

Application Number	Date of Appln	Committee Date	Ward
113835/JO/2016	28th Sep 2016	15th Dec 2016	Bradford Ward

Proposal Variation of conditions 3, 5, 8, 22 and 31 of planning permission 109897/JO/2015/N2 to allow changes to the site layout, including revised location of protected pedestrian route, changes to the footprint of the cycle store, revisions to the car parking layout, changes to the location of the lighting columns, amendment of the width of the vehicle entrance and alterations to the layout of the skydeck,

Location Milliners Wharf Phase 2 (Hat Box) , Munday Street, Off Pollard Street, Manchester, M4 7BD

Applicant Fairbriar Hatbox Limited, C/o Agent,

Agent Ms Nikki Sills, Zerum, 4 Jordan Street, Manchester, M15 4PY,

Description

This application relates to a site which had an outline planning permission (100991/OO/2012/N2 - Approved February 2014) for development comprising 1 no. 8 storey block and 1 no 9 storey block to form 144 residential apartments with associated access, car parking and landscaping with all matters to be considered: and outline permission for a detached building to form an A1 Retail Unit (316sqm) with all matters reserved. This permission therefore approved all the details of the residential development, and a subsequent Reserved Matters permission has been granted for the retail unit in May 2014 (105147/MO/2014/N2). The site is in two distinct parts with the larger residential element to the north of the Metrolink line and a smaller site, to the south of the Metrolink line, in which the retail unit is proposed.

In March 2015 an application was approved to vary the approved drawings (condition no.4) to allow the creation of 6 additional balconies to the buildings and change to roof profile (107782/JO/2015/N2). Following this, in November 2015 a subsequent application was approved to vary Conditions 3, 5, 22 and 23 of planning permission 107782/JO/2015/N2 to allow changes to the layout of the sky deck (109897/JO/2015/N2). At the same time an application was also approved to vary condition 27 of planning permission 107782/JO/2015/N2, to allow changes to the site security plan (109743/JO/2015/N2). This variation was also incorporated into planning permission 109897/JO/2015/N2, which is therefore the current relevant consent for this development.

The permission was subject to conditions, which included the following:

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

The Supporting Planning Statement, the Crime Impact Statement, the Bett Associates Desk Study Report, the retail statement completed by ID Planning, the Bett Associates Flood Risk

Assessment, the Ecological Assessment completed by RSK Environmental Ltd and the Transport Assessment, stamped as received by the Local Planning Authority on the 20th November 2013, the application form, the Design and Access Statement - Addendum, the accommodation schedules for Buildings A and B, the Cleaning and Maintenance Strategy Report, the Code for Sustainable Homes Pre-Assessment, the Pre-Assessment Part L1A (2010) Compliance Report, the drawings numbered (20)400RevC (site edge red only), (20)402RevE, (20)410RevA, (20)100RevE, (20)101RevE, (20)102RevC, (20)103RevC, (20)104RevC, (20)105RevG, (20)106RevG, (20)108RevB, (20)200RevE, (20)201RevF, (20)202RevC, (20)203RevC, (20)204RevC, (20)205RevG, (20)206RevG, (20)207RevD, (20)209, stamped as received by the Local Planning Authority on the 10th May 2013, the amended plan numbered (20)401RevI, the massing views document and the Sun Path Study, received by the Local Planning Authority by email on the 23rd May 2013.

Drawings numbered (40)300 and (40)301, stamped as received by the Local Planning Authority on the 7 November 2014.

Drawings numbered (20)400RevA, (20)401RevA, (20)402RevA, (20)403RevA, (20)404RevA, (20)405RevA, (20)406RevA and (20)407RevA, stamped as received by the Local Planning Authority on the 21 November 2014.

Drawings numbered (22)401, (22)402, (22)403, (22)404, (22)405, (22)406, (22)407 (22)408, (22)409 and (22)410, stamped as received by the Local Planning Authority on 7 January 2015.

Drawings numbered (20)400 rev C and (90)002 rev I, stamped as received by the Local Planning Authority on 26 August 2015.

5. Notwithstanding the details shown on the following drawings, within one month of the date of this planning permission, detailed landscaping specifications, for the sky deck, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The development shall incorporate the hard and soft landscaping works shown on that drawing, to be approved, and all other landscaping aspects of the development as indicated on the following drawings:

*LS1406 D04 P1 Proposed External Finishes (AO),
12035N(90) 100, 12035N(90) 102, 12035N(90) 104*

RF14-152L02 - Ground Floor Planting Plan

All stamped as received by the City Council, as Local Planning Authority on 4 April 2014

The approved scheme being implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

8. Prior to the first occupation of the development hereby approved, the provision of space and facilities for bicycle parking at the development shall be completed and made available in accordance with the details within the Design and Access Statement and as shown on the Ground Floor Plan numbered (20)401RevI, stamped as received by the Local Planning Authority on the 10th May 2013. Prior to the installation of the facilities outlined within this strategy within each phase on site, elevations/specification details of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

22. Notwithstanding the details shown on the following drawings, within one month of the date of this planning permission, ecological enhancement measures, for the sky deck, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The development of the site shall incorporate the ecological enhancement measures shown on that drawing, to be approved, and all other ecology aspects of the development as contained in the letter, from Envirotech, dated 13 February 2014 and indicated on the following drawings:

*LS1406 D04 P1 Proposed External Finishes (AO),
12035N(90) 100, 12035N(90) 102, 12035N(90) 104
RF14-152L02 - Ground Floor Planting Plan
All stamped as received by the City Council, as Local Planning Authority on 4 April 2014*

The development shall then be completed in accordance with these approved details and retained as such while the development is occupied.

31. The protected pedestrian route indicated on drawing number 12035N (90) 300 stamped as received by the City Council, as Local Planning Authority on 25 April 2014, shall be constructed as part of the development and retained as such as long as the development is occupied.

The development is now completed although some discrepancies have been identified in relation to the works implemented on site, compared to what was approved. Planning permission is therefore now sought to vary the above conditions, to allow retrospective approval of the changes that have been carried out, and thereby retain the development as now constructed.

The changes that have been carried out comprise:

Previously the approved plans included cycle parking provision for 34 cycles in the external cycle enclosure. Due to the space requirements, relating to the proposed cycle stands, and the need to create a safe buffer zone, between the car parking spaces and the cycle enclosure fence, the size and position of the enclosure had to be amended slightly. Consequently only 30 stands were able to be provided in the enclosure. To compensate the applicant has provided 4 additional stands, which are located externally, in close proximity to the cycle enclosure.

Condition 31 required a protected pedestrian route to be constructed, as part of the development, and a plan was submitted showing the location of this route adjacent to the concierge building. In actuality the route has been provided to the south of the concierge building and therefore closer to the car parking opposite.

Alterations to the soft landscaping to the sky deck including alteration and removal of areas of shrubs and trees to amenity mounds. In mitigation of this, the application has proposed four additional planters on the sky deck.

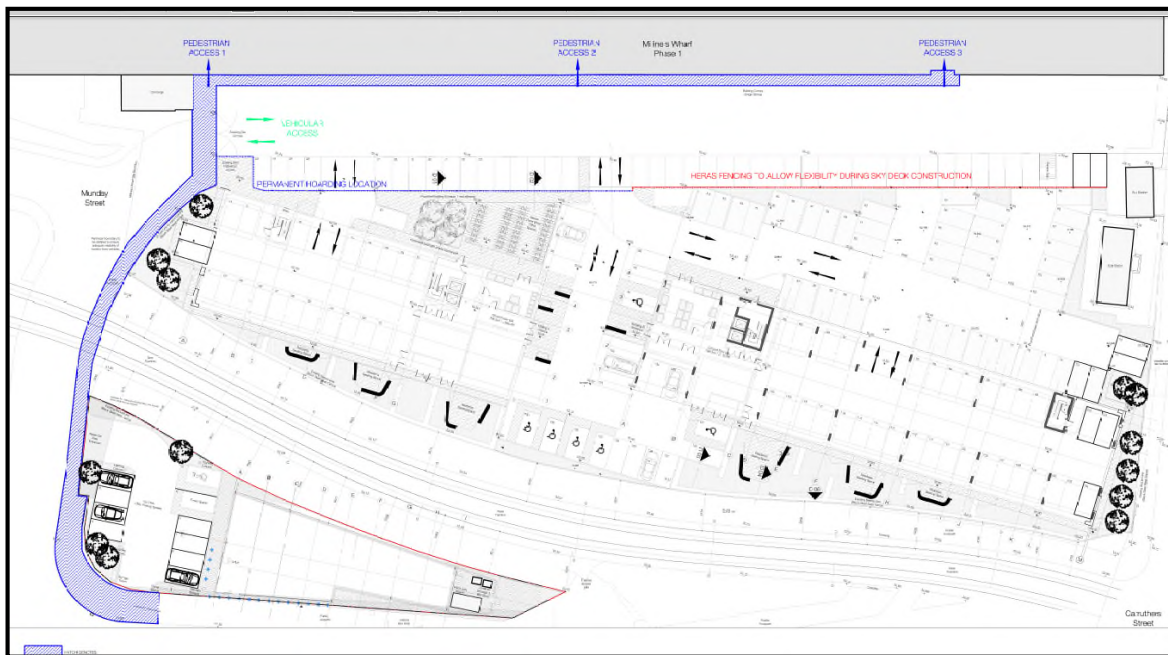
The lighting columns, adjacent to the car parking area, have been moved away from the edge of pavement and are now more centrally positioned on the paved area. The applicant has indicated that this is to prevent cars from hitting the columns whilst parking.

The width of the vehicular access point, which provides access to parking facilities in the undercroft of one of the buildings, has been reduced from 5.4 metres to 5.139 metres, due to an inaccuracy in survey information.

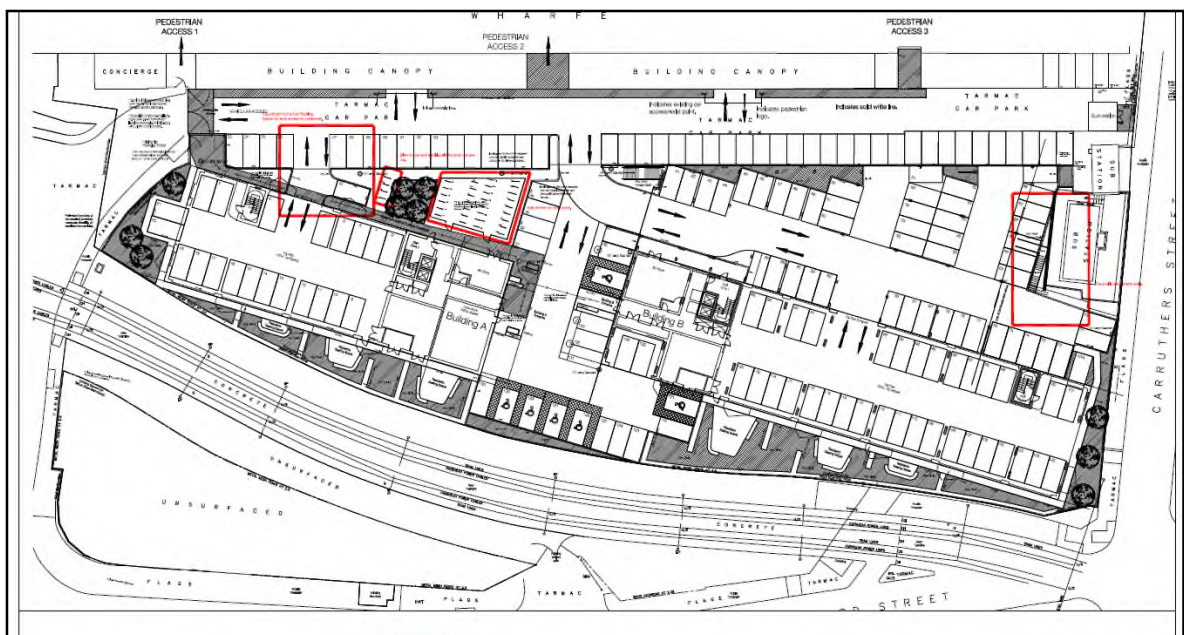
- The position of the external escape stairway, from the sky garden has been amended and the width of the stairway has been altered.

The proposal has been advertised on site as a major development.

Drawing showing approved layout and location of protected pedestrian route



Drawing showing layout and location of protected pedestrian route, as constructed, with other changes highlighted



Consultations

Local residents/adjoining occupiers - Four objections have been received, from occupiers of existing flats in the development, for the following reasons:

- It is considered that the statement that 'the location of the cycle stands externally dose not interfere with pedestrian movement around the site' is incorrect as the main pedestrian route through the site reduces to only 1.2 metres at its narrowest point behind parking space 23, making this route inaccessible for disabled access or any one with mobility issues;
- The proposed position of the lighting columns drastically restricts pedestrian movement and makes this route inaccessible for disabled access;
- The reduced vehicular access width of 5.139 metres highly impacts on highway and pedestrian safety . Firstly as this is a two way traffic flow access and restricts vehicles turning onto the two way traffic flow main access drive, especially as the applicant intends to reduce the main access drive from the approved width of 6 metres to 5 metres by the revised location of the protected pedestrian route (condition 31).
- The repositioned car parking space 27 is directly adjacent to the proposed revised access, drastically reducing the visibility of vehicles turning from the access drive onto the main drive;
- The revised position of the protected pedestrian access route is in direct breach to policy DM1 and T2 of the core strategy. In particular it does not meet the needs of disabled people. The revised position of the protected pedestrian access route is highly dangerous as the revised route has been marked on the main Vehicle access drive reducing the Two way traffic flow main access drive from the approved 6 meters to 5 metres in width;
- The revised position of the protected pedestrian access is directly in front of a number of parking spaces meaning that 22 vehicles will have to drive over or reverse over the protected pedestrian access route to access their parking spaces and the revised position of the protected pedestrian access route will result in reduced or no visibility for vehicles exiting these spaces due to the Columns supporting the building canopy and the walls of the bin stores, putting any pedestrians using the revised protected pedestrian route in danger. The approved protected pedestrian route dose not required any vehicles to drive over the protected pedestrian route to access their parking spaces;
- It is totally unacceptable that now that all the property's in hat box have been sold that the applicant is submitting a revised plan to remove all the approved shrubbery and planting that they previously submitted as a major selling point and appeared in all their sales literature and replace it with four planters that are totally inadequate. The planters would only hold 10% of the approved shrubbery and plants;
- The proposed position of the planters are a major safety risk to any one playing on the table tennis table due to their close proximity to the table tennis table;
- The revised width of the external escape stairs would result in them only being single file causing a safety issue. Also the revised position of the external escape stairs means that any person using these stairs to escape the Sky Garden would then have to exit the site under the Sky Garden as there is no other way to exit the site as the fencing surrounding the electrical substation next to the stairs makes this Impossible;
- The revised position of the external escape stairs from the approved position of the external escape stairs is clearly for the applicant to create an additional car parking

space between the access drive to building B and the sub station. The approved position and width of the external escape stairs shows the external escape stairs exiting directly onto the main access drive resulting in no residents having to exit the site under the Sky Garden. Also, the approved width of the external escape stairs shows that the stairs can be safely used in double file;

- The submitted planting schedule is incorrect and misleading as the number of plants and bulbs on the schedule dose not relate to the planting plan. The developer has shown no credible reason to reduce the approved planting schedule /plan by 398 plants, 90 hedge plants and 162 bulbs. Reducing the planting scheme by such a large number of plants and bulbs will drastically impact on the Sky Gardens environmental and ecological space that the developer promoted as major selling point . The developer has clearly only submitted the proposed revised planting plan to save money after they have sold all of the apartments.

Highways Services - Make the following comments:

- In relation to the revised vehicle access to the car park area, highways are satisfied that the required vehicle manoeuvres can be safely undertaken and have no issues with this amendment.

- In relation to external cycle parking and storage, the reconfiguration is acceptable from the highways perspective.

- Regarding the pedestrian path, highways are satisfied that the demarcation of the route which runs adjacent to the main vehicular access will not give rise to any highway issues.

Strategic Area and Citywide Support Manager - No objections.

Design for Security at Greater Manchester Police - No comments received.

Policies

National Planning Policy Framework - Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;

A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and

An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure, and
- widening the choice of high quality homes.

There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

The Guidance also states that 'the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The formation of 'safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion' is also encouraged. Planning policies and decisions should, amongst other things 'ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community'

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

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents;
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
- Protect and enhance the built and natural environment.

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy T2 states that the Council will actively manage the pattern of development to ensure that all new development should provide appropriate car parking facilities. In

all parts of the City proposals should have regard to the need for disabled and cycle parking,

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

The proposed development is considered to be consistent with the above policies and guidance for the reasons outlined below.

Unitary Development Plan (UDP) for the City of Manchester (1995) - The site is unallocated within the Manchester Unitary Development Plan (adopted 1995). There are no relevant policies within the UDP applicable to the consideration of this planning application.

Guide to Development in Manchester SPD (2007) - Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

Developments should provide safe living environments with ease of movement and adequate levels of amenity space. Point 8.6 states that developments should have recognisable uses or internal arrangements which help to foster stewardship, minimise the risk and fear of crime, and accommodate the public without compromising amenity and the safety of users.

.Draft Manchester Residential Quality Guidance – This document outlines the considerations, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester.

The guidance sets out 9 components that combine to deliver high quality residential development, and through that safe, inviting neighbourhoods where people want to live. Components relevant to this application are:

Bring people together – The guidance states that residential design should make an obvious contribution to improving the lives of people in Manchester by bringing them together, such as opportunities for social interaction in the surrounding spaces. In this development the sky garden is an example of such a social space.

Animate streets and spaces – Residential design should always make a positive contribution to Manchester's streets and spaces to make a safe and inviting place for everyone. Providing an active and safe public realm is a key element of this guidance.

Make it work with the landscape - A healthy community is a good place to grow up and grow old in. It is one which supports healthy behaviours and supports reductions in health inequalities. A key element of this guidance is for the creation of healthy living environments for people of all ages which supports social interaction.

Issues

Consideration of the changes:

Cycle parking - The changes to the external cycle store are considered to be minor in nature with the position of the structure as largely shown on the approved plans. The applicant has deemed the alteration to be necessary in order to ensure adequate separation between the structure and the adjacent car parking together with ensuring that there is sufficient space between the individual cycle stands within the store. As a result, 4 stands can no longer be accommodated within the secure external store.

In order to ensure that there is not an overall loss of cycle stands from the development, the applicant has provided 4 Sheffield cycle stands within the paved area adjacent to the external store.

Whilst ideally it would be preferable to have the stands within the lockable external store in order to ensure maximum security of the stands, it is noted that all residents have access to the internal cycle store within the building together with the external lockable store or use of the stands. This provides residents with a range of secure and convenient options to store their bikes.

It should also be noted that although these 4 stands are external to the boundary treatment for the external cycle store, they are within the robust boundary treatment of the overall site which precludes anyone from entering unless they are a residents or authorised visitors.

With regards to pedestrian flows around the site, it is not considered that the alterations to the size of the external cycle store, or the position of the 4 external Sheffield stands, impinges on pedestrian flows or routes around the paved area. Highway Services concur with this approach and are satisfied that there will be no impact on the availability of cycle provision at the site or pedestrians safety when using the paved areas around the cycle store.

Protected pedestrian route - It is acknowledged that the protected pedestrian route has been provided in a different position, compared to that shown on the approved plans. Notwithstanding this, it was never proposed as being positioned beyond the car parking spaces provided in the undercroft to phase 1 of the development, and referenced by the objectors. As such, there has always been a requirements for vehicles to cross this pedestrian route, in the same way that a vehicle would cross a pavement to access a parking space.

The purpose of this route is to provide a marked, but informal route, for pedestrians around the car parking area in order that it would provides pedestrian (including those in a wheel chair) and vehicles with a visual aide when moving around the shared surfaces of the development. It was never intended that the route would be at a raised level or formalised to the extent that it needed to be a width normally required for pavements.

The new position of the route has also resulted in alterations to the internal vehicular access to one of the car parking areas. The width of the access has reduced to 5 metres. Given this is a internal access, within the confines of the development, it is considered to be of a sufficient width, to allow vehicles to, manoeuvre safely within the application site. Highway Services have assessed this arrangement and consider that it does not give rise to any highway safety issues. The revised position of the protected pedestrian route is therefore considered to be acceptable.

Changes to the landscaping arrangements and escape route to sky deck - The introduction of landscaped mounds to the roof of the sky deck, was approved under the previous application reference (109897/JO/2015/N2). At that time single trees were proposed on each of the mounds, with a significant level of shrub and bulb planting to be provided around the trees. This shrub and bulb planting has now been removed and replaced with four planters. The applicants have proposed this alteration to make the mounds more accessible as an amenity space, so residents can make full use of this amenity area and relax on the grass.

It is acknowledged that residents of the development are correct to identify that this will result in an overall reduction of planting on the sky deck. However, it is considered that, on balance, the use of the area for greater amenity use will better cater for the needs and wellbeing of the residents. The provision of the additional planters (forming 11 in total) will ensure that there are shrubs and bulb planting at the development in order to ensure this meets the aspirations of the proposal, provide a pleasant space for residents and ensure the biodiversity of the area. This is therefore considered to be adequate mitigation for the bulbs and shrubs lost from the mounds.

The position of the external escape stairway, from the sky garden, has changed. The width of the stairway has been altered, from a width which would allow two people to access it, side by side, and is now single width only. This access is for emergency use only. It should be noted that this is not a principal escape route with residents who are within the building have alternative means of escape other than from the sky deck. Notwithstanding the concerns of residents, this matter is principally an issue for Building Regulations and in terms of the scale and appearance of the amended escape stair, a 'single' width unit is considered to be appropriate.

Amendments to the lighting columns - The lighting columns are now more centrally positioned on the paved area. It is not considered that this impacts upon the free movement of pedestrians around the site and therefore does not raise any highway issues nor does it cause any significant disturbance to residents

Vehicular access - The width of the vehicular access point, which provides access to parking facilities in the undercroft of one of the buildings, has been reduced from 5.4 metres to 5.139 metres. It is considered that this would still allow vehicles to safely pass. Highways Services have assessed the current arrangement and do not consider that it raises any highway safety issues. This change is therefore considered to be acceptable.

Residential amenity - A number of points have been raised by residents although the key concern centres around pedestrian safety and movement of pedestrians around the site. Whilst a number of unauthorised changes have been carried out, it is not considered that the resulting impact will have an unduly harmful impact on the residential amenity of the occupants of the development. The works are all within the curtilage of this apartment complex and clear pedestrian routes remain throughout.

Whilst it is acknowledged that some of the pedestrian routes within the development are less than 2 metres in width., these are informal routes rather than adopted highway. All the routes are passable in wheelchair or pram with alternative wider routes available should this be necessary. It is considered that the layout changes are minor and do not give rise to any highway safety issues and are therefore acceptable.

In relation to landscaping of the sky the provision of more usable amenity space is welcomed. Mitigation of the lost planting has been provided in the form of planters which will provide an enjoyable and maintainable environment for the residents of this development.

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 with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the requirement to vary the condition and what information would be required.

Reason for recommendation

Conditions to be attached to the decision

1) The development of the retail site must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) The development hereby approved for the retail unit site as identified on drawing reference (20)300RevJ, date stamped as received by the local planning authority on 25 June 2014 shall not exceed the following parameters:

- Retail floor area maximum of 355 m2 in gross external area
- Maximum height of 7 metres in a single storey building from finished floor level to top of roof
- Maximum of 10 car parking spaces

Reason - To ensure the development does not exceed the parameters disclosed in the planning application

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

The Supporting Planning Statement, the Crime Impact Statement, the Bett Associates Desk Study Report, the retail statement completed by ID Planning, the Bett Associates Flood Risk Assessment, the Ecological Assessment completed by RSK Environmental Ltd and the Transport Assessment, stamped as received by the Local Planning Authority on the 20th November 2013, the application form, the Design and Access Statement - Addendum, the accommodation schedules for

Buildings A and B, the Cleaning and Maintenance Strategy Report, the Code for Sustainable Homes Pre-Assessment, the Pre-Assessment Part L1A (2010) Compliance Report, the drawings numbered (20)400RevC (site edge red only), (20)402RevE, (20)410RevA, (20)100RevE, (20)101RevE, (20)102RevC, (20)103RevC, (20)104RevC, (20)105RevG, (20)106RevG, (20)108RevB, (20)200RevE, (20)201RevF, (20)202RevC, (20)203RevC, (20)204RevC, (20)205RevG, (20)206RevG, (20)207RevD, (20)209, stamped as received by the Local Planning Authority on the 10th May 2013, the amended plan numbered (20)401RevI, the massing views document and the Sun Path Study, received by the Local Planning Authority by email on the 23rd May 2013.

Drawings numbered (40)300 and (40)301, stamped as received by the Local Planning Authority on the 7 November 2014.

Drawings numbered (20)400RevA, (20)402RevA, (20)403RevA, (20)404RevA, (20)405RevA, (20)406RevA and (20)407RevA, stamped as received by the Local Planning Authority on the 21 November 2014.

Drawings numbered (22)401, (22)402, (22)403, (22)404, (22)405, (22)406, (22)407 (22)408, (22)409 and (22)410, stamped as received by the Local Planning Authority on 7 January 2015.

Drawing numbered (20)400 rev C, stamped as received by the Local Planning Authority on 26 August 2015.

Drawings numbered (20)402 Rev G, RF15-298-D01 rev B, RF15-298-L01 rev B and (90)007 rev D, stamped as received by the Local Planning Authority on 7 September 2016.

Drawings numbered (90)001 rev V, 90(002) rev N, (90)011 and (90)012 and the letter from Zerum, dated 6 September 2016, all stamped as received by the Local Planning Authority on 28 September 2016.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EC5, H1, H2, H4, C9, T2, EN1, EN6, EN14, EN18 and DM1 of the Core Strategy, saved policies DC7, DC20 and DC26 of the Unitary Development Plan for the City of Manchester and the guidance outlined within the National Planning Policy Framework document and the Guide to Development in Manchester SPD and Planning Guidance (2007).

4) The residential development shall then be constructed in accordance in the following materials, and as otherwise indicated on the approved drawings:

- External brickwork nomination Lancashire Brick Company Ref TN07 County Multi Smooth brick.
- Zinc Cladding nomination VMzinc Ref: quartz-zinc.
- Roof covering nomination of a Sarnafil single polymeric membrane for the roofs
- Window sample Senior Architectural Systems product, colour Ral 7043 Traffic Grey B for all the external surfaces, and internal face colour white Ral 9010.

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.

5) The development shall incorporate the hard and soft landscaping works as indicated on the following drawings:

LS1406 D04 P1 Proposed External Finishes (AO),
12035N(90) 100, 12035N(90) 102, 12035N(90) 104
RF14-152L02 - Ground Floor Planting Plan

All stamped as received by the City Council, as Local Planning Authority on 4 April 2014

Drawings numbered RF15-298-D01 rev B, RF15-298-L01 rev B and (90)007 rev D, stamped as received by the Local Planning Authority on 7 September 2016.

The approved scheme should be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

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

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policy DM1 and T2 of the Core Strategy

7) The development shall then be constructed and operated in accordance with the Car Park Management Strategy Document, dated 19 February 2014 and stamped as received by the City Council, as Local Planning Authority on 12 March 2014, as long as the development is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied and in the interests of highway and pedestrian safety in order to comply with Policy DM1 and T2 of the Core Strategy.

8) Facilities for bicycle parking at the development shall be completed and made available in accordance with the details indicated on drawings numbered (20)402 Rev G and (90)007 rev D stamped as received by the Local Planning Authority on 7

September 2016. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Core Strategy and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

9) Deliveries, servicing and collections, including waste collections for the commercial premises hereby approved shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

10) The retail premises hereby approved shall not be open outside the following hours:-

Monday to Friday - 06:00 to 23:00

Saturdays - 06:00 to 23:00

Sundays - 10:00 to 20:00

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

11) The residential accommodation shall be acoustically insulated against noise in accordance with the following documents:

SRL Technical Report ref:C/41636A/T01/NV dated 13 February 2014 and drawing nos. (20) 101 rev A, (20) 105 rev A and (20) 106 rev A.

Emails from Naveen Viswanatha, to Lisa Jones dated 13/6/14 and 12/8/14

Email from Andrew Ryan, to Lisa Jones, dated 4/9/13.

The approved noise insulation scheme shall be completed before any of the dwelling units are occupied and shall remain in perpetuity for as long as the building is operational.

Reason - To secure a reduction in noise from Pollard Street, the Metrolink, the service road and nearby industrial uses in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

12) Before the retail building hereby approved is first occupied it shall be insulated in accordance with the details contained in the following documents:

SRL Technical Report ref:C/41636A/T01/NV dated 13 February 2014 and drawing nos. (20) 101 rev A, (20) 105 rev A and (20) 106 rev A.

Emails from Naveen Viswanatha, to Lisa Jones dated 13/6/14 and 12/8/14

Email from Andrew Ryan, to Lisa Jones, dated 4/9/13.

The development shall then be constructed in accordance with this approved scheme and remain in perpetuity as long as the building is operational.

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

13) Any externally mounted ancillary equipment shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The development shall then be completed in accordance with this approved scheme as long as the building is operational.

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

14) The details contained within the document 'Phase 2, Milliner's Wharf, Manchester - 1 and Phase 2 combined Waste Management Plan Document' dated 31st March 2014 and stamped as received by the City Council, as Local Planning Authority on 4 April 2014, shall be implemented as part of the development and shall remain in situ whilst the development is occupied.

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

15) The details contained within the document 'Phase 2, Milliner's Wharf, Manchester Waste Management Plan for proposed new build retail unit Document' dated 1st April 2014 and stamped as received by the City Council, as Local Planning Authority on 4 April 2014, shall be implemented as part of the development and shall remain in situ whilst the development is occupied

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

16) Roads, in the vicinity of the site, shall be kept clear of mud and debris in accordance with the details contained in your email, dated 20 May 2014 under the headings 'Wheel Cleaning Strategy' and 'Road Sweeper' and the details shown on the 'Site Safety Plan - Issue 7'. The approved facilities shall be retained on site during the construction period and shall be positioned to allow use throughout each phase of construction.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policies SP1 and DM1 of the Core Strategy.

17) The development shall be carried out in accordance with the following ground investigation reports:

- Phase 2: Ground Investigation Report, Proposed development at Milliners Wharf, Munday Street, Arc Environmental, Reference: 13-898, Dated: 20 May 2014.

- Validation Report, Arc Environmental Ltd, Reference: 13-898.02L, Dated: 15 April 2016.
- Soil Testing, Chemtech Environmental Limited, Dated: 6/4/16.
- Top Soil Analysis, Tim O'Hare Associates, Dated: May 2015

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

18) The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

19) The development hereby approved shall be carried out in accordance with the MRB Environmental Standards Statement - Building A and B, Milliners Wharf Phase 2 - Issue Four - 21 March 2106. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

20) The retail unit development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

21) Should any breeding birds be found, at any time during the construction process, works must cease immediately and must not recommence until an appropriate mitigation scheme has been submitted to and be agreed by the Local Planning Authority and implemented in full.

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

22) The development of the site shall incorporate the ecological enhancement measures shown on drawings numbered RF15-298-D01 rev B, RF15-298-L01 rev B and (90)007 rev D, stamped as received by the Local Planning Authority on 7 September 2016, and all other ecology aspects of the development as contained in the letter, from Envirotech, dated 13 February 2014 and indicated on the following drawings:

LS1406 D04 P1 Proposed External Finishes (AO),
12035N(90) 100, 12035N(90) 102, 12035N(90) 104
RF14-152L02 - Ground Floor Planting Plan

All stamped as received by the City Council, as Local Planning Authority on 4 April 2014

The development shall then be completed in accordance with these approved details and retained as such while the development is occupied.

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

23) The development shall incorporate the boundary treatment details shown on the following drawings:

(90) 100 Rev I - Ground floor external works drawing.

(90) 103 Rev B - External works details sheet 2.

Stamped as received by the City Council, as Local Planning Authority, on 4 June 2014.

(90)007 rev P1 and the Sky Garden Balustrade Proposals Option C plan (ref: CJCT 22/06/15), stamped as received by the City Council, as Local Planning Authority, on 10 December 2015

90(002) rev N, stamped as received by the Local Planning Authority on 28 September 2016.

Development shall be carried out in accordance with the approved details and shall thereafter be retained and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

24) The development shall be fully implemented in accordance with the proposed drainage layout drawing LS1406 D02 Rev P4 and associated MicroDrainage

calculations, stamped as received by the City Council, as Local Planning Authority, on 24 June 2014, before the scheme is completed, and maintained thereafter.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity by ensuring the satisfactory storage of/disposal of surface water from the site, pursuant to policy EN14 and DM1 of the Core Strategy.

25) A fully detailed Residential Travel Plan, with the objective of reducing car borne journeys; and including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented shall be submitted to and approved in writing by the City Council as local planning authority within 12 months of the first occupation of the development hereby approved. For so long as the site is occupied or in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.

Reason - In accordance with the provisions contained within policies SP1, T1, T2 and DM1 of the Core Strategy.

26) The details of a 24 hour emergency telephone contact number for the site contractor shall be displayed in publicly accessible locations across the site and shall remain so displayed during the construction period.

Reason - In the interests of local amenity, pursuant to policy SP1 and DM1 of the Core Strategy.

27) The development shall only be constructed in strict accordance amended Site Safety Plan, Issue 21 dated 18/9/15 and stamped as received by the City Council, as Local Planning Authority, on 24 September 2015, and the Supporting Construction Statement, stamped as received by the City Council, as Local Planning Authority, on 16 October 2015, with the identified measures being followed throughout the entire development process, including that all HGV movements to and from the construction site, from the junction of Munday Street and Pollard Street, shall only be carried out under the control of a banksman, and any reversing of any associated construction vehicle along Munday Street and the access route between phase 1 and phase 2 of the Milliners Wharf Development, shall only be carried out under the control of a banksman.

Reason - In the interests of residential amenity and protecting the Metrolink system, pursuant to Policies DM1 and T2 of the Core Strategy.

28) The hard and soft landscaping, boundary treatments and lighting adjacent to the Metrolink Boundary shall only be completed in strict accordance with the details contained on the following documents and shall remain as such while the development is occupied:

LS1406 D04 P1 Proposed External Finishes (AO),
12 035N (90) 100 rev A - Site Plan

25 035N (90) 103 - External Works details
12035N(90) 100, 12035N(90) 103, 12035N(90) 104, 2864-(97)-EX-01revP2 and
2864-(97)-EX-02revP1
RF14-152L02 - Ground Floor Planting Plan
All stamped as received by the City Council, as Local Planning Authority on 4 April
2014

Reason - In the interests of protecting the Metrolink system, pursuant to Policies
DM1 and T2 of the Core Strategy.

29) The measures identified in the GTech Surveys Limited Baseline Television Signal
Survey and Reception Impact Assessment - Milliners Wharf, Manchester, dated
30/1/14. must be carried out either before the building is first occupied with a view to
assessing the impact of the development on television signal reception within the
potential impact area identified in the above report within one month of the practical
completion of the development or before the development is first occupied,
whichever is the sooner, and at any other time during the construction of the
development if requested in writing by the City Council as local planning authority in
response to identified television signal reception problems within the potential impact
area. The study shall identify such measures necessary to maintain at least the pre-
existing level and quality of signal reception identified in the survey carried out above

Reason - To provide an indication of the area of television signal reception likely to
be affected by the development to provide a basis on which to assess the extent to
which the development during construction and once built, will affect television
reception and to ensure that the development at least maintains the existing level
and quality of television signal reception. In the interest of residential amenity, as
specified in policy DM1 of Core Strategy.

30) The residential 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 Policies SP1, H1 and DM1 of
the Core Strategy and to ensure the permanent retention of the accommodation for
normal residential purposes.

31) The protected pedestrian route indicated on drawing number drawing numbered
(90)001 rev V, stamped as received by the Local Planning Authority on 28
September 2016 shall be constructed as part of the development and retained as
such as long as the development is occupied.

Reason - In the interests of highway and pedestrian safety, in order to comply with Policy DM1 and T2 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: 113835/JO/2016 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:

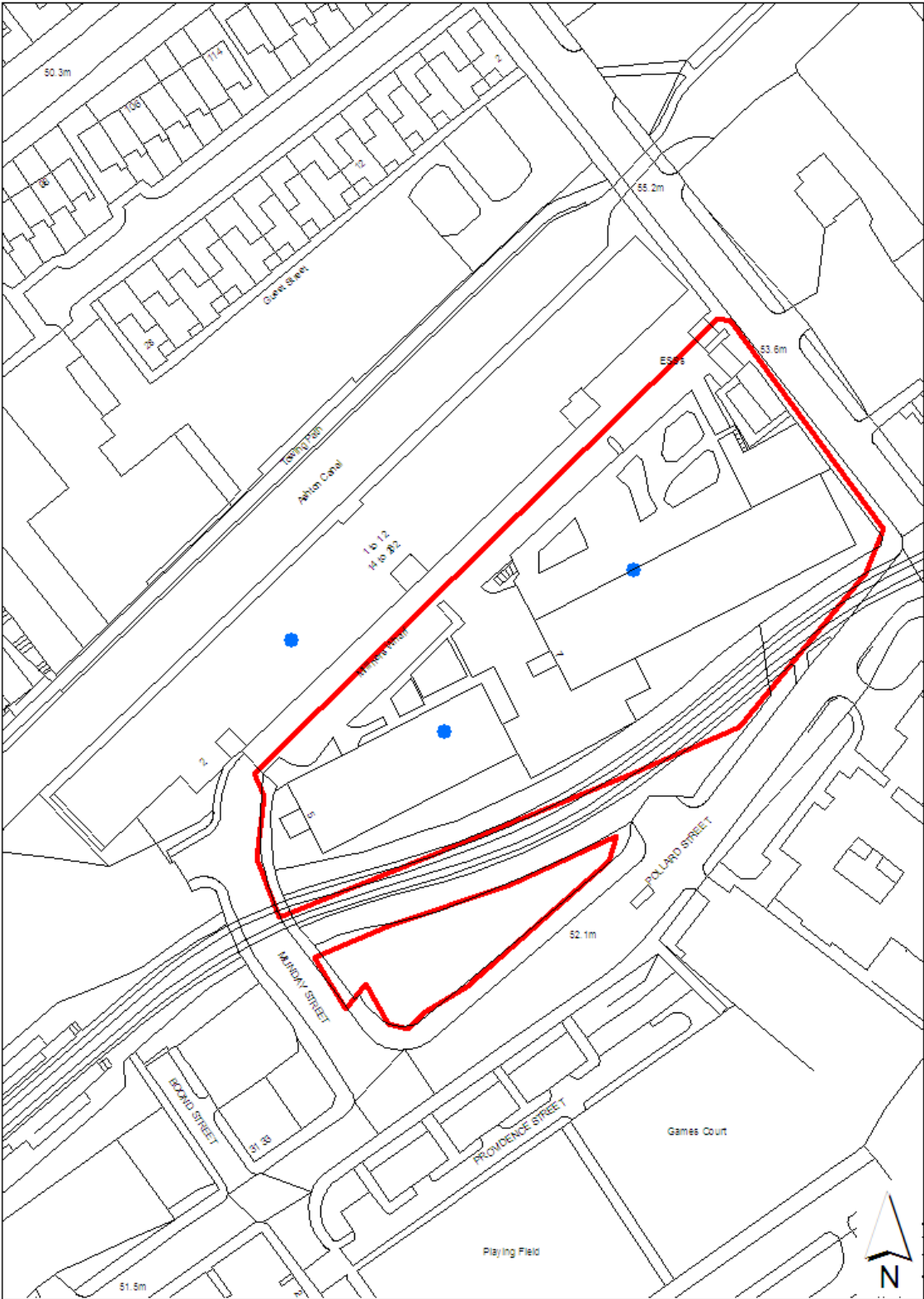
Highway Services
Environmental Health
Greater Manchester Police


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:

75 milliners wharf, 2 Monday st, Manchester, M4 7bd
Apartment 145 Milliners Wharf, 2 Munday Street, Manchester, M4 7BD
Flat 704, 5 Munday Street, Manchester, M4 7AY
Apartment 60, 2 Munday Street, Manchester, M4 7BB

Relevant Contact Officer : Ian Jarvis
Telephone number : 0161 234 4079
Email : i.jarvis@manchester.gov.uk



 Application site boundary  Neighbour notification
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