Application Number	Date of Appln	Committee Date	Ward
115591/FO/2017	10th Mar 2017	1st Jun 2017	City Centre Ward

Proposal Erection of a 13-storey building comprising 53 residential apartments (Use Class C3a) together with ground floor commercial unit (135 sqm) (Use Classes A1 / A2 / A3 / A4 / B1a or D1), landscaping, loading bay and pedestrian access.

Location Land At Chester Road(A56) Bridgewater Viaduct, Manchester, M3 4LB

Applicant Mr Iain Griffiths , Deansgate (Manchester) Limited, 60 Oxford Street, Manchester, M1 5EE ,

Agent Miss Olivia Carr, Turley, 1 New York Street, Manchester, M1 4HD,

Description

Planning permission was granted in March 2016 for the erection of a 13-storey building comprising 53no. one and two bedroom apartments (Use Class C3), a commercial unit (Use Classes A1/ A2/ A3/ A4/ B1/D1), 13 parking spaces in the basement, landscaping and vehicular and pedestrian access (110730/FO/2015/C1).

The application site measures 0.06 ha, is irregular in shape and occupies a prominent location on a key gateway route into the city centre. It has been vacant for sometime and has become overgrown with vegetation. It was last used as a garage and is now secured by a hoarding. There are two existing access points – one off Deansgate and one off Chester Road. The site slopes from Chester Road downwards along the southern edge to Deansgate. Due to the level difference, the boundary wall along Deansgate is in part a retaining wall.

The site is at the junction of Chester Road/Bridgewater Viaduct and Deansgate. To the north is Deansgate Quay a seven storey residential building with associated car parking. To the west, on the opposite side of Chester Road, is the Castlefield Conservation Area which is characterised by a variety of historic buildings and new developments. To the east and south are a number of surface car parks which form part of the Great Jackson Street Development Framework Area. The framework identifies that area will be subject to significant regeneration and investment which in low, medium and high rise residential development. A residential development is underway on the opposite side of Deansgate comprising c1500 units in four towers ranging from X to 64 storeys.

There are a number of listed buildings within the immediate vicinity including: Bridgewater Canal offices; Artingstalls Auctioneers; Merchants Warehouse; Flood gate on east side of Knott Mill Bridge; Middle Warehouse; Boundary stone on Knott Mill Bridge all Grade II, and, G-Mex all Grade II

There is excellent access to rail and tram services at the nearby stations. There are also a number of bus services along Chester Road which provides access across the City.

The applicant has recently acquired the site and has undertaken detailed investigative works which have revealed that it is not possible to construct the basement as close to the Bridgewater viaduct as originally envisaged. A consequence of this is that it is not possible to include any parking spaces in the basement. In addition to this, the following minor changes are proposed to the appearance of the building and to some internal layouts.

The scheme would still include a double height glazed ground floor commercial unit fronting onto Chester Road, albeit in a reduced size. The window arrangement for the upper levels would be replicated on all three main elevations of the building and create a strong vertical and horizontal order. The northern elevation would have no windows other than a central vertical slot related to the internal corridors. The primary building material would be brickwork providing the building with a solid appearance, This would be complemented with the use of high quality materials to the window, door and balcony frames.

This scheme, however, omits the need for the vehicular access would be off Deansgate. Cycle parking provision will now be located on the ground floor with the waste storage. The proposal will provide 53 cycle spaces which amounts to an increase from the 32 provided as part of the recently approved scheme.

The apartments on the Deansgate frontage would have an external balcony area which can be used for outside seating, recreation and a small area of planting. The Chester Road apartments would have a Juliet balcony.

A clear waste management arrangement and strategy will be put in place at the application site which including segregating and recycling waste.

Consultations

Local residents/public opinion - The proposal has been advertised as a major development and affecting the setting of the Castlefield Conservation Area and affecting the setting of a Listed Building, and a site notice has been displayed. Notification letters have been sent to surrounding residential properties.

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

- The building is too tall and would stand over all the buildings in the area and would be totally out of place in the area of the Castlefiled basin;
- The building located adjacent to the proposed site would be totally overlooked and would allow any privacy to what looks like 50% of the building.
- The building will also be within 10 metres of adjacent building windows;
- The additional traffic and noise would add to the already over congested and noisy area of the City Centre. Chester Road will not be able to cope with addition of a heavily populated construction site;

- The area cannot cope with the amount of cars this development will bring given the loss of the car parking and the travel plan is unrealistic;
- Since the previous approval there have been two additional planning approvals 111719 and 113870 which will have a major impact on the daylight and sunlight on some of the Deansgate apartments. The submitted assessment is therefore no longer valid;
- The proposed development is not in keeping with the surrounding canal side properties. It will dwarf the grade II listed Chapel and have a negative impact of the aesthetic of this historical part of Manchester.

Historic England – The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Environment Agency – Conditions relating to the ground conditions and pilling should form part of the conditions of the planning approval.

Greater Manchester Ecology Unit – GMEU commented on the previous approved application 110730. It is unlikely that there will be any material change since this approval. Therefore the comments provided previously still apply.

The site has negligible potential for protected species. Bird nesting habitat has developed on the site and it is recommended that vegetation clearance should take place during bird nesting season.

The site will have some local ecological interest through natural succession. This would be lost as a result of the development and incur a minor negative local impact. As the ecological value is low level the loss could be mitigated by the use of landscaping that utilises species of benefit to wildlife and this can be resolved through the imposition of a relevant planning condition.

Flood Risk Management Team – require that drainage works are agreed and verification is provided on completion.

Greater Manchester Archaeological Advisory Services – A desk top study has concluded that previous development has removed the potential for meaningful Roman deposits. Therefore GMASS have concluded that no further archaeological work is required.

Environmental Health – Deliveries should be restricted to Monday to Saturday 07:30 to 20:00 and Sundays (and Bank Holidays) no deliveries/waste collections.

Conditions are recommended in relation to fume and odours, noise breakout and noise transfer from the commercial unit. Mechanical ventilation would be required for the apartments and noise from the building services to be assessed and managed. The waste management strategy is acceptable an should be implemented as part of any planning permission.

Further details are required in respect of further site investigation details, risk assessment and remediation strategy. This should be a condition of the planning approval.

Design for Security at Greater Manchester Police – The proposed development should be carried out in accordance with the submitted crime impact statement.

Highway Services – The previous approved included 13 parking spaces in the basement and an internal off street loading area. The revised application seeks to remove on-site parking and loading. Given the sites highly sustainable location, which benefits from access to excellent rail, Metrolink and bus services, the proposed reduction in on site parking is acceptable in principle. Further information regarding off site lease parking should be provided as part of the travel plan for prospective residents. A total of 53 cycle spaces are to be provided, this represents a 100% cycle parking provision which is acceptable in principle.

Servicing/waste collection would take place via a new on street loading bay on Deansgate. This would require the removal of up to 3 on street pay and display. A satisfactory swept path has been provided which illustrates that service vehicles can access this loading bay. The provision of the loading bay will require a new TRO. This should be secured by a s278 agreement.

All highways related conditions applied to the previously approved planning application remain applicable to the new application.

Network Rail – The planning permission should be granted subject to conditions which seek to protect the railway infrastructure.

Policy

The Development Plan

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

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) and 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 as directed by the National Planning Policy Framework (NPPF).

The NPPF requires application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SP1 '*Spatial Principles*' emphases the creation of neighbourhoods of choice, providing high quality and diverse housing to meet local needs in a distinct environment. New development should maximise the use of the City's transport infrastructure. Development in 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 well being of residents;
    - Considering the needs of all members of the community;
    - 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.

The proposal would provide high quality housing and contribute to housing growth in the City Centre. It would create a high quality neighbourhood and would minimise its impact on local residents and respond to its historical context.

Policy EC3 '*The Regional Centre'* states that housing will be appropriate in the Regional Centre and should complement the development of mixed use employment areas. The Regional Centre can generally support higher density residential development, particularly where it complements employment generating uses. The proposal would provide a dense residential development and contribute to housing growth.

Policy CC3 '*Housing'* states the City Centre will see the most intensive development of housing in the City. It is expected that a minimum of 16,500 new units will be provided from 2010-2027. Key locations for the residential development will be Castlefield, Piccadilly, the Southern Gateway and the Northern Quarter. The proposal would provide a mixture of one and two bedroom apartments which would be attractive to a range of occupants.

Policy CC6 '*City Centre High Density Development'* states that City Centre development will generally be high density. It is a location where land should be used to maximise its efficiency. The appropriate scale, massing and height of development in the City Centre will significantly exceed what is appropriate elsewhere in the City.

Development will need to have regard to the Council's approach to tall buildings (policy EN2), but any proposals which do not reflect the importance of maximising the development opportunities in the City Centre will only be supported where this accords with wider Core Strategy objectives. The proposal is a dense form of development that is appropriate for a City Centre context and would contribute to meet housing demand in the area.

Policy CC7 '*Mixed Use Development'* states that the City Centre presents the most viable opportunity for mixed-use development, and in general these will be promoted as a means of using land as efficiently as possible.

Policy CC8 '*Change and Renewal'* states that the City Council has identified the types of development and approach to development which would deliver the vision for the City Centre, and development which reflects elements of this will generally be supported. This approach supports large-scale schemes. Developments which make significant contributions to the City Centre's role in terms of employment and retail growth or which improve the accessibility and legibility of the Centre will be supported, subject to the proposal's impact on key aspects of the City's heritage and character. The Council will also provide appropriate support, including site assembly, for schemes which are likely to contribute to the promotion or improvement of the social, economic or environmental well-being of Manchester.

Areas identified for large-scale redevelopment proposals will be supported by an approved development framework. New development should fully exploit opportunities to contribute to the improvement of the City Centre in terms of character and function, taking account of other policies in the Core Strategy.

The application site is located within a key regeneration area and would provide a dense residential development which would stimulate other development in the area.

Policy CC9 '*Design and Heritage'* states that design of new buildings will need to be of the highest standard in terms of appearance and function. Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

The proposal is for a tall building in a key regeneration area. The design would provide a high quality development in the street scene.

Policy T1 '*Sustainable Transport'* seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport. The proposal is located in an area where there is access to a range of public transport modes and encourages cycling, car sharing and car clubs.

Policy T2 '*Accessible areas of opportunity and needs*' Applications should include appropriate Traffic Impact Assessments and Travel Plans. A transport assessment

and travel plan demonstrate that the proposal would have a minimal impact on the local highway network and would encourage other forms of transport.

Policy H1 '*Overall Housing Provision'* states that high density developments (over 75 units per hectare) are appropriate in the City Centre given the accessible location. There is a presumption towards high density housing development, within mixed use schemes which contribute to regeneration initiatives or niche housing markets by providing sustainable, well designed accommodation which meets the needs of workers moving to Manchester

90% of residential development will be on previously developed land contribute to creating mixed communities by providing housing that meets the needs of a diverse and growing population. The development would form a dense residential scheme within an area that is expected to accommodate housing growth.

Policy H8 '*Affordable Housing'* states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The development would provide private accommodation for sale as part of diversifying the area and offering housing choice.

Policy EN1 '*Design principles and strategic character areas'* states that all development in Manchester would be expected to follow the seven principles of urban design. Proposals must explain how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives. The proposed development is considered to be a high quality scheme in terms of its design and appearance and would enhance the regeneration of the area.

Policy EN2 '*Tall Buildings'* states that tall buildings are defined as buildings which are substantially taller than their neighbourhoods and/or which significantly change the skyline. The proposal would be of a high quality in terms of its composition and use of materials and would assist in stimulating regeneration in the local area.

Policy EN3 '*Heritage'* states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. The proposal would remove a vacant site opposite the Castlefield Conservation Area and would respond positively to the local context and enhance the setting of the area and its heritage assets.

EN4 '*Reducing CO_2 emissions by enabling low and zero carbon development'* states that the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO_2 emissions and rising fossil fuel prices, through the following actions. All development must follow the principles of the energy hierarchy.

Policy EN5 '*Strategic areas for low and zero carbon decentralised energy infrastructure'* states that development in the regional centre will have a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies.

Policy EN6 '*Target framework for CO $_2$ reductions from low or zero carbon energy supplies'* states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

The buildings have been designed to reduce overall energy demands. The building fabric would allow energy costs to remain low.

Policy EN14 '*Flood Risk'* states that all new development should minimise surface water run off. In addition, an appropriate Flood Risk Assessment (FRA) will also be required for all development proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water run off from the site and a scheme will be agreed which minimises the impact from surface water run off.

Policy EN15, '*Biodiversity and Geological Conservation'*, states that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate. The application site is not considered to be of high quality in ecology terms and therefore no mitigation is required.

Policy EN16 '*Air Quality'* states that the Council will seek to improve the air quality within Manchester. The proposal is not considered to compromise air quality.

Policy EN17 '*Water Quality'* states that developments should minimise surface water run off and minimise ground contamination into the watercourse. Consideration has been given to minimising the impact of the adjacent canal particularly during construction.

Policy EN18, '*Contaminated Land'*, states that any proposal for development of contaminated land must be accompanied by a health risk assessment. The applicant has provided provisional details relating to ground conditions. Further investigative work will be needed to confirm the findings of the provisional details and determine if any mitigation is required.

EN19 '*Waste'* states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled. The applicant has a clear waste management strategy for the site which will ensure that residents adhered to recycling principles.

Policy DM1 '*Development Management'* all development should have regard the following specific issues:-

- 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, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise;

- 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;

- Effect on biodiversity, archaeological or built heritage;

- Green infrastructure;

- Flood risk and drainage.

The applicant has given careful consideration to the design, scale and layout of the development along with providing solutions to prevent noise ingress, crime, refuse and car and cycle parking. The proposal also meet the City Councils space standards.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

DC7 *'New Housing Development'* states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

The proposal meets City Council spaces standards and will be accessible for all residents of Manchester.

Policy DC10 *'Food & Drink Uses'* The Council will normally accept the principle of development of this kind in the City Centre.

Saved policy DC18 '*Conservation Areas'* states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

Saved policy DC19 '*Listed Buildings'* states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting.
Saved policy DC26, *Development and Noise*, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

The proposal has been designed to minimise the impact from noise sources and further mitigation will be secured by planning condition.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Other material policy considerations

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

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability.

Great Jackson Street Development Framework (January 2015)

The framework was adopted by the City Council's Executive in 2015 and is now a material consideration in the determination of planning applications.

The document is intended to provide an indication of the density and scale of developments within the framework area including providing details of how very tall buildings can contribute the urban grain in this location. The framework also seeks to define a series of high quality public spaces and realm.

The application site is identified as plot 'H' within the document and has been designated as providing a medium to low density development with no requirement to provide public realm.

National Planning Policy Framework

The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

Paragraph 8 of the NPPF goes on to state that these roles should not be undertaken in isolation:

> "*…to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system"*

Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life. This includes making it easier for jobs to be created in cities.

Section 4 outlines the Governments objectives in respect of promoting sustainable transport, in particular developments should be supported that exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

Section 7 'Requiring Good Design' outlines the Governments expectations in respect of new developments:

> "*The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people" (paragraph 56)*

Paragraph 58 states that local plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. In particular, planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation;
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 59 goes on to state that:

> "*Local planning authorities should…concentrate in guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally"*

Paragraph 63 of the NPPF also states that great weight should be given to outstanding or innovative design which helps raise the standard of design more generally in the area.

Paragraph 65 goes onto to state that buildings which are incompatible with an existing townscape but are of high level of sustainability in general can be supported if mitigated by good design.

Section 12 outlines the Governments objectives in terms of conserving and enhancing the historic environment. Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 goes on to state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 133 states where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Promoting healthy communities is an integral part of delivering the Government sustainable vision; this includes creating safe and accessible environments where crime and disorder do not undermined quality of life. In addition, there should be high quality public spaces.

Meeting the challenge of climate change is also important part of the NPPF. This includes supporting energy efficient developments as part of a low carbon future. In addition, areas at risk of flooding should be avoided. Conserving and enhancing the natural environment is also a key consideration and efforts should be made to increase biodiversity at development sites.

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 and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are as follows:

Noise states that Local planning authorities' should take account of the acoustic environment. Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location.

Health and well-being states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

Other 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 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

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.

Consevation Area Designations

Castlefield Conservation Area

The Conservation Area is of the largest in Manchester and was developed around a Roman settlement. The boundary of the Conservation Area follows that of the City along the River Irwell, New Quay Street, Quay Street, Lower Byrom Street, Culvercliff Walk, Camp Street, Deansgate, Bridgewater Viaduct, Chester Road, Arundel Street, Ellesmere Street, Egerton Street, Dawson Street and Regent Road. The extent of

the Conservation Area was also extended to include Ellesmere Street, Hulme Hall Road and the River Irwell.

The character of are began to change in the 1720s when the River Irwell became navigable allowing access to the Liverpool via the River Mersey with the first Quay being developed in 1734 for loading and unloading goods. This led to the construction of Quay Street between Deansgate and the river. This led to the first canal being developed for the transport of coal. This led to the construction of the Rochdale Canal and made Castlefield the hub of the canal network and by the 1830 a rail network had become constructed to move the good more quickly.

There soon became a network of railway lines, several of which crossed Castlefield on viaducts along with being dominated by warehouses and other ancillary buildings. By the 20th Century, both canal and rail transport had declined.

In terms of the character of the area, there are a variety of buildings that exist in the Conservation Area which are industrial in nature. Stone, brick and slate are extensively used in the area.

It is this variety and diversity in the Conservation Area that means that new development can respond to the variety within this context.

Issues

Principle of the Proposed Use and the Scheme' Contribution to Regeneration - Regeneration is an important consideration in terms of evaluating the merits of this application. The City Centre is the primary economic driver in the City Region and is crucial to its economic success. There is an important link between economic growth, regeneration and the provision of new residential development and the provision of new housing is an essential component of the next phase of economic and population growth.

Manchester's population is expected to increase by 100,000 by 2030, and this, together with trends and changes in household formation will result in an increase in demand for residential accommodation. An additional 60,000 new homes are expected to be required over the next 20 years (3,000 per annum) and the proposed development would contribute to meeting that need within part of the City Centre which has been identified as being suitable for new residential development. The quality and mix of product and the size of the apartments, would appeal to a range of potential occupiers.

The proposal would be consistent with a number of the GM Strategy's key growth priorities through the delivery of appropriate housing in a well-connected location adjacent to a major employment centre. It would therefore help to promote sustained economic growth in the City

The area around Castlefield and Great Jackson Street is identified as a key growth area over the next 10 years. The Deansgate streetscape is fragmented between the railway viaduct and the Mancunian Way and has a low level of environmental quality to pedestrians and drivers. This creates a poor impression of the City Centre. The

redevelopment of the site with a high quality residential development could act as a catalyst to further investment within this area.

A neighbourhood framework was approved by the City Council Executive in 2015 and is a material planning consideration when determining planning applications. It states that the area will play a critical role in meeting the City's housing needs through low, medium and high density development in order to meet population growth. The application site is a key site within the neighbourhood framework and it is recognised it has been vacant for a prolonged period of time. The site has been identified as a low density development and the proposal would be arranged over 13 storeys. Whilst this would mark a deviation from the development framework it should be noted that a scheme of the height proposed has previously been approved on this site. The suitability of a 13 storey building is considered below.

The proposal would deliver a high quality building, regenerate a previously developed vacant site and would help to diversify the City's overall housing offer in addition to making a significant contribution to identified demand for new residential development in Manchester. In addition, there is an opportunity to secure a local labour agreement to ensure that there are opportunities to recruit Manchester residents and create apprenticeships through the construction process. This will be secured by planning condition.

The development would therefore be in keeping with the objectives of the City Centre Strategic Plan, the Greater Manchester Strategy, and would complement and build upon Manchester City Council's current and planned regeneration initiatives and as such would be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies SP1, EC1, CC1, ,CC4, CC7, CC8, CC10, EN1 and DM1 along with the principles and aspirations outlined in the Great Jackson Street Development Framework. .

Viability and affordable housing provision - The NPPG provides guidance for applicants and Councils stating that decision-taking does not normally require consideration of viability. However, where the deliverability of the development may be compromised by the scale of planning obligations and other costs, a viability assessment may be necessary.

The NPPG sets out in relation to brownfield sites, that Local Planning Authorities should seek to work with interested parties to promote their redevelopment. To incentivise the bringing back into use of brownfield sites, Local Planning Authorities should:

- Consider the different funding mechanisms available to them to cover potential costs of bringing such sites back into use.; and
- Take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.

Core Strategy Policy PA1 considers the Council's specific policy requirements in relation to Planning Obligations. It states that where needs arise as a result of development, the Council will seek to secure planning obligations. It outlines the

range of provisions that such obligations may require and advises that this should be assessed on a site by site basis. Of relevance to this application could be provision of affordable housing, community facilities, and the provision of green infrastructure

disturbance from the construction process would give rise to some short term disturbance to nearby residents from noise, dust and general comings and goings. A construction management plan would seek to ensure that any impact is minimised.

The proposal would require plant and full details should be provided prior to the commencement of the development and it is recommended that this is included as a condition of any planning approval.

An acoustic study concludes that in order to minimise the impact of noise along Chester Road and from trains and trams, the majority of the facades require enhanced glazing and mechanical ventilation. Full details of mechanical ventilation and the internal waste chutes is required before development commences and conditions are recommended.

It is necessary to prevent noise outbreak from the commercial accommodation to the residential above. Further noise information is required to assess this impact and should be conditioned.

The operating hours of the commercial unit would be Monday to Saturday 08:00 to 22:30 and Sunday 09:00 to 22:00. It is also recommended that servicing is restricted in line with the City Councils standard operating hours (Monday to Saturday 07:30 to 20:00 Sundays (and Bank Holidays): No deliveries/waste collections).

On that basis, provided that construction activities are carefully controlled and the plant equipment and residential and commercial accommodation are appropriately insulated, the proposed development is considered to be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Ecology

An ecological appraisal has confirmed that the site is of low ecological value given the limited vegetation. Whilst some habitats have become established, these are not significant. The proposal would incorporate new landscaping which would help mitigate against any loss of habitats by providing the conditions for new ones to flourish. The vegetation should be cleared in bird nesting season.

Landscaping and amenity space /boundary treatment/public realm

A new entrance space would be created along Chester Road to provide an enhanced setting to the building. The existing vehicular access would be removed to make the main entrance level. It is recommended that the repair of the highway in this location should be agreed by planning condition. The level change along Deansgate creates a podium which would become a garden area for residents.

Highways/car parking

It is not possible to develop the site as originally envisaged and therefore the parking cannot be provided in the basement. However, this is highly sustainable location and one cycle parking space is provided for each apartment.

A draft travel plan has been provided and a condition would ensure that monitoring occurs to ensure that identified initiatives are developed, particularly the provision of off-site car parking such as contract parking and car clubs. Refuse collection and servicing would take place on Deansgate which requires the removal of 3 parking bays.

The development would have minimal impact on the local highway network. Travel planning would reduce the reliance on the need for travel by car. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Flood Risk/surface drainage

The application site is located in flood zone 1 '*low probability of flooding'*. However, it is within a critical drainage area which is sensitive to an increase in rate of surface water runoff and/or volume from new developments which may exasperate local flooding problems. As such, policy EN14 states that developments should seek to minimise the impact on surface water runoff in a critical drainage area.

The applicants drainage statement has been considered by the flood risk management team who consider that further consideration should be given to how the drainage systems at the site would prevent surface water runoff along with examination of the implementation of sustainable urban drainage principles at the site along with their future management.

It is recommended that conditions of the planning approval are that such details are considered prior to the commencement of the development and that the system that is put in place is managed and maintained thereafter.

Sustainability and energy efficiency

The applicants energy and environmental standards statement explains that the design incorporates passive principles to reduce energy demands. In addition, factors such as the internal layout and thermal quantity of the glazing have all been considered to minimise solar summer glare whilst maximising winter solar glare and natural day lighting. The overall performance of the building fabric has been designed to be highly efficienct through effective insulation levels and enhanced U values. In addition, an air tight construction would be used.

There heating system would be highly efficient and include energy reduction and conservation measures. Electric panel heaters would provide heating and hot water and an efficient mechanical whole house ventilation system would be incorporated with heat recovery proposed for individual apartments. A control system would also be incorporated which would ensure that plant and equipment is operating efficiently and only when required.

The lighting and electrical demands would be minimised through the use of energy efficiency lighting. Communal areas would be fitted with presence detectors with external areas having a dawn/dusk sensor/timer. Apartments would also be fitted with efficient white goods to maximise energy efficiency.

Policy EN6 of the Core Strategy requires developments of this nature to achieve at least a 15% improvement over the target emissions required by Part L of the Building Regulations. This equates to a 9% reduction over part L of the Building Regulations.

The fabric and energy efficiency measures, outlined above, deliver emissions reductions around 5% when compared to part L. Whilst this does not meet the requirement outlined in policy EN6, the overall viability of the scheme, along with the quality of the appearance of the building the regeneration benefits, outweighs the fact that this development marginally misses the required target.

The applicant has provided details of the energy efficiency, particularly how the development incorporates water management and water resilience measures, waste and construction management and biodiversity. In terms of energy efficiency, the proposed development would maximise energy efficiency and would incorporate low zero carbon generating technologies which would seek to minimise energy use and associated CO2 emissions.

In terms of the measures identified, and their contribution to the objectives of policy EN6, the overall energy performance of the development is satisfactory. There is an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development performs well, and on balance, broadly complies with the spirit of the Core Strategy policies given the high quality building fabric and systems that that are being incorporated into the buildings. It is recommended that the energy standards form part of the conditions of the planning approval.

Designing out crime

The CIS recognises that the development would bring vitality, both day and night, to a currently derelict site. As the development site is located on a busy thoroughfare there would be increased pedestrian flows providing passive surveillance.

It is recommended that a condition of the planning approval is that the CIS is implemented in full as part of the development in order to achieve Secured by Design Accreditation.

Ground conditions

An initial site investigation report has been considered but further investigation works are required and appropriate remediation devised where necessary. It is recommended that a condition of the planning approval is that these further details should be submitted. Once the remediation strategy has been approved this shall be implemented and a verification report submitted on completion of the development to verify that all the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Waste and recycling

The applicant has provided a waste management strategy which details that the waste management arrangements would involve a communal storage area along

with specific storage within flats. A communal refuse storage area would be provided on the ground floor and a servicing entrance would be provided on the south eastern elevation close to the proposed servicing bay on Deansgate.

The general refuse store would contain 6 x 1100 L eurobin, 3 eurobins for pulpable material and 3 eurobins for co-mingled material. There will also be 1 euro bin for organic waste.

Residents will carry their own waste to the refuse store and the building maintenance company will be responsible for the managing the arrangement including putting the bins out for collection.

In terms of the commercial waste, this will be stored within the commercial unit and there will be two Eurobins provided.

Overall, it is considered that the waste management arrangements ensure maximum ease and efficiently for residents and ensure that waste is contained within a specified area. There is also a clear commitment and drive to ensure that residents and commercial operators recycle and the measures that will be put in place to do this are acceptable. Environmental Health are satisfied within the information which should form a condition of the planning approval. The proposal therefore accords with policies DM1 and EN19 of the Core Strategy in this regard.

Air Quality

There would be dust for the construction process but this would be minimised as no demolition is required. A dust management plan would ensure that the dust and air quality impacts during the construction phase will not be significant and this should remain in place for the duration of the construction period.

As the development does not provide any car parking spaces, the number of trips to and from the development will be lower. The development will make provision for 53 cycle spaces will encourage sustainable ravel at the development that will not have any impact on air quality.

Permitted development

It is recommended that a condition of the approval should clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a House of Multiple Occupation (HMO) falling within use classes C3(b) and C3(c) without the requirement for formal planning permission. This is to protect this development and its future residents from the problems associated with the change of use of properties to HMO’s and to promote family accommodation and sustainability within this neighbourhood.

TV reception

A TV reception survey has assessed the impact of the development on the local reception. It concludes that Deansgate Quay, would be affected. Notwithstanding

this, the report does conclude that the television signal strength in the area is strong enough to overcome any impacts with many residents already affected by other tall buildings in the area. It should be noted that most residents have access to satellite signals which will not be affected by the proposed development.

Its is recommended that a condition of the planning approval shall be that the signal strength in the area is assessed before the commencement of the development along with devising appropriate mitigation should a post completion study identify that such measures are necessary.

Conclusion

The proposal would see the redevelopment of a vacant brownfield site within a key regeneration areas. The 53 residential units would contribute to the City's residential growth strategy, help to create a neighbourhood where people would choose to live and provide private sale accommodation. Careful consideration has been given to the siting, scale and appearance of the development to ensure it provide a high quality development along with minimising the impact on existing residents.

Matters of car parking, highways, noise, ecology, flood risk and sustainability have all been considered along with ground conditions, designing out crime and waste management.

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 polices 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 loss of the car parking and suitable

solutions in mitigation of this. Further work and discussion shave taken place with the applicant through the course of the application, particularly in servicing and mitigation of the lack of on site car parking provision. The proposal is considered to be acceptable and therefore determined within a timely manner.

Reason for recommendation

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

L_20_01 Rev 0, L_20_12 Rev 01, L_20_13 Rev 01, L_20_14 Rev 01, L_20_15 Rev 01, L_20_16 Rev 01, L_20_17 Rev 01, L_20_18 Rev 01, L_20_19 Rev 01, L_20_20 Rev 01, L_20_21 Rev 01, L_20_22 Rev 01, L_20_23 Rev 01, L_20_24 Rev 01, L_20_25 Rev 01, L_20_26 Rev 01, L_20_27 Rev 01, L_20_30 Rev 0 and L_20_31 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017

SCP/17078/ATR01 stamped as received by the City Council, as Local Planning Authority, on the 8 May 2017

Supporting Information

Pre-construction signal reception impact survey prepared by Astbury, Design and Access Statement prepared by OI Architects, Planning Statement prepared by Turley Planning, Statement of Community Engagement prepared by Turley Engagement, Heritage Statement prepared by Turley Heritage, Archaeological desk based assessment prepared by Oxford Archaeology, Crime Impact Statement (Version D 25 November 2015) prepared by Design for Security at Greater Manchester Police, Daylight and Sunlight Amenity Study prepared by Watts, Ecology Assessment prepared by TEP, Energy Statement prepared by Energy Council, Flood Risk Assessment prepared by Campbell Reith, Sustainability Statement prepared by the Energy Council, Transport Statement prepared by SCP and Environmental Standards Statement prepared by the Energy Council stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017

Travel Plan Framework (LB/17078/FTP/0) prepared by SCP stamped as received by the City Council, as Local Planning Authority, on the 10 March 2017

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) Prior to the commencement of the development, a method statement for the use of any vibro-compaction machinery/pilling machinery or pilling an ground treatment works shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved method statement shall then be implemented as part of the construction works.

Reason – To prevent any piling works and vibration from de-stabilising or impacting on the railway network pursuant to policy DM1 of the Manchester Core Strategy (2012).

4) Notwithstanding the preliminary drainage strategy, flood risk assessment prepared by Campbell Reith (ref. 12109) stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, prior to the commencement of the development, a scheme for the drainage of surface water from the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include details of how surface water is directed away from the railway network.

The development shall then be constructed in accordance with the approved details, within a previously agreed timescale. Prior to the first occupation of the development a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding the phase I investigation report prepared by Opus stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, a) the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development

shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - There is evidence of site contamination at the application site which requires further consideration and examination. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

6) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) Before the development commences, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

a) Measure the existing television signal reception within the potential impact area, before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained.
b) Assess the impact of the development on television signal reception within the potential impact area identified in
(a) above 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 in (a) above. The measures identified must be carried out either before the building is first occupied or within one month of the study

being submitted to the City Council as local planning authority, whichever is the earlier.

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.

8) Prior to any above ground works, a) a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, the programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part a). The approved materials shall then be implemented as part of the development.

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.

9) Prior to the first use of the commercial unit, as indicated on drawing L_20_14 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, a scheme of acoustic insulation for the commercial unit (including accompanying noise survey) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first use of the commercial unit and thereafter retained and maintained for as long as the development remains in use.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

10) Notwithstanding the Noise Assessment prepared by Enzygo stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, prior to any above ground works, a scheme of acoustic insulation (including accompanying noise survey) for the residential accommodation, waste chutes along with details of the mechanical ventilation/glazing shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented prior to the first occupation of the residential accommodation and retained and maintained for as long as the development remains in use.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11) The waste management arrangements, as indicated on drawing L_20_28 Rev 01 and the details contained within the design and access statement stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017 shall be implemented as part of the development and be in place prior to the first occupation of the residential and first use of the commercial element and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the commercial unit pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

12) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted for approval in writing by the City Council, as Local Planning Authority.
For the avoidance of doubt the scheme shall include the following:

- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.
Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

13) Notwithstanding drawing L_20_28 Rev 01 and the details contained within the design and access statement stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, prior to the first occupation of the development details of a hard and soft landscaping treatment shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall 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.

14) The development hereby approved shall be carried out in accordance with the Environmental Standards Statement, Sustainability Statement and Energy Statement prepared by the Energy Council. 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.

15) Prior to the first occupation of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval by the City Council, as Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the first occupation of the development and thereafter retained and maintained in accordance with these details.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

16) Prior to the first occupation the commercial unit as indicated on drawing L_20_14 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017 details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the commercial units and thereafter retained and maintained in accordance with these details.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

17) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of the development 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 policies SP1 and DM1 of the Core Strategy.

18) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be

submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

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

Monday to Saturday 07:30 to 20:00
Sundays (and Bank Holidays): No deliveries/waste collections

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

20) The commercial unit hereby approved, as indicated on drawing L_20_14 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, shall not be open outside the following hours:-

Monday to Saturday	08.00hrs - 22.30hrs
Sundays	09.00hrs - 22.00hrs

There shall be no amplified sound or any amplified music at any time within the units.

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.

21) The commercial unit as shown on drawing L_20_14 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, shall remain as one unit and shall not be sub divided without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial unit pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

22) The commercial units, as indicated on L_20_14 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017 can be occupied as A1, A2, A3, B1 or D1 (with the exception of a place of worship) . The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the

vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester .

23) In the event that the commercial unit, as indicated on drawing L_20_14 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2015, is occupied as an A3 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
    - Dispersal policy;
    - Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

24) In the event that any of the commercial unit, as indicated on drawing L_20_14 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017, are occupied as a D1 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Details of outdoor play spaces;
- A management plan for 'pick up' and 'drop off', car parking and servicing.

The approved details shall then be implemented and remain in place for as long as the development is in use for D1 purposes.

Reason - To ensure satisfactory amenity space and management plan for pick up and drop off is put in place for a nursery, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential element of the building shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

26) The development shall be carried out in accordance with the Crime Impact Statement (Version D 25 November 2015) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a 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.

27) The development hereby approved shall be carried out in accordance with the Travel plan framework prepared by SCP (LB/17078/FTP/0) stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017.

In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

28) Prior to the first use of the building, the cycle provision, as indicated on drawing L_20_13 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 15 March 2017 shall be implemented and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

29) Prior to the first occupation of the residential element development hereby approved, details of a car parking strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The strategy shall include the consideration off-site car parking provision and measures to encourage the use of car club usage. The approved strategy shall be implemented as part of the development and remain in use for as long as the development is occupant.

Reason - To mitigate against the lack of on site car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

30) Prior to the commencement of the development, details of a local labour agreement shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented as part of the development. Within two months of the first occupation of the development details of the results of the scheme shall be submitted for consideration.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1 of the Manchester Core Strategy (2012).

31) Prior to the first use of the development, a scheme of highway works in relation to Chester Road and Deansgate in order to provide adequate pedestrian and vehicular environment at the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- works associated with the creation of the servicing bay as shown on drawing SCP/17078/ATR01 stamped as received by the City Council, as Local Planning Authority, on the 8 May 2017
- reinstatement of footway along Chester Road following vehicular access point being made redundant.
- The approved scheme shall be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

32) No tree felling or pruning works or vegetation clearance should take place during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

Informatives

0) - Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- In terms of surface water run off, details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, should be provided as the site is located within Conurbation Core Critical Drainage Area;
    - Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
    - Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event in any part of a building;
    - Assessment of overland flow routes for extreme events that is diverted away from buildings;
    - Hydraulic calculations of the proposed drainage system;
    - Long and cross sections for the proposed drainage system and finished floor levels.
    - Construction details of flow control and SuDS elements.
    - Proposal of surface water management during construction period.
    - Adoption and maintenance requirements for drainage systems should be detailed.

- With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail's Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could over-sail onto Network Rail air-space and potentially impact any over-head lines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.

- Network Rail will need to review and agree all excavation and earthworks to determine if the works impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree to the following:
    - Alterations to ground levels
    - De-watering works
    - Ground stabilisation works

- Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail.

Alterations in loading within proximity of the railway boundary must be agreed with Network Rail.

- Soakaways, as a means of storm/surface water disposal must not be constructed near / within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.
    - Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.
    - Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property.
    - Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
    - Suitable foul drainage must be provided separate from Network Rail's existing drainage.
    - Drainage works could also impact upon culverts on developers land.
- Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land causing flooding, water and soil run off onto lineside safety critical equipment / infrastructure; or lead to de-stabilisation of land through water saturation.

- To note are:
    - The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.
    - Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.
    - Network Rail also often carry out works at night on the operational railway when normal rail traffic is suspended and often these works can be noisy and cause vibration.
    - Network Rail may need to conduct emergency works on the existing operational railway line and equipment which may not be notified to residents in advance due to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.
    - Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for project or emergency works.
    - The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the

use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.

- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.

- Any assessments required as a part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.
- Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.
- Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.

- The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken in proximity of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to:

- As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a **BAPA** (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

For major works / large scale developments an Asset Protection Agreement will be required with further specific requirements.

AssetProtectionLNWNorth@networkrail.co.uk

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: 115591/FO/2017 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:

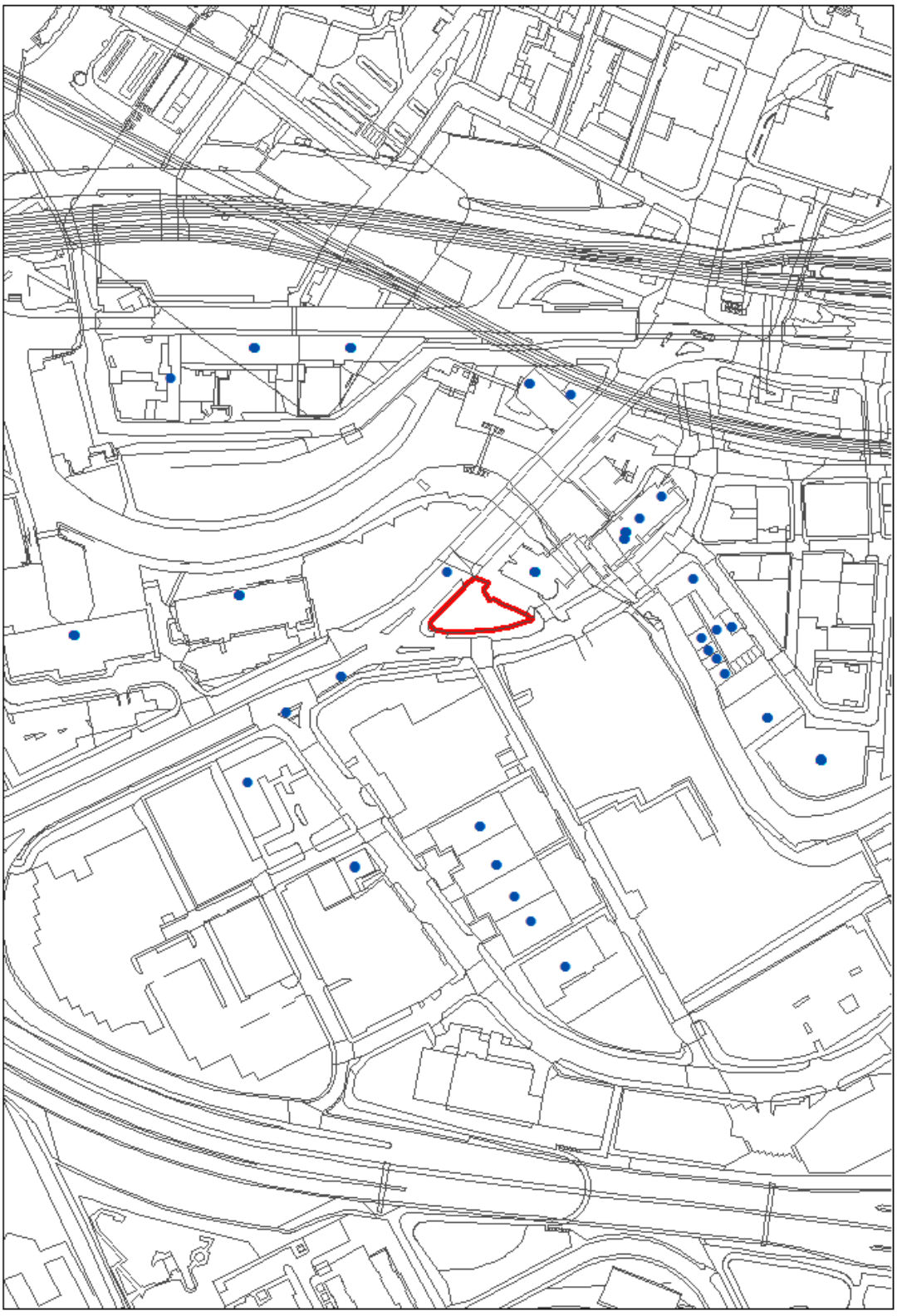
Highway Services
Environmental Health
Strategic Development Team
MCC Flood Risk Management
Greater Manchester Police
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Network Rail

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:

Flat 70, 384 Deansgate, Manchester, M3 4LA
South View Farm, Low Road, Everthorpe, Brough, HU15 2AD

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



Application site boundary ● Neighbour notification

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