Application Number       Date of Appln    Committee Date       Ward

Proposal                  Retrospective Application for the erection of a 7 storey building to provide 16 apartments with one retail unit on the ground floor (205 sq metres gross floor area), with basement parking for 7 vehicles, 1 parking space adjacent to car park entrance and creation of 2 remote parking spaces to the rear of nos. 374-376 Palatine Road

Location               Junction Of Palatine Road/Church Road And Land To Rear Of 374/376 Palatine Road, Northenden, Manchester, M22 4FY

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

Agent                DK Seddon, Howard & Seddon RIBA, 64 Washway Road, Sale, Cheshire, M33 7RE

Background

This planning application was reported to the Wythenshawe Area Committee on the 17 November 2011. Members deferred the application for final determination to the Planning and Highways Committee.

The planning history associated with this application site is as follows:

Planning permission was granted in 2005 for the erection of a 6 storey building to create 14 apartments and a ground floor retail unit at this application site (074034/FO/2004/S2). In April 2010, work commenced at the site.

Following investigations it was revealed that the development was not being carried out in accordance with the approved plans. A retrospective application (ref. 095016/FO/2010/S2) followed in December 2010 in order to seek to regularise the building which included a reduction in the size of the basement resulting in a reduction in the number of car parking spaces from 8 to 6 and increasing the height of the back of the building to create two additional apartments to form 16 in total.

The application was reported to the Wythenshawe Area Committee on the 24 March 2011 where Members deferred consideration of the application to undertake a site visit;

A site visit was carried out by the Wythenshawe Area Committee on the 26 May 2011 followed by consideration of the application at the Committee that evening. The Committee was Minded to Refuse the application on the grounds of overdevelopment due to insufficient parking;

The application was reported to the Planning and Highways Committee on the 30 July 2011. The Committee asked officers to prepare a report outlining reasons for refusal based on concern relating to the development being inappropriate in terms of scale, massing and design. Furthermore, the development represented an
overdevelopment of the site due to inadequate car parking provision for the apartments;

The application was reported to the Planning and Highways Committee on the 28 July 2011. The Head of Planning’s report outlined a series of reason for refusal to reflect Member concerns.

At that meeting the Head of Planning put forward a late representation to the Committee which included a proposal by the applicant to reduce the number of apartments within the building from 16 to 15 apartments and increase the number of spaces within the basement from 6 to 7. The applicants also proposed 2 further spaces remote from the application site at 376 Palatine Road Northenden (the applicant also wished to pursue a car parking space at the entrance to the basement car but this was not in the applicant’s ownership and was removed from the proposal);

The Planning and Highways Committee refused the application, for 16 apartments and 6 spaces within the basement, at the Committee on the 28 July 2011. The Committee did not accept the proposal included within the contents of the late representation.

The reasons for refusal were as follows:

1) The seven storey building, by reason of its height, scale and massing and design, would be out of character with the area and does not take into account or respect the context of surrounding properties. The building therefore represents an over dominant feature in the street scene and is incongruous when viewed in the context of the residential properties along Church Road thus having a detrimental impact on the visual amenity of the District Centre and residential area. Furthermore, the building also causes harm to the adjacent Northenden Conservation Area by obscuring views into and out of the Conservation Area. The proposal is therefore contrary to policies H2.2, H2.7, S2.5, DC18, EW1 and EW16 Unitary Development Plan for the City of Manchester (1995), Guide to Development in Manchester SPD (2007), PPS1, PPS3, PPS4 and PPS5.

2) The seven storey building, by reason of its height, scale, massing and relationship to surrounding residential properties is an over dominant and intrusive feature within the street scene and would result in an unacceptable detrimental impact on the residential amenity of the surrounding properties, particularly those along Church Road, due to the overbearing and overshadowing nature of the building. The proposal is therefore contrary to policy H2.2 of the Unitary Development Plan for the City of Manchester (1995), Guide to Development in Manchester SPD (2007), PPS1, PPS3 and PPS4.

3) The provision of 16 apartments will result in an over intensive use of the site due to the lack of safe and convenient facilities for the parking of vehicles which will result in additional on street parking on the surrounding residential streets, particularly Church Road and Kingsley Road. This will have a
The applicant has six months from the date of the above decision to appeal to the Secretary of State against the decision of the City Council. To date, no appeal has been made to the Planning Inspectorate.

The applicant has submitted this revised planning application in an attempt to overcome the concerns of the City Council. This application seeks to apply retrospectively for the erection of the 7 storey building, to provide 16 apartments with one retail unit on the ground floor (205 sq metres gross floor area), with basement parking for 7 vehicles, 1 parking space adjacent to car park entrance and creation of 2 remote parking spaces to the rear of nos. 374-376 Palatine Road.

This application involves no physical alterations to the scale, massing and design of the building as the applicant states that due to the complex engineering of the building it will make it very difficult to alter in order to make the building appear similar to the 2005 approval. Similarly, the size of the basement cannot be increased to create the 8 car parking spaces approved in 2005. However, the main difference with this application, in comparison with that refused earlier this year, is the creation of 10 car parking spaces available for the development. The merits of this will be considered within the body of the report.

The City Council must validate and determine this planning application as the applicant has made changes to their proposal in an attempt to resolve the concerns of the City Council.

Members are advised that the City Council has an interest in the application site as land owner. However, the Committee must disregard these interests and discharge its duty as Local Planning Authority only.

**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).

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 life of the consent has been extended by application 094136/REP/2010/S2 determined by the Wythenshawe Area Committee on the 22 September 2011. 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.

The application site had been vacant for a number of years and was covered by hardstanding following its use for the parking of vehicles associated with the adjoining Car Options site.

**Consultations**

**Local residents/public opinion**

A total of 22 letters of support have been received in respect of this planning application. The comments can be summarised as follows:

- The complete building is not a disappointment. It is a striking landmark building worthy of its landmark location. It will be referred to in the same vein as the Pyramid in Stockport and used as a directional landmark;
- The building is attractive and should attract up market residents as well as an up market tenant for the retail element;
- The building does have limited parking, however, there are other locations in Northenden where parking could be provided namely at either end of the ‘new parade where there is wasted pavement space on Lingard Road and Heyridge Drive;
- This project has been the most welcome improvement to the village which sorely lacks investment. It has been an exciting addition to the local housing stock;
- The apartments and retail unit will enhance the centre and make the area a more desirable place to live;
- There is good demand for apartments of this nature are they are the “wow” factor of this scheme;
- The village is tired and run down and this project will start a new regeneration programme to bring new people and new life back into the village;
- The building is a wonderful asset to the village and is beneficial for everyone;
- The building is eye catching and is a focal point for the village and a fast improvement of what was there before;
- Northenden Village needs investment. There are numerous building projects and large buildings that are empty. The last thing that Northenden needs is another unfinished building.

One letter of representation has been received which provides general observation and comments of the application. The comments can be summarised as follows:

- Consideration should be given to the potential traffic problems associated with this development. The conflict between on street parking for business, residents, visitors and deliveries could present problems;
• The building is an improvement to the built environment of Northenden and has already become a landmark feature but the parking problems in the immediate vicinity are a concern;
• Some of the statements about the sustainable location are misleading;
• There is concern that allocating parking to the rear of 374-376 Palatine Road will reduce the parking associated with those premises;
• The adjacent site should be used for parking for the development.

A total of 20 objections have been received in respect of this planning application the comments can be summarised as follows:

• The building is neither complementary nor sympathetic with existing buildings in Northenden, particularly in terms of its height;
• The design of the building is out of character with the surrounding area;
• The building blocks light and is too close to the pavement;
• It would be better to upgrade existing retail units rather than create new ones;
• The building should not have been built without planning permission;
• The parking provision is inadequate for this development;
• The development will increase traffic on what is already a busy road;
• Where will the workers associated with the retail until park their cars?
• The development has already been refused planning permission;
• The developer should be made to carry out the scheme they originally had consent for i.e. 14 apartments;
• The building is sited on a busy corner;
• There is concern that the balconies that overhang pavement – are they a hazard to anyone walking along the pavement?
• The addition of the retail unit and the residential properties will add to the noise and disruption for existing residents;
• There should be a commitment to ensuring that other building projects are finished;
• There is no access to the side wall of 11 Church Road and there is restricted access at the rear;
• The building blocks TV reception in the area;
• There will be overlooking from the building on the surrounding residential properties;
• There are no differences between the previous retrospective application and the current application so the application should not have been accepted. It is not clear if the applicant can keep re-submitting applications;
• It should have been spotted that the building was not being built in accordance with the approved plans;
• This site is being over exploited for profit;
• It is not clear who owns the car parking spaces behind 374-376 Palatine Road and who they are allocated to at present. This site should be used as a public car park;
• A legal agreement should be used to secure the car parking spaces behind 374-376 Palatine Road;
• It is not clear where the car parking space at the entrance to the site is going;
• The developer has shown a disregard for the planning process;
• It is not clear if this developer has an interest in the site adjacent to this site.
• Northenden does not need a derelict white elephant in the village, but neither should the Council and the planning process made a laughing stock. Section 106 compensation corresponding to the net income that will be derived from the two extra flats in the development should be secured and technical advice is sought from structural engineers as to the practically, safety and cost of the engineering work needed to reduce the rear elevation of the building its lift shaft to the height allowed in the orginal 2005 consent.

A petition has been received in respect of this planning application containing 15 signatures. The petition states that the residents who have signed the petition object for the following reasons:

• The building is not compatible to the rest if the village;
• The building is not needed as there are already nine empty shops and plenty of accommodation in other parts of the village;
• Parking space is already limited;
• The building has been built without planning permission.

A further letter of objection has been received from a residents following a recent meeting held at Northenden Civic Society which was attended by the applicant. The resident states that the additional comments are representative of the concerns of Northenden Civic Society. The Committee will note that the committee report already contains the formal comment of the Civic Society.

The further comments can be summarised as follows:

1. Views at the Civic Society were that given a choice between a building with six flats and six car parking spaces with a retail outlet on the ground or the present building with 16 flats and 6 spaces, the community would have chosen the former. Stakeholders have been misled about this development and given no say or choice. It is also disputed that this development meets policy requirements. The idea of a Costa Coffee franchise is greeted by disapproval. There is also a failure to see how Costa Coffee would increase footfall. There are already two cafés in the village which provide similar offer and they will be undermined by the development. What is more pressing is a food retailer who can compete with Tesco. At the previous WAC meeting officers were asked whether the owner of this site had any interest in the adjacent site. The Civic Society is aware that officers know that the developer has expressed an interest in this site;

2. There are questions about how the basement can accommodate 7 car parking spaces when it has only been designed for 6 nor the parking space outside the car park entrance. In addition, it is not clear how the extra 2 spaces owned by the application will be given to the flats and whether this will have implications for the shop tenants;

3. The applicant was asked at the Civic Society meeting at what stage of the build did they realise that they only had enough parking for 6 cars rather than the 8 originally approved and at what point did they decide to build 16
apartments instead of 14. The applicants response was that they had been given encouragement to go ahead and that two options had been discussed with officers that they could either apply for the development again (with the two extra flats) or apply once the steel frame had been erected. It is not clear if officers have encouraged a developer to exceed planning permission without any formal consents being in place;

4. The members at the meeting expressed no sympathy for any additional expense that the applicant should incur in reducing the height of the their buildings they would have been responsible and would have known the cost of ignoring compliance beforehand;

5. There was a feeling that the threat of leaving an empty building was simply that – a threat.

6. The fact that the applicant and the City Council would have to spend money on an appeal was not taken up by members of the Civic Society. It was put to the applicant that if they wish to develop the adjacent site (which has consent for 14 apartment and 13 car parking spaces) that they could mitigate against this development and bring forward a development for only 6 apartments and the excess parking could be given to this development.

The resident also makes reference to some procedural matters which are summarised below:

7. **This application is no different from the one that was refused by the full Planning Committee.** Whist officers advise that there is a change this advice is founded on erroneous information. How can the developer have applied for 16 flats at WAC then at full Planning Committee and have the retrospective consent turned down, then re-apply for 15 flats and have that turned down then re-apply this time for 16 flats again. It seems incomprehensible.

8. **Officers write in support of the parking in this new application but it is similar to that refused earlier this year.** At the 26 July meeting Members of the Planning Committee were asked to consider 15 apartments instead of 16. It did not just propose 6 parking places. It also offered, as it does this time, the addition of the extra car parking space in the basement and the 2 remote spaces at 376 Palatine Road. The space at the entrance to the car park was ruled out by officers as the applicant did not own the land. How can this proposal include the car parking space to the entrance of the site when the applicant does not own the land? Councillors are being asked to accept change which erroneously placed before them and approve something which is inconsistent with their previous decision and that of the Planning and Highways Committee.

9. **Section 106 monies.** It is felt that section 106 money was too standard a way of ‘regularising’ developer cavalier disregard for planning approvals and was nearly always inconsequential benefit to the community or the ‘public realm’ as it is expressed. This sort of cavalier approach and project would not have been tolerated in the more leafy suburbs, that’s why developers get away with
building two extra dwellings more than they were permitted. Nobody in Northenden opposes change. In fact everybody welcomed investment and improvement but only with proper consultation which included alternative which did not exploit the communities environment and which complied with our Council’s approval. Section 106 money paid in lieu of exceeding planning approvals should not exist, as, if developers acted ethically and professionally, there should be no need.

10. The culture of officers conduct of the ‘consultations’. The consultation carried out is viewed as a cursory compliance with the letter of the law but hardly the spirit. The present Head of Planning posted ten times the number of notifications of this retrospective application than for the original approval. Most recipients of the notification letter must be wondering why there is an application for a 7 storey building when there is already one there. This letter does not inform. Recipients are not informed that the original plan was for 14 flats and 8 parking spaces in the basement, that the developer reduced his underground parking to 6 and built 16 flats, that (accordingly to officers) he ignored council officer’s who finally asked him to stop completing the building, that he has already been refused once at the WAC and twice at full Planning Committee, that retrospective planning approval for 16 was refused twice and for 15 flats was refused once but is now asking for 16 when he has been refused before. No comments will in any case received the slightest consideration in changing the support of officers to recommend approval to councillors as it had already been decided by them to recommend approval before the letters went out. It is expressed that aspects such as this contravened the section of the Human Rights Act which the officers routinely express they comply with. Any opposition is therefore going to be ignored by officers anyway. None of the previous applications contained a letter of support. However, this time 21 people have written in. In addition, there are addresses which are not local to Northenden.

11. Going Forward - The solutions proffered at the Civic Society ranged from taking the whole building down or to make a choice. The choice between making the necessary physical readjustment or to come to a legal arrangement with Lancashire Mortgages, who own the adjacent land to purchase that land, and at the same time organise a revised legal agreement with the City Council to only build 6 flats and the 2 retail units there but still to provide the 13 parking places and thereby use the additional parking places for his high rise.

Other issues have been raised that are not relevant to the planning application.

It is hoped also that the outcome will send a message to developers that they cannot disregard ethical practise in Wythenshawe, or indeed Greater Manchester, for financial gain, on the back of inconsequential ‘improvements’ to the ‘public realm’ paid for by distrusted and unpopular section 106 money.

Wythenshawe Regeneration Team
This site is identified in the Northenden Village Local Plan as a priority in terms of its redevelopment for a mixed use retail and residential scheme. The site represents an opportunity to create a new focal point on a prominent site along the high street.

Highway Services

A further 2 spaces have been proposed as part of the revised application following the July Committee to result in 10 spaces for 16 apartments i.e. 62% provision. This ratio is marginally higher than the original approval of 8 for 14 apartments.

The dimensions of the remote car park spaces/aisle width accord with guidelines outlined within the Manual for Streets Document.

Overall with good public transport connectivity and proximity to services within Northenden District Centre will mean that the site is in a sustainable location. This was acknowledged in previous considerations of this site. The level of connectivity accords with PPG13 ‘Transport’ guidelines and would generally allow for a reduction in parking provision.

Travel Change

A travel plan is required for this proposal.

Northenden Civic Society

The Civic Society object to this planning application on the grounds that the original permission was for 14 flats and this should be adhered to, that there is insufficient car parking spaces for the development and the creation of the remote parking spaces to the rear of number 374-376 Palatine Road is not a solution to the problem.

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 there should be a sequential approach to the selection of development sites. Existing buildings 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 principle aforementioned policies as it will see the redevelopment of a vacant and previously developed site within an existing centre. The site is well connected in relation to services and public transport.

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.

Policy DC18 ‘Conservation Areas’ – The Council will seek to preserve and enhance the character of its designated Conservation Areas by carefully considering the following:

i) the relationship of new structures to neighbouring buildings and spaces;
ii) the effect of major changes to the appearance of existing buildings.
Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

These policy considerations are covered in more detail in the report.

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.

PPS5 ‘Planning for the Historic Environment’ sets outs the Government’s overarching aims in relation to the historic environment. Assets should be conserved and enjoyed for the quality of life they bring to this and future generations.

Local Planning Authorities should take into account the desirability of new developments making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, material and use.

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 particularly, 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”

**Principle**

The planning permission granted in 2005 established the principle of a mixed use development for retail and apartments (14 in total). This site’s redevelopment is also a priority in terms of the delivery of the Northenden Village Local Plan.

The applicant has not implemented the 2005 consent and has instead built a building which is taller at the rear than the original building which has created 2 additional apartments to form 16 in total (from the 14 previously proposed). The car parking provision is also different. The 2005 consent proposed 8 car parking spaces in the basement but it became apparent that the basement could not accommodate these spaces. This application now proposes 10 spaces – 7 in the basement (including
one tandem space), 1 at the entrance to the site and 2 on land behind 374/376 Palatine Road which is within the applicant’s ownership.

It is considered that the application site is a key regeneration site at the heart of Northenden Village. Support is given within the Northenden Village Local Plan to redevelopment of this site for a high quality project. The site is also allocated on the Proposal Map contained within the Unitary Development Plan for the City of Manchester (1995) as falling within the District Centre. Such locations are ideal for higher density schemes, particularly where there are good transport links and access to local amenities and services.

The site’s location provides potential residents with the opportunity to shop locally and access the restaurants, drinking establishments and other services such as banks etc without the need to leave the District Centre. The application site can also take advantage of being situated on a key bus route provision links to the City Centre and other parts of the City. Developments are therefore supported in such locations and having regard to national planning guidance such as PPS3 and PPS4.

The development is therefore supported in principle on this key regeneration site, which has previously been a vacant site for a number of years, will provide modern residential and retail accommodation which will bring additional footfall and business to the District Centre along with providing accommodation for residents who wish to be located near shops, services and good public transport.

Matters which require consideration are whether the siting, scale and appearance of the building is acceptable along with consideration of development density on the application site. The development will also be considered in terms of parking and traffic implications together with residential amenity, amenity space, noise and vibrations, designing out crime, waste management and whether a Section 106 agreement appropriate to mitigate potential harm.

Each matter will be considered in turn.

Siting

The application site sits on the corner of Palatine Road and Church Road which is a strong corner which acts as a focal point in the District Centre. The erected building takes advantage of this corner plot and holds the corner with building frontage to both Palatine Road and Church Road.

As you approach the building from a westerly direction the building provides a presence to the street scene and is of landmark status. The position of the building and its positive impact on the street scene is reflected in the comments of support for this application.

The applicant has attempted to enhance the building by the introduction of the windows and entrances for the ground floor retail unit providing an active frontage for vitality and viability in the street scene.
The building also responds the common building lines along Palatine Road and Church Road. Overall it is considered that the building is appropriately sited and responds well to its position in the District Centre. This approach therefore complies with the guidance within the Guide to Development in Manchester SPD.

Scale

The Guide to Development in Manchester SPD supports the creation of buildings of differing heights in street scenes, particularly where they are of possible landmark status.

The building contains seven storeys at its highest point and steps down to four and three storeys along the Church Road elevation.

The building measures 21 metres at its front peak i.e. when viewed from Palatine Road/Church Road. It should be noted that this no higher than the building approved in 2005. The rear of the building also measures 21 metres with the lift shaft being slightly higher measuring 21.9 metres. This element is higher than that approved in 2005. The applicant has increased the overall height of the rear aspect of the building, by 2.4 metres (3 metres to the lift shaft) from the 2005 permission.

This is how the applicant has created the extra apartments in the building by creating a complete, full head height, seventh floor.

The increase in height at the rear does not itself exceed the 21 metres which was established as the highest point under the 2005 permission. It is recognised, however, that the increase in the height of the building at the rear does increase the overall bulk and massing of the building, although this is only apparent from certain vantage points along Palatine Road and Church Road.

There is a slight increase in bulk and height at the lower parts of the rear and sides of the building which has marginally brought the building closer to the residential properties along Church Road increasing the perception that the building overlies these properties. The building height adjacent to 11 Church Road projects slightly above the eaves of this property. As the building height increases, a set back has been used to provide space between the two buildings which reduces the overbearing impact.

The applicant has also provided a photomontage of this development alongside the proposed development on the adjacent site. This development was also approved in 2005 (074033/FO/2004/S2) and was recently granted an extension of time for implementation under ref 094136/REP/2010/S2. Both developments were designed to complement each other. If planning consent 094136/REP/2010/S2 is ever built, it would be a part 3, part 4 storey building and will create a more gradual reduction in scale, particularly along the Palatine Road frontage, to the surrounding two storey properties rather than the height difference which is currently evident on the site and has been a concern for a number of residents who have objected to the application. The consent therefore establishes the principle of a built form that would ameliorate the impact of the existing development.
The Northenden Conservation Area starts further northwards along Church Road. The views of the building can therefore be seen from within the Conservation Area. It is not, however, considered that the Conservation Area itself will be impacted upon.

**Appearance**

Policies S1.2, S2.5 and EW16 state that new developments in shopping areas should be of high quality. The qualities of good design is expressed further within the Guide to Development in Manchester SPD and the Northenden Village Local Plan which seek to encourage a building on this site with landmark status that contribute to the regeneration of areas.

The main concept of this development is the distinctive glazed and mottled green panelled “drum” which holds the corner of Palatine Road and Church Road. The sides of the building are flanked by rendered panels and a buff brick work. The windows and shop front are grey aluminium frames with green and dark glazing.

The design concept is very similar to that approved in 2005 but with the most obvious change being the increase in the height of the building at the rear which has altered the shape and profile of the roof and increased the extent of the green panels. The building now has an even profiled roof rather than the overhanging mono-pitched roof that was approved in 2005. However, in an attempt to soften the impact of the increase in height, an overhanging brise soleil has been installed between the sixth and seventh floor.

The introduction of the brise soleil helps provide a clear reference back to the 2005 approval as well as drawing attention away from the increase in height at the back of the building and providing architectural interest.

The appearance of the top aspect of the building, due to the increase in scale and massing, would be further minimised once work commences on the adjacent development as indicated above. The photomontage of the two developments side by side clearly shows how the designs complement each other and create a high quality development in the street scene. It is accepted, however, that there is certainty of when that development would take place.

There are other elevational alterations to the building as compared with the 2005 consent. 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, on balance, to be acceptable.

Overall, the building design concept creates a quality building that responds to its context. Accordingly, the proposal contributes to the ongoing regeneration of the Northenden District Centre.

**Density**
A development density was agreed in 2005 for 14 apartments at the site along with 220 sqm of retail floor space. This development has increased the number of apartments to 16 – an increase of two apartments. This increase in apartments has been created at the top of the building.

An obvious consequence of increased density is there will be further coming and goings from the site, additional waste and a likely increase in demand for car parking. The issue of car parking and traffic generation 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.

Retail

A ground floor retail unit is proposed at the development which is will available for an A1 ‘Shop’ occupier. The floor space will amount to 205 sqm. Given the location of the application site within Northenden District Centre this is the most appropriate location as prescribed by PPS4. This modern retail space will boost the retail offer in the village and will attract a new type of retailer to the District Centre. This in turn will increase the footfall in the area and all the shop and services will within the centre will benefit.

Standard of accommodation/amenity space

The development contains 16, 2 bedroom apartments with bathrooms and open plan living room/kitchen areas. Some of the apartments have en-suite facilities. It is considered that the apartments are generous in size and will provide spacious accommodation for the residents. There is lift access to all the floors, including basement, which will ensure that the accommodation will be accessible to disabled and elderly residents.

The Guide to Development in Manchester SPD states that residents should enjoy useable private amenity space, this is particularly important for flat accommodation. In terms of this development, nine out of the 16 apartments have some from of private amenity space.

The apartments which have amenity space is as follows:

- Fourth floor – Apartments 11 and 12 – terrace area;
- Third floor – Apartments 8 and 10 – balconies;
- Second floor – Apartment 5 – Terrance Apartment 7 – Balcony;
- First floor – Apartments 1, 2 and 4 – Balconies.

The provision of the balconies and the terrace areas are welcomed. The terrace areas are, in particular, very large and will enable the space to be functional.
This private amenity space will also increase the overall sustainability of the scheme as it will reduce the need for residents to travel from their properties to benefit from outdoor space. In terms of the apartments that do not have the benefit from private space, the development is within walking distance to the Mersey Valley area which provides a children play area and access to the Trans Pennine Trail. The application site is also within a reasonable walking distance to Wythenshawe Park.

Car Parking

A basement car parking area is being provided as part of the development. The basement contains sufficient room for seven spaces (including one tandem space). A further surface car parking space will be provided at the entrance to the site before entering the basement car park. The applicant is also proposing to create two additional spaces behind 374-376 Palatine Road. This will create 10 car parking spaces in total available for the 16 apartments.

The planning application, which was refused by the City Council in August this year, only proposed 6 car parking spaces solely within the basement. As such, this application is deemed to be an improvement on this position as it now proposes 10, an increase of 4 spaces. Furthermore, the parking provision is better than that proposed as part of the 2005 consent (which provided 8 car parking spaces for 14 apartments) meaning that the percentage of car parking spaces to apartments will increase from 57% to 63%

It is acknowledged that there will not be 100% parking available for the apartments which is an aspiration for new residential developments. However, as detailed above, there was not 100% parking as part of the 2005 permission and it was accepted, at that time, that the site was within a sustainable location and within easy reach of public transport.

Planning Policy Statement 13 and other National, Regional and Local level planning guidance and policies seek to encourage development projects that lie within existing urban areas and are in close proximity to good public transport links in order to reduce the dependency on the private car. Indeed, the Guide to Development in Manchester SPD states that developments should have regard to, and respond to, the location of all public transport facilities, routes and stops (paragraph 2.29). In addition, the SPD encourages the use of travel plan initiatives aimed at reducing the need to travel by car by providing alternative choices and encouraging walking, cycling and public transport use (paragraph 2.30).

In light of this policy position, the application site is situated within the optimum position to take advantage of public transport and travel planning initiatives. The site’s position within Northenden District Centre will provide access to good public transport links to the City Centre, Manchester International Airport and other parts of the Wythenshawe Area. The occupants of the development can also take advantage of the cycle routes in the area. The location of the development will mean the 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, it
is likely occupants without the need or provision of a car will be attracted to the development.

In addition, with the site being in the heart of the District Centre, the occupants will also be able to access the amenities and services within the Village.

The Head of Highway Services has supported the development and the car parking ratios due to the presence of such strong public transport links in the area.

In mitigation of the fact that the development has not provided 100% parking i.e. 6 of the apartments will not have a designated space, the applicant has agreed to incentivise the occupants of 10 apartments by providing them with free public transport packs (which will give free travel on the public transport) and access to a communal bike store which will contain 10 bikes provided by the applicant. The applicant has agreed to enter into a legal agreement with the City Council to provide the travel packs and bikes to ensure that these mitigation measures are implemented.

The basement will provide 16 cycle stands which will mean that the occupants of the development will be able to store their own personal bikes as well as accessing the communal bikes.

There is a tandem space within the basement which means that one of the cars will be blocked in and will require the occupant of the other car to move to allow access. The applicant has indicated that the apartments which will use these spaces will be within the same ownership in order that this arrangement can be managed.

In terms of the remote spaces, two spaces will be provided at the rear of shops along Palatine Road. These are only within a short walking distance from the application site and are secured by a lockable gate. The applicant had previously offered these spaces on a short term basis as part of this development. It is not ideal having these spaces remote from the development and it was a concern that the spaces would only be available on a short-term basis.

However, the applicant is now offering these spaces for the perpetuity of the development and has agreed to enter into a Section 106 agreement with the City Council to that effect. The legal agreement will state which apartments have access to these spaces and the agreement takes account of the fact that the apartments may be sold in the future to ensure that they continue to be provided.

A condition of the planning approval is also recommended that the spaces are clearly demarcated and labelled to state that they are part of the development.

It is considered that having these remote spaces offers a reasonable solution to increase the parking provision for this development. Whilst it is clearly not ideal that six apartments will not have a space, the applicant has attempted to maximise the provision available to the development and has agreed to offer travel planning solutions in order that public transport and cycle provision is exploited. It should also be noted that there is local on street parking in the area. Whilst objectors to this
application believe that there is an on street parking problem in Northenden, it is considered that this is confined to only certain streets within the Village.

**Traffic/means of access**

A development of this scale and nature is unlikely to generate traffic movements that will cause congestion on the local highways network.

The access has been designed to ensure that the vehicles manoeuvre off the highway and into the site in order to ensure that the vehicle does not block the traffic on Palatine Road.

In terms of pedestrian safety, concern has been expressed by a number of residents that, as a result of the development, there has been a narrowing of the pedestrian footpaths around the development. In addition, the building at the corner of Palatine Road and Church Road, overhangs the footpaths as do several balconies. At the ground floor, a barrier has been in place for a number of months to secure the ground floor retail unit. This has resulted in the footpath being narrowed. However, the barrier has now been pushed back which has opened up the footpath. This should not pose any issue once the retail unit is open and occupied. The balconies and overhang is sufficiently high enough from the ground to not pose and pedestrian or highway safety issues.

It is, however, recognised that the vehicles turning from Palatine Road onto Church Road may cross the pavement, particularly large vehicles such as a bus. It is therefore recommended that a condition of this planning approval is that a barrier is put in place to ensure there is no over run of the pavement. This condition will ensure that the applicant enters in a S78 agreement with the City Council, as Local Highway Authority, to ensure the barrier is installed to the satisfaction of the City Council.

**Noise and Vibrations**

The development will inevitably increase the comings and goings at the application site. Given the District Centre location, it is considered that a development of this nature will complement the vitality and viability of the area. The increase in population at the application site should be viewed as a positive addition to the centre as it will increase footfall and has the potential to bring additional expenditure to the centre.

Given the development’s position on the busy road junction of Palatine Road and Church Road, the development has been insulated to protect the residential accommodation from unnecessary noise and disturbance. This was previously agreed by the Head of Environmental Health for the 2005 consent and has been implemented as part of the development.

**Residential amenity/local opinion**

This planning application has attracted both letters of support and objection to the building. The letters of support have recognised the regeneration benefits of the
building and its ‘landmark status’. However, the objectors dislike the appearance of
the building and its scale. Residents are also concerned that the developer
continued to proceed with the development without a valid planning permission.

Some objectors have raised concern about why the applicant has been allowed to
apply for a second time in light of the refusal earlier this year. The City Council must
validate the application as the applicant has made alterations to the scheme following
the refusal by the Planning and Highways Committee in July.

Design is clearly a subjective matter and on balance it is considered that the building
is a good standard of design. The modern design, and use of a variety of materials
and textures, contrasts with the more traditional architecture in the local area.

It is acknowledged that there are no other buildings within the immediate vicinity
which are of the scale of this building. However, that is not to say the building is
unacceptable. The setting of the building may be enhanced with the redevelopment
of the adjacent site which would allow for a more balanced street scape to be created
along Palatine Road with the staggering of the building height. Although it is
acknowledged that this development may not happen in the foreseeable future.

Objectors have also expressed concern that the building blocks the light on the
pavement. It is not considered that the building reduces light to the pavement.

The occupant of 11 Church Road has expressed concern about the close proximity
of the building to the gable wall of this residential property resulting in the ability to
carry out repairs to the gable wall. This is a civil matter between the applicant and
the resident and is covered by the Party Wall Act.

Views have been expressed that there should be an upgrading of existing retail units
in the Village rather than permitting new ones. This is not considered to be a valid
reason not to permit a new retail unit. The new retail unit will allow for a large
modern unit in the centre which will attract a new retailer who will bring footfall to the
area which will be of a benefit to all shops. The existing shops are in private
ownership and the onus of their maintenance and repair is placed upon them.

Residents have also objected to the development following loss of TV reception.
Contact should be made with the Ofgem who can assist on such matters. As no
study was in relation to TV reception during the consideration of the 2005 planning
application, it is recommended that prior to the development now under consideration
being first occupied, a study must be carried out.

There have also been objections on the ground of overlooking. The balconies will
also provide an opportunity to overlook the surrounding street scene but will not
overlook residential accommodation. The nearest terrace for one of the apartments
will have a high parapet which is tall enough to prevent overlooking.

An objector has sought clarification about the ownership of the adjacent site which
was recently granted an extension of time. To the knowledge of the City Council, the
adjacent site is currently in the possession of a bank.
In terms of the ownership of the land for the remote car parking spaces, this is in the ownership of the applicant. The land is currently vacant and is used informally for parking cars. This proposal would formalise the use of this land. It is not believed that the use of these space for this development will displace a tenant of the properties along Palatine Road.

The land for the car parking space at the entrance to the site is in the ownership of the City Council. The applicant is currently in the process of purchasing this land from the City Council. A condition requiring that use of the land shall not obstruct the free passage of pedestrians and vehicles using the land for access to the rear alleyway of residential properties on Church Road is recommended.

The Head of Planning notes that there is preference by some objectors for a development of a lower density at the application site and the communities perception that they have had no say about this development. Local residents and business have been notified about all three planning applications that have been submitted for this site including site notices and advertisement in the press. The density for the site is appropriate for its location in the heart of a District Centre. The ground floor retail unit will be for an A1 occupier. It is considered that this type of unit will attract a new retailer to the centre which will be of benefit to residents and business. It is not the role of the planning system to consider competition between other businesses;

The basement has space to accommodate 7 spaces with the provision of a tandem space which will be managed by the applicant in a tenancy arrangement. The car parking space outside of the entrance to the car park will also be indentified for one of the flats and again managed to ensure that there are no implications for the passageway. The land behind 376 Palatine Road is in the ownership of the applicant who has agreed to demarcate two spaces for use by two flats within the development. The land behind the shops is large and is not currently demarcated for parking. It is not considered that this will compromise any parking provision for the shops;

The applicants’ account of encouragement to build not in accordance with planning consent is not accepted but the conduct of officers is not material to the consideration of this planning application.

This development site and the adjacent plot are two separate sites in different ownerships. The adjacent site is in the ownership of a bank who have come to own the land by default. The applicants of this site may come to have a legal interest in the future (should the acquire the site) but they do not at present.

In terms of some objectors reference that this planning application is no different from the previous refusal earlier this year, the application is different for the following reasons:-

There is the provision of a 7th space in the basement, the applicant is in the process of purchasing the land at the entrance to the site to facilitate an 8th space and the applicant has proposed two further spaces behind 376 Palatine Road on a permanent basis and will formalise this is a legal agreement with
the City Council. In addition, there has been a revised Section 106 with this application. On this basis, the City Council has no legal basis for not validating the application.

The current planning application, in the view of the Head of Planning, is an improvement on the scheme previously recommended for approval to Committee. As detailed above the applicant is currently in the process of purchasing the land at the side of the development, from the City Council, for the provision of the entrance car parking space.

Section 106 monies are not being secured to ‘regularise the developer cavalier disregard for planning; rather Section monies are used to mitigate against harm from a development. In this instance, a package of measures will been funded which include travel incentives for the occupants of the development along with monies for the wider public benefit for example public realm and amenity.

The level of public notification which has been carried out in respect of this planning application reflects the public interest in the proposal. It is clear that the application is retrospective from the description of development. The letter is not intended to comprehensively deal with history of the proposal, merely to alert people to the existence of an application.

In respect of other comments received regarding the structural integrity of the building, the applicant has confirmed that there would be difficulties in taking the steel back to the 2005 approval. A revised S106 has been negotiated for this development which includes mitigating the harm from the increase in density at the site.

Whilst it is not appropriate to negotiate the terms of a legal agreement at Committee, please see below the draft Heads of Terms which are delegated to the Head of Planning to determine:

- Financial obligation towards the public realm, public facilities, highways, car parking and the like in the Northenden ward;
- Financial obligation towards highway improvement works at the junction of Church Road and Palatine Road in Northenden;
- Travel packs for 10 apartments for a period of six months;
- The provision of ten bikes within the basement of the building for the perpetuity of the development;
- The provision of two remote spaces for the development behind 374-376 Palatine Road for the perpetuity of the development.

Designing out Crime

The development has been designed to take account of the safety of its occupants. It is recommended that a condition of the planning approval is that on completion of the development the development is assessed by the Design for Security
Consultants at Greater Manchester Police in order to ensure Secured by Design Accreditation is achieved.

Waste Management

A refuse area has been created on the ground floor for both the retail and residential elements of the scheme. This has a large area and will be accessed from the door from the passageway. Access will be controlled by key to ensure no unauthorised access.

Section 106

A Section 106 has been agreed as part of this development in mitigation of the 16 apartments. The contribution will used to improve the public realm in Northenden Village, improve areas of public amenity space and other such schemes for public benefit for example CCTV provision. Monies will also be able to be used to improve the junction of Palatine Road and Church Road. The agreement will also include the provision for the communal bikes and the travel packs.

Conclusion

This development has created a new focal point within Northenden Village in line with the aspirations of the Northenden Village Local Plan. It will provide modern residential and retail accommodation which will attract new residents and a retailer to the area. Whilst there are no physical alteration to the building following the refusal earlier this year, the applicant has sought to overcome the concerns of the City Council by the increase in parking provision available for the development. Overall the development contributes to the regeneration of the area and provides an appropriately scaled building within easy reach of public transport.

On balance, it is recommended that the application be Minded to Approve subject to the signing of a Section 106 agreement.

**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 ..... of the application is proportionate to the wider benefits of ..... and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.
Recommendation  Approve

on the basis that the proposal is for a landmark mixed use development in a district centre within easy reach of public transport links which will reduce the need for residents to rely on the private car. 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.

Defer the application to the Planning and Highways Committee for final determination.

Wythenshawe Area Committee

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 and completed before occupation:

Drawings

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


Drawing 9310 OS rev C stamped as received by the City Council, as Local Planning Authority, on the 31 October 2011.

Design and Access statement stamped as received by the City Council, as Local Planning Authority, 5 October 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 and completed before occupation.

- Brickwork – Drnton Smooth cream by Wienerberger;
- Main walls – Render: K-Rend in Polar White;
- 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 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 N stamped as received by the City Council, as Local Planning Authority, on the 26 September 2011. 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 date of this planning permission, details of the measures to be incorporated into the development 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) 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.

12) 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).

13) Prior to the first occupation of the development hereby approved, a scheme for the demarcation and marking of the two car parking spaces to the rear of 374-376 Palatine Road shall be submitted and agreed by the City Council, as Local Planning Authority. The approved scheme shall then be implemented and be in place prior to the first occupation of the development and the scheme along with the car parking spaces shall be available for the as long as the development remains in use.

Reason – To ensure that the car parking spaces are clearly marked and are made available for the lifetime of the development pursuant to policies H2.2, T2.4 and E3.5 of the Unitary Development Plan for the City of Manchester (1995).

14) Prior to the first occupation of the development hereby approved, the applicant shall submit detailed design plans and particulars for a barrier around the corner of Palatine Road and Church Road.

Following written approval of the design and plan for the barrier by the local planning authority, the barrier shall then be installed and be in place prior to the first occupation of the development and remain in pace for as long as the development remains in use.

Reason – To increase pedestrian and highway safety on the junction of Palatine Road and Church Road pursuant to policy H2.2, E3.5 and S2.4 of the Unitary Development Plan for the City of Manchester (1995).
15) Any vehicle belonging to or visiting any occupier of the development waiting or parking in the car parking space laid out and demarcated at the side of the development shall not obstruct vehicular or pedestrian access to the alley way to the rear of residential properties on Church Road.

Reason – to protect residential amenity pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (1995).

16) Before the development hereby consented is first occupied, a study of the impact of the building on TV reception in the area which shall assess whether the building has caused or contributed to any loss of TV reception shall be prepared. If a loss of TV reception has been caused or contributed to by the development, the study shall recommend mitigation measures to restore TV reception levels. The study and any mitigation measures shall be submitted to and approved in writing by the Council as local planning authority and any mitigation measures shall be implemented before the development is first occupied.

Reason – to protect residential amenity pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (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: 097423/FO/2011/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
1 Bazley Road, Manchester, M22 4FL
1 Carron House, 6 Royle Green Road, Manchester, M22 4NG
1 Chapel Road, Manchester, M22 4JN
1 Church Road, Northenden, Manchester, M22 4NN
1 Greenpark Road, Manchester, M22 4DS
1 Heyridge Drive, Manchester, M22 4HB
1 Kenworthy Lane, Manchester, M22 4FJ
1 Kingsley Road, Manchester, M22 4NH
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1 Lingard Road, Manchester, M22 4EW
1 Morrell Road, Manchester, M22 4WJ
1 Redwood House, Church Road, Northenden, Manchester, M22 4NT
10 - 12 Church Road, Northenden, Manchester, M22 4WL
10 Bazley Road, Manchester, M22 4FL
10 Brett Street, Manchester, M22 4EX
10 Carron House, 6 Royle Green Road, Manchester, M22 4NG
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Basement, 30 Palatine Road, Manchester, M20 9JJ
British Telecom Exchange, 13 - 19 Kenworthy Lane, Manchester, M22 4FJ
Camperlands Ltd Off, Mill Lane, Northenden, Manchester, M22 4HR
Church Road Library, Church Road, Northenden, Manchester, M22 4NN
First Floor, 24 Church Road, Northenden, Manchester, M22 4WL
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First Floor, 99 Palatine Road, Manchester, M20 3JQ
First Floor And Second Floor, 341 Palatine Road, Manchester, M22 4FY
First Floor, Anglo House, Chapel Road, Manchester, M22 4JN
First Floor Flat, 10 Kenworthy Lane, Manchester, M22 4EJ
First Floor Flat, 70 Church Road, Northenden, Manchester, M22 4NW
First Floor, Hatro House, 399 - 401 Palatine Road, Manchester, M22 4JS
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Flat 1, 23 Church Road, Northenden, Manchester, M22 4NN
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Flat 1, 317 Palatine Road, Manchester, M22 4HH
Flat 1, 323 Palatine Road, Manchester, M22 4HH
Flat 1, 373 Palatine Road, Manchester, M22 4FY
Flat 1, 377B Palatine Road, Manchester, M22 4FY
Flat 1, 395 Palatine Road, Manchester, M22 4FY
Flat 1, Beechmount Court, Kenworthy Lane, Manchester, M22 4EJ
Flat 10, 395 Palatine Road, Manchester, M22 4FY
Flat 11, 395 Palatine Road, Manchester, M22 4FY
Flat 12, 395 Palatine Road, Manchester, M22 4FY
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Flat 14, 395 Palatine Road, Manchester, M22 4FY
Flat 15, 395 Palatine Road, Manchester, M22 4FY
Flat 16, 395 Palatine Road, Manchester, M22 4FY
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Flat 1b, 1 Kenworthy Lane, Manchester, M22 4FJ
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Flat 7, 395 Palatine Road, Manchester, M22 4FY
Flat 8, 395 Palatine Road, Manchester, M22 4FY
Flat 9, 395 Palatine Road, Manchester, M22 4FY
Flat Above, 297 Palatine Road, Manchester, M22 4HH
Flat Above, 396 Palatine Road, Manchester, M22 4FZ
Flat Above, 68 Church Road, Northenden, Manchester, M22 4NW
Flat At, Northenden Social Club, 412 Palatine Road, Manchester, M22 4JT
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<td>Transformulas House, 1B Brett Street</td>
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<td>Welfare Centre Adjacent 473-475, Palatine Road</td>
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<td>Workshop Rear Of 14, Kenworthy Lane</td>
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Representations were received from the following third parties:

Northenden Civic Society
Northenen Rectory, Ford Lane, Manchester, M22 4NQ
1 Lanark Avenue, Manchester, M22 4NJ
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<tr>
<th>Address</th>
<th>City, Postcode</th>
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<td>Nelson House 15 Barlow Moor Road Didsbury Manchester M20 6TN</td>
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<td>The Spinney School Lane, Marton, SK11 9HD</td>
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<td>3rd Floor 12 St Ann’s Square, Manchester M2 7HW</td>
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<td>54 Gibwood Road, Northenden, Manchester, M22 4BS</td>
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**Relevant Contact Officer:** Jennifer Atkinson  
**Telephone number:** 0161 234 4517  
**Email:** j.atkinson@manchester.gov.uk