application.

There is no objection in principle to these changes subject to more detailed consideration in terms of scale and design which will be considered later on within this report.

Matters which therefore require consideration are whether the increase in development density, through the addition of two further apartments, is acceptable. Furthermore, consideration will need to be given to the impacts of the resulting elevational alterations in terms of the scale, mass, design and appearance of the resulting building.

Each matter will be considered in turn.

**Density**

A total of 14 apartments have been approved at the site under planning permission 095016. The applicant is now seeking approval for two additional apartments. This will increase the total number of apartments at the site to 16.

The two additional apartments will be accommodated within the roofspace of the building. The approved scheme had two, duplex apartments, on the 6th floor with accommodation in the roof. The proposal seeks to omit the duplex and create a complete seventh floor for the new apartments.

An obvious consequence of increased density is there will be further coming and goings from the site, additional waste and potentially an increase in demand for car parking. The latter point will be considered elsewhere within the report. However, the comings and goings from the site will not be excessive by the addition of the two further apartments as District Centres are exactly the locations to encourage more intensive development densities. This is consistent with the policies within the UDP and PPS3.

The applicant has also provided a large refuse area at the rear of the building at ground floor level which all residents and those of the retail unit will access, which will ensure that they are safe, secure and out of sight.

**Scale**
The creation of a seventh floor will increase the height of the building at the rear.

The original planning permission saw the height of the building, at its highest point, reach 21 metres. The rear aspect of the rooftops then sloped away to a height of 18.6 metres overall with the lift shaft reaching 18.9 metres.

This planning application does not seek to increase the overall height of the building. At its front peak (highest tip of the building), the building will remain the same height as the original planning permission, 21 metres. In order to create the complete seventh floor, the overall height of the rear aspect of the rooftops will increase to 21 metres with the lift shaft rising to 21.9 metres, a difference of 2.4 metres and 3 metres respectively.

In order to ensure that the building currently being constructed at the site is consistent with the drawings being considered for this planning application and there has been no misinterpretation of the original planning permission, an independent architect has been used by the City Council to verify the drawings and to take measurements on site.

This has highlighted that there is a slight discrepancy between the ground level of the original planning permission and the topography present at the site i.e. it is not an even ground level along Palatine Road. However, taking account of this, the independent architect has confirmed that the building on site is no higher than 21 metres, at the front (as per the proposed planning drawings). In light of the fact that the overall building height was 21 metres (and the changes do not exceed this), the resulting scale that this creates is not considered to be immediately noticeable, particularly at ground level. At the time of the original planning permission there was a desire for a landmark building which had scale and presence. The changes to the roof and resulting scale of the building still satisfy those objectives as it will not be any higher than the consented scheme.

The alteration of the roof design, and increase in height at the rear increases the bulk and massing of the building at the top. However, it does not exceed the overall height of the building as approved in 2005 and the increase in height will only be visible from certain vantage points.

There is a slight increase in bulk at the lower parts of the rear of the building which has marginally brought the building closer to the residential properties along Church Road. The building, at its closest point to the residential properties along Church Road, does not project any higher than the eaves of the properties with the higher parts being recessed.

Design and appearance

Policies S1.2, S2.5 and EW16 state that new development in shopping areas should be of high quality. In addition, Northenden Village Local Plan seeks to encourage a building on this site with landmark status.

The design concept of the original planning permission was a distinctive glazed and panelled “drum” shaped building with overhanging mono-pitched roof which
emphasised the change in level of the roof, from the front tip of the building flattening into a plateau (Figure One). The sides of the building were flanked by rendered panels.

\[\text{Figure One- Original Planning Permission (074034/FO/2004/S2)(Palatine Road elevation)}\]

The overall design concept is still very much embedded with this new planning application. The most obvious change, however, is the design profile of the roofscape. The overhanging mono-pitched roof has been omitted. The increase in the overall height of the building at the rear provides an even height roof profile to form a parapet roof. An angled overhanging brise soleil has now been introduced between the sixth and seventh floor to provide a link with the design concept of the mono-pitched roof of the original building (Figure Two).

The loss of the monopitched roof represents a move away from the initial architectural approach of the original scheme. However, given the overall scale of the building, the additional height of the building will barely be visible from the ground level and will be set behind the brise soleil.
Figure Two – Scheme subject to this planning application (Palatine Road elevation)

There will be minor elevational alterations to the building namely the position of the entrance to the retail unit is now along Church Road, the entrance to the basement car parking area is slightly repositioned further along the elevation and there will be an introduction of a new balcony area at the fourth storey overlooking Church Road. These elevational alterations are considered to be acceptable.

Figure Three – Photomontage of scheme subject to this planning application (Church Road)

Figure Three provides a photomontage of the building when viewed from Church Road. The building has a high quality finish and achieves the landmark status desired by the Village Local Plan. Accordingly, the proposal will contribute to an improvement of the physical, environmental and visual amenity in the area as part of the ongoing regeneration of the Northenden District Centre.

Car parking

The original planning approval saw the provision of 8 car parking spaces within the basement of the building for the 14 apartments. It is acknowledged that there was not 100% car parking provision at the site at the time that the previous planning application was determined. However, the Wythenshawe Area Committee, at that time, accepted that the site was within a sustainable location and within easy reach of public transport.

Through the course of the construction process, it has become apparent that the position of the steel frame would not facilitate the layout of the basement for 8 car parking spaces. The applicant is therefore seeking an amendment to the basement layout which will see the provision of 6 car parking spaces.
Cleary this is a deviation from the original consent which will now only see provision for 6 car parking spaces for the 16 proposed apartments.

Provision of 100% parking, when in association with residential development, is desirable in most cases. However, the emphasis of National, Regional and Local level planning guidance and policies seeks to encourage development projects that lie within existing urban areas in order to take advantage of good public transport links and therefore reduce the dependency on the private car. This policy position has not changed since the previous planning approval and hence considerable weight, at that time, was given to low provision of parking.

The application site lies within a long established District Centre which has good public transport links to the City Centre, Manchester International Airport and other parts of the Wythenshawe area. By locating the development within this area, the proposed occupants can take advantage of these links and will be fully aware of the parking provision at the development when purchasing or renting a property. Accordingly, occupants without the need or provision of a car will be attracted to the development.

There have been a number of representations about this application stating that the parking provision is inadequate and the consequence of the two additional apartments will exacerbate on street parking.

In an effort to encourage occupants of the apartments who do not have a car, 10 of the 16 apartments will be offered free public transport packs (which will give them free travel) plus access to a communal bike store which will contain 10 bikes. The applicant has agreed to enter into a legal agreement with the City Council to ensure that these mitigation initiatives are implemented.

Residential amenity/local opinion

Given the site’s location within the District Centre, the only residential properties which are deemed to be affected by the development are those along Church Road. The development’s affect on their amenity was considered within the determination of the previous planning application. As detailed above, it is not considered that the changes to this scheme will have any greater impact on their amenity than the previous planning permission.

A number of representations, however, have stated that during the construction process the alleyway at the rear of these properties has continually been blocked. Whilst this is a civil matter between the parties involved, officers have requested that the developer tidies this area and keeps access open.

Other objectors have questioned the height of the building being constructed and errors on the submitted drawings. As detailed above, an independent architect has been employed by the City Council to verify the drawings and to measure the building under construction. The building is not taller than 21 metres and the applicant has subsequently amended their drawings to reflect the correct OD levels.
Some representations have been received which comment on the building’s overall appearance and the impact on the surrounding area. Such matters were agreed in 2005 and officers have agreed materials under this consent which will achieve a high quality development required by the objectives of the Local Plan. As the building is currently shrouded in scaffolding it is difficult to appreciate the design concept of the building and its actual scale and bulk. The building cannot be said to diminish the amount of light in this location due to the relatively open aspect of the area.

The merits of the increase in the number of apartments at the site have been considered elsewhere within the report. However, for clarification, the Committee accepted the lower provision of parking for the original scheme due to the location within a District Centre (which is in line with National, Regional and Local level policy guidance). Whilst the further reduction on the number of parking spaces to 6 is regrettable, it was unforeseen that the steel frame would need to be positioned in a certain location within the basement which would make the basement layout unworkable.

Efforts have been made to incentivise use of public transport by the provision of free public transport packs for 10 of the apartments along with access to bicycles in the basement.

It is not considered that the two additional apartments will generate traffic or trip demands over and above those accepted in the original planning permission.

Overall, the proposal will contribute to the local regeneration objectives of the area. The developer has indicated that a large number of the apartments have been sold and talks are ongoing with an end user for the retail unit. As such, on completion of the building, it will become occupied and thus contribute to the vitality and viability of the District Centre rather than being vacant and underused.

**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 relating to contribution to travel packs and the bicycles within the development

on the basis that the proposal is in accordance with the City Council's Unitary Development Plan, in particular the following policies and there are no material considerations of sufficient weight to indicate otherwise. In coming to this conclusion the Head of Planning has taken into account the Information provided with the application.

Policy H2.1 states that the Council will encourage environmental improvements to make residential areas safer and more attractive. The proposal is a high quality residential development that increases the housing choice in the area.

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. The changes to the roofscape will have marginal impacts on the overall appearance of the building. The increase in the number of apartments will have inevitable consequences for parking demands which will be mitigated against by the provision of free travel packs and bicycles.

Policy H2.7 states that new housing schemes will be expected to be of a high standard of design and make a positive contribution towards improving the City's environment. The building will achieve a high quality finish through the architectural style and choice of materials.

Policy E1.1 outlines the Council's aspirations to reduce the levels of air pollution caused by vehicle fumes. The low levels of parking at the site will contribute to having a low car dependency.

Policy E3.5 states that the Council will promote measures which will lead to a safer environment for all people living in and using the City. The proposal will be conditioned to ensure that it meets Secured by Design Standards.

Policy T2.4 states that the Council will expect new developments to make adequate provision for their car parking requirements. The scheme has a low provision of parking available for the residents. However, the site is within a District Centre and thus has access to good public transport links.

Policy S1.2 states that the Council, in partnership with the
private sector, will encourage, where appropriate, the improvement and redevelopment of existing District Centres in order to ensure that they remain the focus for both shopping and full range of community facilities. An investment of this kind will provide a flagship building for the regeneration area.

Policy S2.5 provides that new shopping development will be expected to be of a high standard of design with adequate parking provision and provide a safe and attractive environment for all shoppers. This landmark building will boost the appearance and vitality of the Village.

EW16 states that the Council will improve the external environment of shopping areas in East Wythenshawe. Particular reference is made to Northenden District Centre. This proposal will contribute to the physical environment in a positive manner.

Wythenshawe Area Committee

Minded to Refuse

Conditions and/or Reasons

1) 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

203 Amendment A stamped as received by the City Council, as Local Planning Authority, 4 February 2011.


Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy S2.5; of the Manchester Unitary Development Plan.

2) The development hereby approved shall be carried out in accordance with the following material unless otherwise agreed in writing by the City Council, as Local Planning Authority.

- Brickwork – Drmtton Smooth cream by Wienerberger;
- Main walls – Render: K-Rend in Polar White;
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30 June 2011

- Clad Walls – Bauclad 0158A for Patina;
- Metal Work – Dark Grey anthracite;
- Soffits and Trims – Anthracite;
- Curtian walling and louvers – Alitec – colour aluminium in anthracite;
- Windows – UPVC anthracite;
- Balconies – Dark galvanised steel tinted glass balustrade.

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, pursuant to Policies DC7, DC9, DC16, S2, H1.2, H2.2, H2.7, E3.3 & EW16 of the Unitary Development Plan for the City of Manchester.

3) 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 car parking for the development proposed when the building is occupied pursuant to Policies DC7, DC9, S2, H2.2, H2.7, E3.3 & EW16 of the Unitary Development Plan for the City of Manchester.

4) The development hereby approved shall be carried out in accordance with the noise assessment (5849) prepared by Martec Environmental Consultants, stamped as received by the City Council, as Local Planning Authority, on the 15 November 2010. The mitigation measures outlined within section 8.0 of the report shall be implemented prior to the first use of the residential and retail accommodation hereby approved.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies S2, H2.2, E3.3 & EW16 of the Unitary Development Plan for the City of Manchester.

5) Within three months of the date of this planning permission details of any extraction of any fumes, vapours and odours from the ground floor retail unit shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2; of the Unitary Development Plan for the City of Manchester.

6) The retail premises hereby approved shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as Local Planning Authority:-

Monday to Sunday 08:00 to 18:00
Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the adopted UDP.

7) The retail premises on the ground floor shall be used for A1 and A2 uses only and for no other purposes within the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended.

Reason – To protect the retail character of the District Centre pursuant to policy EW16 of the Unitary Development Plan for the City of Manchester (1995).

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

Monday to Saturday - 07:30 to 20:00
Sundays and Bank Holidays no deliveries/services/waste collections

Reason-In the interests of residential amenity, pursuant to Policies S2, H2.2, H2.7, E3.3 & EW16 of the Unitary Development Plan for the City of Manchester.

9) The refuse and waste arrangements shall be carried out in accordance with drawing 9310/103 rev K stamped as received by the City Council, as Local Planning Authority, on the 21 December 2010. The refuse arrangements must be in place prior to the first use of the retail and residential elements of the development hereby approved.

Reason – To ensure that there are adequate refuse arrangements in place for the operation of the development, pursuant to policy H2.2 and S2.5 of the Unitary Development Plan for the City of Manchester (1995).

10) Within 3 months of the development hereby approved, 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".

11) All vehicles entering and leaving the site during the construction period are to pass through a wheel wash. Details of the wheel wash shall be submitted to and approved in writing by the City Council as local planning authority prior to the development commencing.

Reason-To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud,
pursuant to Policies H2.2, E3.3 & EW16 of the Unitary Development Plan for the City of Manchester.

12) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

13) Prior to the installation of the new shop front for the retail unit hereby approved, details of any roller shutters (which should be to be fitted internally to the shop front) shall be submitted to and approved in writing by the City Council. The approved scheme shall then be implemented prior to the first use of the shop front and remain in situ for as long as the development remains in use.

The security shutters approved shall then remain open during daytime hours (between 09:00 to 17:00 Monday to Sunday), unless otherwise agreed in writing by the City Council, as Local Planning Authority.

Reason - To ensure that the visual appearance of the shop front is acceptable, pursuant to policy S2.5 of the Unitary Development Plan for the City of Manchester (Adopted 1995).

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: 095016/FO/2010/S2 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:

Northenden Civic Society
16 Church Road, Manchester, M22 4WL
1 Kingsley Road, Manchester, M22 4NH
Flat 5, 21 Church Road, Manchester, M22 4NN
16a, Church Road, Manchester, M22 4WL
Tesco Stores Ltd, 404-406, Palatine Road, Manchester, M22 4JT
Vision Service Opticians, 379 Palatine Road, Manchester, M22 4FY
Mitchells Solicitors Ltd, 392 Palatine Road, Manchester, M22 4FZ
Flat 1, 23 Church Road, Manchester, M22 4NN
Flat 5, 23 Church Road, Manchester, M22 4NN
Flat 5, 25 Church Road, Manchester, M22 4NN
6a, Church Road, Manchester, M22 4WL
389 Palatine Road, Manchester, M22 4FY
Arthur Gresty Ltd, 10-12, Church Road, Manchester, M22 4WL
Flat 1, 21 Church Road, Manchester, M22 4NN
Flat 4, 23 Church Road, Manchester, M22 4NN
Flat 1, 25 Church Road, Manchester, M22 4NN
Northenden Library, Church Road, Manchester, M22 4NW
386 Palatine Road, Manchester, M22 4FZ
389a, Palatine Road, Manchester, M22 4FY
Eamonn A Kennedy Funeral Directors, 390 Palatine Road, Manchester, M22 4FZ
Grestys Undertakers, 12 Church Road, Manchester, M22 4WL
385 Palatine Road, Manchester, M22 4FY
Seaspray Sunbed, 6-8, Church Road, Manchester, M22 4WL
Colonnade Insurance Brokers Ltd, 2a, Church Road, Manchester, M22 4WL
Flat 3, 23 Church Road, Manchester, M22 4NN
Flat 1, 27 Church Road, Manchester, M22 4NN
Flat 2, 27 Church Road, Manchester, M22 4NN
Flat 4, 27 Church Road, Manchester, M22 4NN
Julie Anns Florists, 378-380, Palatine Road, Manchester, M22 4FZ
Othellos Sandwich Bar Ltd, 384 Palatine Road, Manchester, M22 4FZ
Taylors News, 396 Palatine Road, Manchester, M22 4FZ
Carlton House, 24 Church Road, Manchester, M22 4WL
Flat 3, 25 Church Road, Manchester, M22 4NN
387a, Palatine Road, Manchester, M22 4FY
Bar Bibo, 387 Palatine Road, Manchester, M22 4FY
Luxi Star Cars, 4 Church Road, Manchester, M22 4WL
Post Office, 382 Palatine Road, Manchester, M22 4FZ
392a, Palatine Road, Manchester, M22 4FZ
386a, Palatine Road, Manchester, M22 4FZ
Flat 2, 21 Church Road, Manchester, M22 4NN
Flat 6, 25 Church Road, Manchester, M22 4NN
378a, Palatine Road, Manchester, M22 4FZ
Reeds Rains, 394 Palatine Road, Manchester, M22 4FZ
381a, Palatine Road, Manchester, M22 4FY
11 Church Road, Manchester, M22 4NN
17 Church Road, Manchester, M22 4NN
Appetizer, 381 Palatine Road, Manchester, M22 4FY
Robin Hood, 383 Palatine Road, Manchester, M22 4FY
13 Church Road, Manchester, M22 4NN
19 Church Road, Manchester, M22 4NN
Rings & Things, 14 Church Road, Manchester, M22 4WL
Flat 4, 21 Church Road, Manchester, M22 4NN
Flat 2, 23 Church Road, Manchester, M22 4NN
Flat 2, 25 Church Road, Manchester, M22 4NN
Flat 4, 25 Church Road, Manchester, M22 4NN
Flat 3, 27 Church Road, Manchester, M22 4NN
382a, Palatine Road, Manchester, M22 4FZ
384a, Palatine Road, Manchester, M22 4FZ
15 Church Road, Manchester, M22 4NN
Barclays Bank Plc, 402 Palatine Road, Manchester, M22 4FZ
390a, Palatine Road, Manchester, M22 4FZ
22 Church Road, Manchester, M22 4WL
Natwest, 2 Church Road, Manchester, M22 4NE
Flat 3, 21 Church Road, Manchester, M22 4NN
Flat 6, 23 Church Road, Manchester, M22 4NN
8a, Church Road, Manchester, M22 4WL
Tranters, Hatro House 397-401, Palatine Road, Manchester, M22 4JS
Countrywide Co Services, 388 Palatine Road, Manchester, M22 4FZ
Wolfsons, 405 Palatine Road, Manchester, M22 4JS

Representations were received from the following third parties:

East Quarry, Appley Lane North, Appley Bridge, WN6 9AE
38 Moorell Road, Northenden, Manchester, M22 4WH
3 Lanark Avenue, Northenden, Manchester M22 4NJ
5 Lanark Avenue, Northenden, Manchester, M22 4NJ
Unknown address
Unknown address
Northenden Rectory, Ford Lane

Relevant Contact Officer : Jennifer Atkinson
Telephone number : 0161 234 4517
Email : j.atkinson@manchester.gov.uk