

Application Number	Date of Appln	Committee Date	Ward
111175/FO/2016/C1	7th Mar 2016		City Centre Ward

Proposal Change of use of part basement, part ground floor and all upper floors of existing mixed use building to 11 no. residential apartments (Use Class C3) together with refurbishment of building, construction of single storey rooftop extension, modification of existing gated entrance and formation of new entrance on St. John Street elevation and replacement windows

Location St John Street Chambers, 2 St John Street, Manchester, M3 4DT

Applicant Mr Bo Khan , Kingsdean LLP, London House, London Road South, Poynton, SK12 1YP

Agent Mr Michael Bagot, Buttress, 41 Bengal Street, Manchester, M4 6AF

Description

The Site

St. John Street Chambers is a seven storey building located on the corner of St. John Street and Deansgate. Much of the building is vacant but there are a number of Use Class D1 businesses, predominantly medical and clinical uses, on parts of the upper ground, second, third and fourth floors only. The building has one arched entrance on the western end of the St. John Street elevation. The entrance has steps giving access to the upper ground floor.

The site is adjacent to both the St. John's Street Conservation Area (which runs to the rear of the site) and the Deansgate Conservation Area that is located on the opposite side of Deansgate. A number of listed buildings surround the application site including the Grade II listed Deansgate Terrace opposite. Most of the terraced buildings in St. John Street to the rear of the site are also Grade II listed.

The Proposal

Planning permission is sought to convert the upper floors (levels 1-5) to 11 no. apartments together with associated external alterations including replacement windows and a single storey roof top extension. In addition, parts of the lower and upper ground floors at the western end of the building, would be used as entrance points for the residents as well as cycle storage and refuse storage areas. Of the 11 apartments proposed, 1 no. would be a 1-bed apartment, 4 no. would be 2-bed apartments and 6 no. would be 3-bed apartments. Nine of the apartments would be within the existing building and two would be partly within the new roof top extension element (as they are duplex apartments). The apartments would be large with the 1-bed apartment being 60 sq. m, the 2-bed apartments being 86 sq. m and the 3-bed apartments being between 127 sq. m to 160 sq. m.

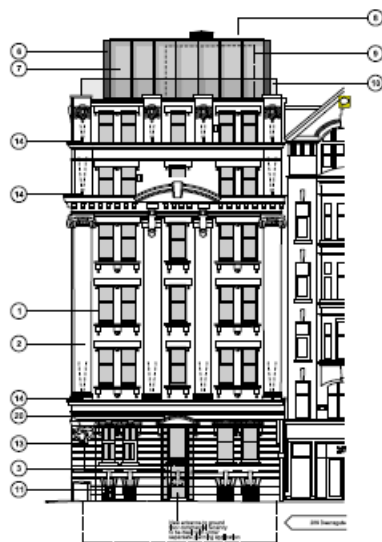


A fully accessible entrance would be created to the side of the existing entrance on St. John Street in place of two window openings. The building is not fully accessible at present due to the raised ground floor which is accessed via a set of steps. The new fully accessible entrance would involve the installation of an electronically operated sliding glass door which would lead to a platform lift giving access to the

main lift on the upper ground floor level. The main entrance on St. John Street would be modified with the installation of a central handrail to the steps that would be brushed stainless steel, painted black. A black steel gate at this entrance would become an access control point for the apartments.

The roof top extension would be glazed with an aluminium frame. It would be set back from the edge of the roof allowing external amenity terraces on three sides. A glass balustrade would surround the terraces.

All windows at the building would be replaced with new timber sliding sash windows on a like for like basis. The new windows would be single glazed with secondary glazing internally which would help with both thermal and acoustic performance. The window frames would be painted white.



Elevation to Deansgate



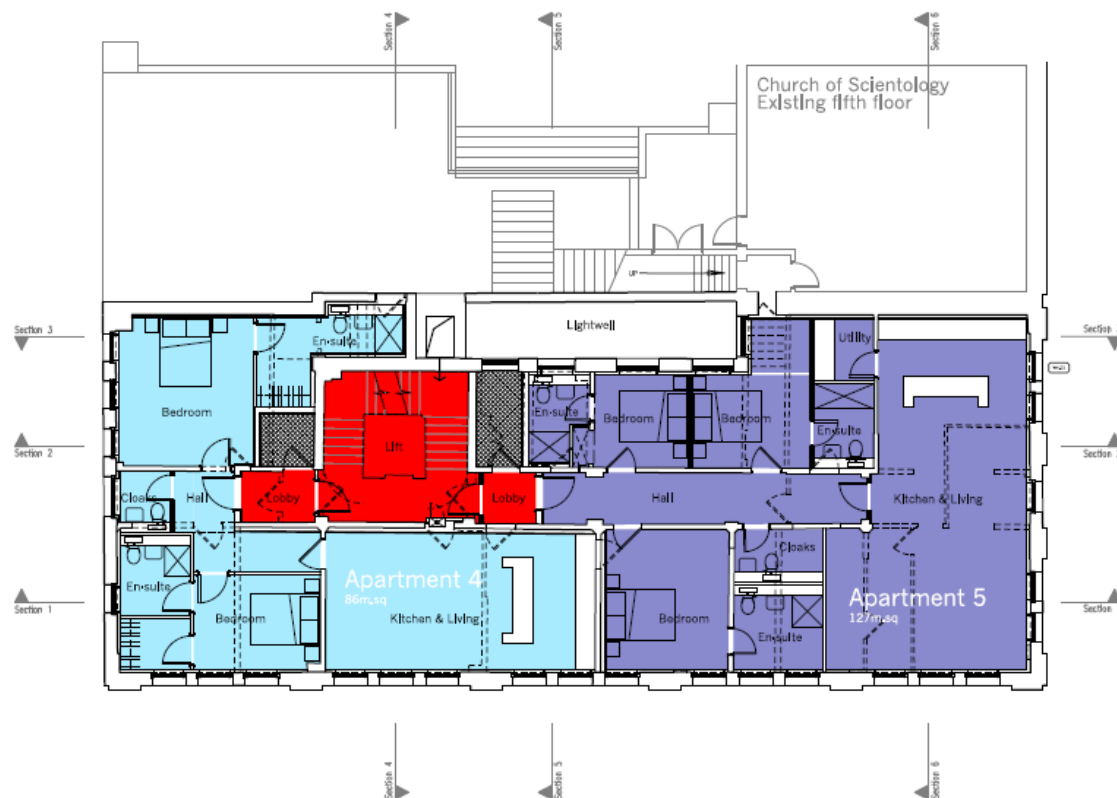
Elevation to St Johns Street

The apartments would have a new communal refuse store at lower ground level (it should be noted that the commercial uses within the lowest two floors of the building would have their own refuse store within the lower ground floor). A new set of double doors are proposed on Longworth Street giving level access to the new internal bin store. These doors would be in use on collection days only by the management company as they would be responsible for access arrangements to the store. The refuse store would be accessed internally by residents from the upper ground floor lobby area. There is not enough space in the building to provide waste storage at each floor level so residents would use the existing lift to transport waste to the communal waste store within the basement. The refuse store would be separated from the main entrance lobby within the building by a new internal lobby. The refuse store would have provision for general waste (2 x 660l bins), pulpable recycling (1 x 660l bin), mixed recycling (1 x 660l bin) and organic waste (1 x 240l bin). Access to the secure cycle store for 11 bikes would be available internally from the same lobby area as the refuse store.

Below: Upper ground floor layout



Above: Fourth floor layout



No car parking would be provided on site, however it is located within the City Centre in a highly accessible location. City Car Club have several parking locations close to the application site and the applicant has stated that they would consider setting up individual membership schemes for City Car Club for prospective apartment owners as part of the sales particulars. All servicing for the building would take place on street.

The apartments would be mechanically ventilated via an internal lightwell which would not be visible from any surrounding streets. The apartment kitchens would extract into the lightwell also. There would be fan equipment in the base of the lightwell feeding into vertical ductwork to serve the stair pressurisation system. This would only be operational during the testing regime (which is likely to be weekly) or in the event of a real fire.

A further planning application is being assessed for the site (application ref. no. 111176) for the use of part of the basement (lower ground) and part of the upper ground floor as non-residential institutions (Use Class D1) together with external alterations to include a new entrance and replacement windows on the Deansgate elevation. It is envisaged that the D1 uses that are currently spread among various floors within the building would be relocated to the lower and upper ground floors, whilst the upper floors would then be solely in residential use. This application also proposes a new independent entrance for the D1 uses on the Deansgate elevation. This would mean that the existing entrance on St. John Street would be for the sole use of residents only.

Consultations

Publicity - The application was advertised in the local press and on site as one affecting listed buildings and conservation areas, and neighbours were notified.

Three letters of objection have been received. Two from existing businesses that operate late night venues (i.e. bar/restaurant/nightclub uses) close to the application site and one is from the landlord of a building that accommodates three businesses that are open late at night. In summary, they are concerned about the impact their businesses could have on the amenity of the future residents. They fear that the new residents could have cause to complain about the noise generated from these existing night-time uses which would lead to conflict. The main issues of concern raised in these letters are:

- The proposal introduces new residential use into an area of the city that has largely been focused on office, professional and night-time economy uses. The area has not historically been a focus for residential accommodation.
- There is a concern that the noise generated from nearby restaurants, bars and nightclubs, particularly late at night, including noise generated from customers entering and leaving the premises as well as music, dancing, vibrations, queues and taxis, could lead to complaints from the new residents. There is a concern that complaints could lead to restriction of open hours for existing businesses or even worse the businesses being shut down.

- The development of residential uses in the area is likely to create a direct conflict between the existing surrounding land uses and the occupiers of the proposed apartments.
- There is a concern that the potential future residents on the Longworth Street side of the building would be impacted upon the most in terms of noise and disturbance from existing night time businesses.
- There has been no assessment of the vibration caused by music, dancing, equipment and servicing from the nearby Suede nightclub
- The Suede nightclub has a license until 6am whereas the submitted acoustic report made reference to it closing at 5am
- One of the businesses stated that they specifically chose the location they did due to the lack of residential apartments or houses within the area.
- Concerns that the deliveries made to existing businesses will disturb the future residents
- There is a concern about the statement that windows in the apartments would need to remain closed in order to maintain a reasonable level of amenity for the occupiers and no firm information has been provided with regard to noise insulation and ventilation requirements
- The application proposal is in conflict with Core Strategy policy CC7 in that it makes no clear proposals for the future use of the basement and ground floors of the building and how the proposal will contribute to the economic regeneration of the city.
- There is no provision for residents' vehicles on site.

Highway Services - The development has no off-street parking, however being located in the City Centre is considered suitably accessible by public transport. It is however recommended that a Travel Plan be developed to encourage trips by sustainable modes and reduce the reliance of potential residents on private car.

Environmental Health - The acoustic report submitted deals with low frequency noise and this is sufficient. A condition requiring external plant to achieve a rating noise level of 5dB below background noise levels is required. The performance of the new windows with secondary glazing is sufficient, but a post completion survey should be undertaken to provide a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The waste management information is acceptable, any external lighting shall be designed so as to control glare and overspill onto nearby residential properties, and certain hours of construction shall be adhered to.

City Centre Regeneration - No representations received

Greater Manchester Police - The proposed development should be designed and constructed in accordance with the recommendations contained within the attached Crime Impact Statement.

ISSUES

Relevant National Policy

The National Planning Policy Framework (NPPF) sets out Government planning policies for England and how these are expected to be applied. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role (paragraphs 6 & 7). Paragraphs 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan. Paragraph 12 states that:

“Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”

The proposed development is considered to be consistent with sections 1, 2, 4, 6, 7, 8 and 12 of the NPPF for the reasons outlined below.

Section 1 - Building a strong and competitive economy - The proposals would provide a high quality development and aid regeneration. The development would create jobs during the construction/conversion process. New residents would support the local economy through the use of facilities and services.

Section 2 - Ensuring the Vitality of Town Centres - The proposal would develop a site on a key City Centre route and bring residential apartments, including larger family-sized apartments, into the area. This would support Greater Manchester’s growth objectives by delivering appropriate housing and meeting the demands of a growing economy and population. It would be well connected to existing amenities and services and help to promote sustained economic growth.

Section - 4 Promoting Sustainable Transport – The proposal is in an accessible location, close to many public transport routes and within easy walking distance of Deansgate Train Station/Deansgate-Castlefield Metrolink Stop, Victoria Station, The Shudehill Transport Interchange and Oxford Road Train Station. The proposed development would be sustainable and contribute to wider sustainability and health objectives by giving people a choice about how they travel.

Section 6 - Delivering a wide choice of high quality homes – The scheme would provide an efficient mixed-use development that would facilitate 11 new homes in a sustainable location in the City Centre. The scheme would provide a range of accommodation sizes over half of the apartments proposed being larger family sized apartments with 3 bedrooms. New housing is needed in a range of locations, particularly within the City Centre, where residential growth is welcomed and promoted. The City Centre is the biggest source of jobs in the region and the proposal would provide suitable accommodation to support the growing economy.

Section 7 - Requiring Good Design - The proposal has been the subject of discussion and negotiation with regard to its design. It is considered that the proposed external

alterations/additions would be of a high quality and would help to raise the standard of design more generally in the area.

Section 8 - Promoting healthy communities – The development would facilitate social interaction and help to create a healthy, inclusive community. The development would help to integrate the site into the locality and increase levels of natural surveillance.

Section 12 - Conserving and Enhancing the Historic Environment-

The proposals would not have an adverse impact on the character or appearance of the St. John Street or Deansgate Conservation Areas or on the setting of listed buildings and this is discussed in greater detail below.

Core Strategy

The proposals are considered to be consistent with Core Strategy Policies SP1, CC3, CC5, CC7, CC9, CC10, H1, T1, T2, EN1, EN3 and DM1.

The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11 July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein, as follows:

S01. Spatial Principles – The development would be in a highly accessible location and reduce the need to travel by private car and therefore support the sustainable development of the City and help to halt climate change.

S02. Economy – The scheme would provide new jobs during the construction/conversion works in a highly accessible location. It would provide housing near to employment opportunities and therefore help to support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

S03. Housing – The 11 apartments would meet demand for housing, near to employment opportunities, in a sustainable location. It would address demographic needs and support economic growth. The growing economy requires well located housing to provide an attractive place for prospective workers to live and allow them to contribute positively to the economy.

S05. Transport – The development would be highly accessible reducing the need to travel by private car and making the most effective use of public transport facilities. This would help to improve physical connectivity through the use of sustainable

transport networks and help to enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation.

S06. Environment – The development would be consistent with the aim of seeking to protect and enhance the built environment and ensure the sustainable use of natural resources in order to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; improve recreational opportunities; and ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP 1 (Spatial Principles) – The development would be highly sustainable and be consistent with the aim of bringing forward economic and commercial development, alongside high quality city living within the Regional Centre. It would be close to sustainable transport provision, thereby reducing the need to travel, maximise the potential of the City's transport infrastructure and make a positive contribution to neighbourhoods of choice by enhancing the built environment by creating a well designed development.

Policy CC3 (Housing) – It is expected that a minimum of 16,500 new homes will be provided in the City Centre up to 2027. The development would be part of a mixed-use development and would contribute to meeting the overall housing targets identified for the City Centre within the Core Strategy.

Policy CC5 (Transport) – The proposal would contribute to improving air quality by being accessible by a variety of modes of transport.

Policy CC7 (Mixed Use Development) - The overall proposal for the building is one where the lower two floors of the building would accommodate commercial space. The proposal would therefore be part of a mixed development.

Policy CC9 (Design and Heritage) – The proposals at the building would have a high standard of design appropriate to the City Centre context and would not have an adverse impact on surrounding heritage assets and conservation areas.

Policy CC10 (A Place for Everyone) – The proposal would be a mix of highly accessible one, two and three bedroom apartments which would appeal to a wide range of people from single professionals and young families to older singles and couples.

Policy H1 (Overall Housing Provision) - The development would provide new homes in the City Centre, which would be consistent with regeneration objectives and help to create a mixed use community.

Policy T1 (Sustainable Transport) – The proposed development would encourage a modal shift away from car travel to more sustainable alternatives.

Policy T2 (Accessible Areas of Opportunity and Need) – The proposed development would be easily accessible by a variety of sustainable transport modes and would help to connect residents to jobs and local facilities.

Policy EN1 (Design Principles and Strategic Character Areas) - The proposal involves good quality design, and would result in development which would enhance the character of the area and the overall image of Manchester.

Policy EN3 (Heritage) - It is considered that the quality and design of the proposed external changes at the building would not adversely affect the character and appearance of the adjacent Conservation Areas and would not have a detrimental impact on the settings of the nearby listed buildings.

Policy DM1 (Development Management) – All development should have regard to specific issues. Of these the following issues are or relevance to this proposal:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Adequacy of internal accommodation and external amenity space.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- Accessibility to buildings, neighbourhoods and sustainable transport modes;
- Community safety and crime prevention
- Refuse storage and collection
- Vehicular access and car parking
- Effects relating to built heritage

The application is considered in detail in relation to the above issues within this report and is considered to be in accordance with this policy.

Saved Unitary Development Plan Policies

DC18.1 Conservation Areas – It is considered that the proposal would not adversely affect the character and appearance of the nearby St. John Street and Deansgate Conservation Areas.

DC19.1 Listed Buildings – It is considered that the proposal would not have a detrimental impact on the setting of the nearby listed buildings.

DC26.1 and DC26.5 Development and Noise – The application is supported by an acoustic assessment and it is considered that the proposed residential accommodation would meet the required internal noise requirements as the building would be adequately insulated so as to protect the amenity of occupiers of the development.

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

This document supplements guidance within the Adopted Core Strategy with advice on development principles including design, accessibility, design for health and

promotion of a safer environment. The proposals comply with these principles where relevant.

Strategic Plan for Manchester City Centre 2015-2018

The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over the period of the plan, updates the vision for the City Centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the city centre neighbourhoods and describes the partnerships in place to deliver those priorities. The proposed development would be consistent with achieving these priorities.

Stronger Together: Greater Manchester Strategy 2013 (GM Strategy)

The sustainable community strategy for the Greater Manchester City Region was prepared in 2009 as a response to the Manchester Independent Economic Review (MIER). MIER identified Manchester as the best placed city outside London to increase its long term growth rate based on its size and productive potential. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life. The proposed residential development of the application site will clearly support and align with the overarching programmes being promoted by the City Region via the GM Strategy.

Conservation Area Declarations

St John Street Conservation Area

St John Street is the only surviving Georgian terraced street in central Manchester, and forms the heart of the conservation area which was designated on 4 November 1970. The boundary of the conservation area follows Artillery Street, Longworth Street, Camp Street, Culvercliffe Walk, Lower Byrom Street, Quay Street and Byrom Street.

The street remains level along its length from Deansgate to Byrom Street, though the latter slopes gently down to Quay Street. At the west end the view along St John Street was originally terminated by St John's Church, now replaced by a formal garden containing a central memorial and trees. Cobden House (occupied by Richard Cobden) was larger than any on St John Street and had an extensive garden. Following occupation by the County Court the garden became totally developed with buildings. One of those buildings (erected in 1896), along with Byrom House, fronts on to the narrow St John's Passage. This route provided pedestrian access between Byrom Street and Lower Byrom Street, alongside St. John's Churchyard, vehicles being barred by cast iron bollards at both ends. Both sets of bollards are listed for their architectural or historic interest. The linear, dynamic,

directional character of St John Street, Artillery Street, Culvercliffe Walk and Longworth Street contrasts with the static, tranquil spaces of the gardens, particularly St John's Churchyard. The contrast is also significant in the hard materials of the streets and the soft trees and shrubs in the gardens.

New structures need not be imitations of old buildings; indeed it is preferable that each one should have a vitality of its own and reflect the period in which it is built. Development should respect the architectural character of the existing historic buildings.

Deansgate Conservation Area

Deansgate Conservation Area was designated by the City Council on 26 June 1985. It includes much of the area surrounding Peter Street and the junctions of Deansgate with both Quay Street and Bridge Street. The area is situated on ground which is mostly flat, although there is a gentle slope down Peter Street in a westerly direction towards the river. Peter Street, and its continuation into Quay Street, is the most important junction in the area. Acute and oblique angles affect the plan form of buildings; since land in the city centre is at a premium, buildings totally cover their site and as a result more interesting buildings occur, many with corner entrances which are typical of Manchester.

Generally, buildings in the area display the Manchester characteristic of a tri-partite subdivision of the elevations, consisting of an over-large ground floor, a less highly modelled middle section and a varied top level seen against the sky. Buildings on Peter Street, Quay Street and part of Deansgate are of different ages and styles, but retain a positive relationship with one another. Where redevelopment proposals are put forward, the City Council will seek designs which are consistent with the character of surrounding buildings.

LEGISLATIVE REQUIREMENTS

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 of the Listed Building Act provides that in considering whether to grant planning permission for development that affects a listed building or its setting the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

S149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

The proposed conversion to residential apartments The proposed use of the upper floors as apartments is considered to be acceptable. The majority of the building has been used in the past for D1 medical use but is now largely vacant. This application (as well as parallel planning application 111176) seeks to bring the whole of the building back into use by reconfiguring the existing D1 uses into the two lowest floors and then converting the five upper floors to residential apartments. This would mean that the building would be fully occupied, would meet its maximum potential and provide a sustainable mixed use development in a highly accessible location. In addition, the scheme would help to meet the demand for additional housing within the City Centre.

Ten of the apartments would be larger family-sized apartments with generous floorplates.

The impact of the works on visual amenity The external changes are considered to be acceptable. The proposed timber sliding sash windows would replicate the design of the existing windows like for like. The roof top extension would be set back from the edge of the roof and read as a lightweight, subservient addition to the building. The building is taller than some of the surrounding buildings but it is considered that the addition of a single storey extension at the top of the building would have a negligible impact in terms of the scale of the building and it would not lead to an undue impact within the area. On balance, it is considered that the impact of the works on visual amenity within the area is acceptable.



Impact of the works on the setting of listed buildings and adjacent conservation areas The application building is not listed and is not within a conservation area, however it is adjacent to both the St. John's Street Conservation Area and the Deansgate Conservation Area. A number of listed buildings surround the application site including the Grade II listed Deansgate Terrace opposite.

It is considered that the proposed extension, alterations and works would be of an acceptable nature and the resultant building would represent a good quality development that would not adversely affect views of the application site from within the adjacent conservation areas and would not adversely affect the setting of nearby listed buildings.

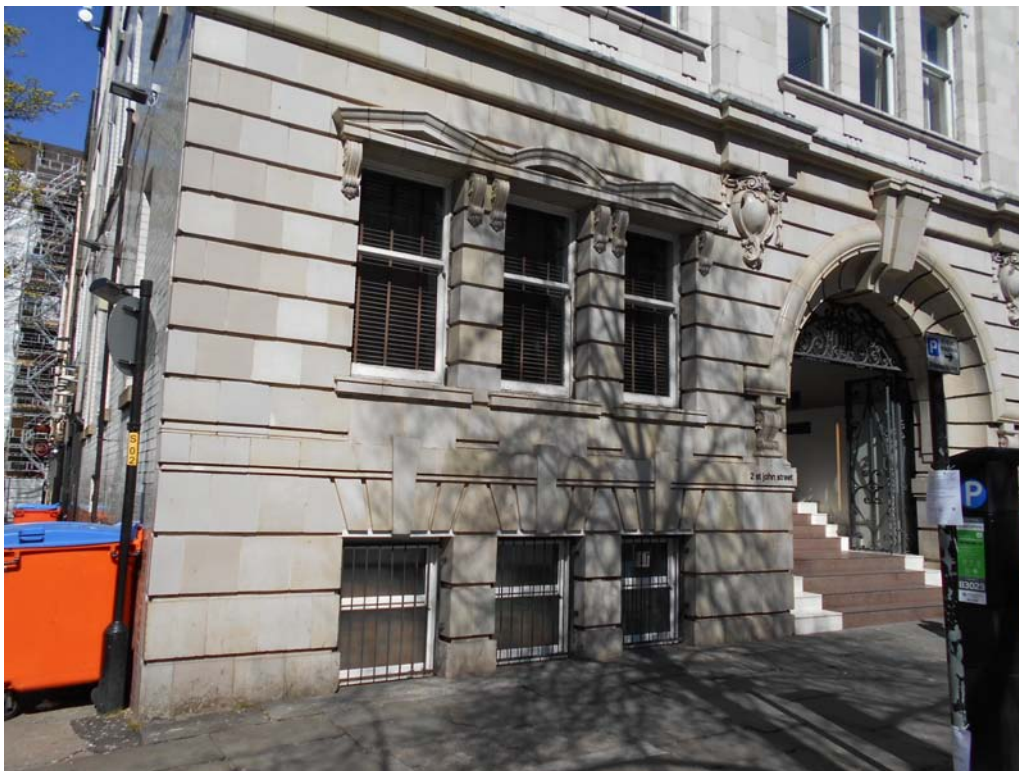
Residential amenity The building would have new windows and the apartments would be mechanically ventilated. The windows would not be sealed but would need to be kept closed to achieve the required internal noise levels. Therefore mechanical ventilation is also required and Environmental Health are satisfied that the proposals put forward would be acceptable and achieve the required internal noise levels. Environmental Health have considered the issue of vibration impact from noise from surrounding late night businesses and consider that the submitted acoustic report has taken into account low frequency noise which would include vibration.

It is acknowledged that some objections have been received from nearby businesses who run late night entertainment venues. They are concerned that the introduction of residential use into this building could cause conflict with these existing businesses as the potential future residents could suffer disamenity as a result of the noise generated. In light of the new windows proposed to be installed, including the secondary glazing, and the mechanical ventilation system, it is considered that the proposed scheme would lead to a development where the occupants would have an

acceptable level of internal noise when inside their apartments. The issues and concerns raised by surrounding late night business operators and the conflict they fear would occur between the new residents and their businesses have been dealt with and resolved to the satisfaction of both Environmental Health and the Local Planning Authority. In summary, it is considered that the proposed scheme would mean that the living conditions of the future residential occupants of the building would be satisfactory and it is not believed that they would suffer disamenity in terms of noise break in from surrounding late night entertainment venues.

It is not considered that the addition of a single storey roof top extension at the building would cause any undue issues in terms of loss of light or overshadowing as the impact of the increase in height at the building, particularly where the roof top extension would be set in on the three external sides, would be negligible in relation to the height of the existing building. It is not considered that the apartment scheme would cause undue overlooking in the area, especially as there are no other apartments in the immediate vicinity.

Access The scheme would be fully accessible.



Sustainability The proposal would provide renewable and low carbon technologies to offset a proportion of the development's carbon emissions using the national energy hierarchy. An energy strategy was submitted with the application which considers the need to reduce energy use first, then use clean, efficient non-renewable systems and finally use renewable technologies for the remaining energy requirements. The energy statement considers a number of options for sustainable energy use and the reasons why various options have been discounted. For

example, various options were looked at including having internally located air source heat pumps, but discounted due to the large floor area of the apartments as the pumps would not work effectively. The applicant also considered solar collectors and PV panels but this would not be possible due to the lack of space at roof level.

The development would be fully designed and constructed to a high quality to improve on Building Regulations Part L 2013 including improved building fabric and air-tightness. All existing windows would be replaced with high performance glazing which would maximise day lighting and winter sun solar gain whilst reducing heat loss through the glazed areas. Existing external walls would be upgraded with 60mm insulated plasterboards. Heating and hot water would be generated by a highly efficient centralised gas heating system. A low energy, high efficiency Mechanical Ventilation with Heat Recovery (MVHR) system would be provided to all dwellings.

A BREEAM Domestic Refurbishment rating of 'Very Good' is achievable on this development, given the constraints of converting an existing building.

Waste management The apartments would have a new communal refuse store that would be accessed internally by residents from the upper ground floor lobby area. The refuse store would be separated from the main entrance lobby within the building by a new internal lobby. The refuse store would have provision for general waste (2 x 660l bins), pulpable recycling (1 x 660l bin), mixed recycling (1 x 660l bin) and organic waste (1 x 240l bin). This is acceptable.

Crime and Disorder A Crime Impact Statement (CIS) written by Greater Manchester Police (GMP) was submitted with the application. GMP have stated that as long as the development is implemented in accordance with the recommendations within the CIS, they would have no objections to the proposal.

Highways considerations and car parking The site does not have any off-road car parking but is within a highly accessible location. City Car Club have several parking locations close to the application site and the applicant has stated that they would consider setting up individual membership schemes for City Car Club for prospective apartment owners as part of the sales particulars. This approach is considered to be acceptable in this instance.

CONCLUSION

The change of use of the upper floors of the building and the associated external alterations proposed to facilitate this new use, including the roof top extension, are considered to be acceptable as the proposal would not adversely affect visual or residential amenity within the area, would not harm the setting of nearby listed buildings or the character and appearance of adjacent conservation areas and would help to meet the demand for additional housing within the City Centre. The concerns raised regarding noise break in from surrounding late night uses have been assessed and dealt with to the satisfaction of the Local Planning Authority. The residential apartments would be fitted with new windows (with secondary glazing) and would be mechanically ventilated which would lead to an acceptable internal environment for the future residents. The upper floors would be made fully accessible as a result of the proposal.

Given the above, it is considered that the proposal is in accordance with the City of Manchester's planning policies and regeneration priorities including the adopted Core Strategy, the relevant Strategic Regeneration Frameworks and the Community Strategy, as well as the national planning policies contained within the National Planning Policy Framework and should be approved.

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 Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the 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 APPROVE

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions to be attached to the decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

Drawings

(01) 010 Rev P1

stamped as received by the Local Planning Authority on 7 March 2016

(04) 01 Rev P7
(04) 02 Rev P8

both received via email on 31 May 2016

(04) 03 Rev P6
(04) 04 Rev P6
(04) 05 Rev P6
(04) 06 Rev P6
(04) 07 Rev P6

all stamped as received by the Local Planning Authority on 7 March 2016

(04) 08 Rev P7
(04) 10 Rev P3
(05) 001 Rev P2
(05) 002 Rev P2

all received via email on 31 May 2016

(24) 004 Rev P1
(31) 01 Rev P1
(31) 03 Rev P1
(31) 012 Rev P1
(32) 05 Rev P4

all received via email on 20 June 2016

SK 88 Rev P1
SK 89 Rev P1
SK 90 Rev P1

all received via email on 31 May 2016

SK 91 Rev P1
SK 92 Rev P1

received via email on 17 June 2016

064/M502 Rev C1
064/M503 Rev C1
064/E504 Rev C1

all received via email on 16 June 2016

The MVHR Design Statement, received via email on 16 June 2016

The submitted acoustic report by Hepworth Acoustics, ref. P15-407-R01v2 dated May 2016, as amended by the above approved drawings and documents with regard to the proposed mechanical ventilation system

The submitted waste management information and strategy contained within sections 2.7 and 4.3 of the submitted Design and Access Statement issued 4 March 2016

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

3) The development shall be implemented in accordance with the approved acoustic and window specification information so as to achieve the internal noise criterion as follows:

- Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events should not normally exceed 45 dB L_{Amax} by more than 15 times)
- Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 42dB and 36dB, respectively.

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

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policy DM1 of the Core Strategy.

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

Before development commences, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

5) External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the City 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 City 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 policies SP1 and DM1 of the Core Strategy.

6) The development shall be carried out in accordance with the recommendations contained within section 3.3 and the physical security specifications listed within section 4 of the of the submitted Crime Impact Statement Version C, dated 25 January 2016, ref. 2015/0984/CIS/01.

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

7) Construction of the roof-top extension hereby approved shall not commence unless and until samples and specifications of all materials to be used on all external elevations of the development, including the roof of the roof-top extension, have been submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

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

8) Before first occupation of any part of the development, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented. The Travel Plan shall be fully implemented prior to first occupation of the building by residential occupiers and shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

9) Prior to occupation of the building by residential occupiers, a scheme that will provide for the needs of future residents whom may wish to have the use of a motorcar in respect of their domestic needs, include details of the arrangements to be put in place, and shall also identify the parties who will be responsible for

managing the scheme, shall be submitted to and approved in writing by the City Council as local planning authority. Any scheme approved in discharge of this condition shall be operational at all times that any residential units are occupied.

Reason - The development does not any car parking facilities for the occupants in order to provide alternative arrangements (e.g. parking leases with car parking companies; car sharing; or car pool arrangement) for the needs of future occupants, pursuant to policy DM1 of the Core Strategy and the National Planning Policy Framework.

10) The cycle parking indicated on the approved plan (drawing (04) 02 Rev P8) shall be made available for use prior to the residential units within the building hereby approved being occupied. The cycle parking shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

11) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

12) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) Domestic Refurbishment rating of 'very good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the residential units hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policy DM1 of the Manchester Core Strategy.

13) The development hereby approved shall include a building lighting scheme where mini-LED fittings will be installed on the projecting cornices on the external elevations. Full details of the proposed lighting scheme, including scaled elevational drawings and a specification of the proposed lighting units, shall be submitted to and approved in writing by the local planning authority before this element of the works begins. The approved scheme shall be implemented in full before the residential part

of the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in the National Planning Policy Framework, saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

14) Notwithstanding the details shown on the approved drawings, the final design and details of the proposed new door to be installed at the new accessible entrance on St. John Street shall be submitted to and approved in writing by the Local Planning Authority before this element of work begins. The development shall be implemented in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of visual amenity, pursuant to policy DM1 of the Core Strategy.

15) Notwithstanding the details shown on the approved drawings, the final design, materials, elevational treatment and finishing details for the roof-top extension hereby approved by this permission shall be submitted to and approved in writing by the Local Planning Authority before this element of work begins. The development shall be implemented in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of visual amenity, pursuant to policy DM1 of the Core Strategy.

16) Notwithstanding the details shown on the approved drawings, the final design and details of the proposed new central handrail to be installed at the main St. John Street (stepped) entrance shall be submitted to and approved in writing by the Local Planning Authority before this element of work begins. The development shall be implemented in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of visual amenity, pursuant to policy DM1 of the Core Strategy.

17) Notwithstanding the details shown on the approved drawings, the final design and details of the proposed replacement sash windows with secondary glazing to be installed at the building shall be submitted to and approved in writing by the Local Planning Authority before this element of work begins. The development shall be implemented in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of visual amenity, pursuant to policy DM1 of the Core Strategy.

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: 111175/FO/2016/C1 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:

Highway Services
Environmental Health
City Centre Regeneration
Greater Manchester Police

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Highway Services
Environmental Health
Greater Manchester Police

Relevant Contact Officer : Carolyn Parry
Telephone number : 0161 234 4022
Email : c.parry@manchester.gov.uk



Application site boundary ● Neighbour notification
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