

Application Number	Date of Appln	Committee Date	Ward
117014/FO/2017	2 Aug 2017	16 Nov 2017	Ancoats And Clayton Ward

Proposal Retention of the facade of existing building together with single storey roof top extension and erection of four storey extension to form 28 residential apartments (Use Class C3a) and creation of ground floor commercial (Use Classes A1, A2, A3, A4 or A5) (230 sqm) together with associated car parking and other works

Location Mount Pleasant House, 162-164 Oldham Road, Manchester, M4 6BG

Applicant Mr Bux, HVM Ancoats, 50 Woodgate, Leicester,

Agent Mr Christopher Hosty, Elevate Architects, The Courtyard, Royal Mills, 17 Redhill Street, Manchester, M4 5BA,

Description

The application site is 0.06 hectares and forms a relatively small site situated along Oldham Road, a major road route connecting the City Centre to the north east parts of the City boundary.

The application site consists of a three storey brick building with pitched slate roof which is currently being used as a solicitors practice. The building is considered to be of architectural and historical interest, being located in the Ancoats Conservation Area, and whilst it is not a Listed Building is considered to be a non-designated heritage asset.

The remainder of the site appears to be separate from this building and is secure by palisade fencing. This area of the site is currently vacant with the topography being relatively flat and informally used for car parking with access being provided off Portugal Street.

The application site is located within the Ancoats Conservation Area and is bounded by Oldham Road to the north, a car storage/sales area to the east, Portugal Street to the south and Poland Street to the west.

The surrounding buildings are a mixture of commercial buildings associated with the industrial past of the Conservation Area which form a key characteristic of this part of the Conservation Area where buildings are typically much lower in scale. There are a series of small industrial estates to the south of the site in the form of the Crown, Poland Street and City Court trading and industrial estates. To the north of the site, on the opposite side of Oldham Road, are the substantial buildings associated with the Royal Mail sorting office. To the south east of the site is a relatively modern block of residential apartments.

To the west of the site, along Oldham Road, is the Victoria Square housing block which is a Grade II Listed Building.

The proposal

The proposed development involves the retention of the façade of Mount Pleasant House together with a single storey roof top extension to the existing building and erection of a four storey side extension. This will create 28 residential apartments in total along with two ground floor commercial units. There will be associated car parking, waste storage and cycle provision on the ground floor of the premises.

The schedule of accommodation is as follows:

- one bed apartments – 8 (28%);
- two bed apartments – 20 (71%).

The planning submission

This planning application has been supported by the following information:

- Planning statement;
- Energy statement;
- TV reception statement;
- Crime Impact Statement;
- Ecology Report;
- Ventilation strategy
- Travel Plan;
- Noise survey;
- Daylight and sunlight report,
- Ground conditions report,
- Heritage report; and
- Transport statement.

Consultations

The proposal, by virtue of the size of the site and floor space created, has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development along with being of public interest and affecting the setting of a Conservation Area and Listed Buildings. Site notices were displayed at various locations around the application site. In addition, notification letters have been sent to an extensive area of local residents and businesses.

Interest - The City Council has an interest in this application site as landowner.

Local residents/public opinion – One letter of objection has been received in respect of this planning application. The comments can be summarised as follows:

- Objector lives on the top floor of the Ingenta apartment block on Poland Street. The living room window will look diagonally onto the site. From the third floor up a number of residents in this proposed development would be

able to see straight into the property. As there is an objection on the grounds of loss of privacy.

A representation has also been received from the Royal Mail Group who occupy the Manchester Mail Centre at 77 Oldham Road which lies opposite the application. The comments received can be summarised as follows:

- The mail centre is well established and has successfully operated from the site for almost 25 years. The site is strategically important asset for Royal Mail. Due to the intensive nature of the use and the 24/7 operations, Royal Mail is concerned about the introduction of residential development on a site directly opposite the mail centre;
- It is considered that the significant noise, light and traffic movements generated by the Mail Centre has the potential to have a detrimental impact on residential amenity of the future residents;
- It is recognised that a noise assessment has been submitted which detailed the high level of noise from Oldham Road. However, this was undertaken in 2016 and during the summer holidays when traffic levels are expected to be lower. The mail centre is particular busy during the Christmas period (November to February) when traffic and noise levels will be higher. As such, it is imperative that mitigation is included in the proposal.
- Conditions should be imposed on the planning permission restricting any windows from opening;
- Also appropriate internal noise measurements should be submitted for consideration prior to the application being determined;
- At this stage insufficient information has been submitted;
- In terms of construction activity, the mail centre requires uninterrupted access into and from its site at all times. The construction activities therefore needs to be carefully managed so that there are no obstructions and access and free movement to the mail centre. A pre commencement planning condition should be the submission of any planning approval.

Manchester Conservation Areas and Historic Buildings Panel – The panel felt that this was an improvement on the previous proposal that could be improved further if the front corner hipped roof could be retained.

The panel commented that the roof is an important feature of the area and this form should be retained.

The panel asked to see all the original features of the façade retained and the reinstatement of the original sash windows to the original design and pattern. The panel stated that the original shop front design should be fully researched and reinstated to the original design and detailing.

The panel queried the floor to ceiling height of the ground floor and commented that this would not be sufficient to give flexibility to a full range of uses. The panel also questioned the viability of new retail/commercial ground floor as they would not like to see these units boarded up for a long period of time.

Strategic Development Team – No objections to the scheme that has been resubmitted. The heights and active frontages reflect the principles in the Ancoats and New Islington NDF 2016.

Highway Services – The proposals are all contained within a private boundary to the development and do not impinge on the adopted highway. The addition of the 28 apartments and associated trips to and from the proposed development do not raise any highway safety or capacity concerns and are therefore acceptable in principle.

The limited provision of 6 off street parking spaces (representing 21 %) is acceptable by Highways due to the accessible location. However, it is recommended that additional off-site parking is leased for residents' vehicles that cannot be accommodated on the site.

All the spaces should be meet minimum sizes. It is noted that the car park access has a roller shutter to control access. Confirmation is sought that there is a 5 metre minimum width adjacent to the shutter for vehicles to wait off the highway. Further information has been provided on this to the satisfaction of highway services.

An internal cycle store is shown within the ground floor plans. The store can accommodate 36 bicycles which is in excess of 100% allocation which is acceptable in principle.

The footways around the site is of substandard width and condition. To improve the walking environment for pedestrians it is recommended that the footways are a minimum of 2 metre width and that the applicant renew the whole footway adjacent to and contiguous to the development boundary.

This work will also need to include the provision of dropped kerbs and tactile paving to the junctions of Oldham Road and Poland Street and Poland Street with Portugal Street.

A travel plan framework has been provided with the application. This is supported and should the application be approved, it is suggested that this is further developed.

The propose bin storage to the apartments is considered appropriate and building management are to transfer the bins from the storage area to the kerbside of Portugal Street on collection days and returned them the storage area after collection. This arrangement is therefore accepted in principle by Highways and will ensure that bins are not left out or stored on the adopted highway.

No details is provided regarding the arrangement for servicing of the commercial units. Further details is requested in this regard.

A construction management plan should be submitted for consideration.

Design for Security at Greater Manchester Police – Are satisfied that the design generally meets the principles of designing out crime. It is highly recommended that the development is built to Secured by Design Standards.

Flood Risk Management Team – No objections subject to conditions.

Greater Manchester Archaeological Advisory Service – There are supporting archaeology report with the application. This relates to 1860 extant buildings, the sites of commercial premises present in the late 18th Century including the Spread Eagle Tavern and the buried remains of back to back workers housing from around 1820. The heritage statement has a section on mitigation which includes a recommendation for a level 2/3 historic building survey and archaeological investigations of below ground remains. GMAAS agree with these recommendations. For the latter the initial stage will comprise of evaluation through archaeological trial trenching. Dependent of the state of preservation and significance of buried remains, this is likely to lead on to further open area and more detailed archaeological excavation.

GMAAS recommend a relevant planning condition.

Greater Manchester Ecology Unit – A bat survey has been prepared in respect of this matter which found no evidence of bats at the time of survey and considered the building to have negligible potential to support bats. An informative of the planning approval should be imposed in the event bats are found.

Environmental Health - There is historical evidence of ground contamination at the site. The phase 1 desk top study has been considered. Further details are required including remediation proposals.

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

The residential and commercial accommodation shall also be acoustically insulated along with appropriate ventilation for the commercial units. Details any plant and for the commercial unit shall also be agreed.

The details submitted in respect of the residential and commercial waste are acceptable in respect of residential element. However, further details will need to be submitted in respect of the commercial unit once the end user is known.

The applicant is also supported by an air quality report and there is agreement with its findings provided the details are incorporated into the construction management plan.

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 (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:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

All development should have regard to the character, issues and strategy for each regeneration area – in this case East Manchester. In addition, new development will be encouraged that maximises the potential of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The policy goes on to state that development in all parts of the City should:

- Make a positive contribution to neighbourhoods of choice including;
 - Creating well designed places that enhance or create character.
 - Making a positive contribution to the health, safety and 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 proposed development is considered to be in accordance with policy SP1 in that a high quality residential development be provided that contributes towards meeting housing growth in the City and creating a high quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on local residents along with protecting the historical context.

Policy EC3 '*The Regional Centre*' states that housing will be an appropriate use within the Regional Centre, although this should complement the development of

mixed use employment areas. Subject to site and location details, the Regional Centre will generally be a location where higher density residential development is appropriate.

The proposal is considered to be in accordance with policy EC3 as it would provide a dense residential development thus contributing towards the City housing growth.

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 Council will support proposals that:

- Improve choice by developing alternatives to the car;
- Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
- Improve access to transport services and facilities in order to enable disabled people and people with mobility impairments to participate fully in public life;
- Improve pedestrian routes and the pedestrian environment;
- Improve and develop further Manchester's cycle network;
- Contribute to improvements to the extent and reliability of the public transport network through safe and attractive waiting facilities, better priority and information provision,
- Would reduce the negative impacts of road traffic.

The proposal is considered to be in accordance with policy T1 as the development is located in an area where there is access to a range of public transport modes whilst encouraging other forms of transport such as cycle, car sharing and car clubs.

Policy T2 '*Accessible areas of opportunity and needs*' states that the Council will actively manage the pattern of development to ensure that new development:

- Is located to ensure good access to the City's main economic drivers, including the regional centre and to ensure good national and international connections;
- Is easily accessible by walking, cycling and public transport; connecting residential to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites including – links with East Manchester to employment locations such as Eastlands.

Applications should include appropriate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

This planning application is accompanied by a transport assessment and travel plan which demonstrates that the proposal will have a minimal impact on the local highway network and will encourage other forms of transport.

Policy C1 '*Centre Hierarchy*' states that development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres

Policy C9 '*Out of centre development*' states that development of town centre uses in locations which are outside a centre identified in policy C1 (or a strategic location) will be inappropriate unless it can meet the following criteria:

- There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable;
- The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,
- The proposal is appropriate in terms of its scale and function to its location.

Paragraph 10.96 states that development of a scale which is of local significance only is unlikely to lead to unacceptable impacts on the City Centre, District or local centres. However, proposals of a scale which is likely to have a significant impact beyond the immediate locality could have implications for the vitality and viability of existing centres within the City and in neighbouring areas, and on the accessibility of communities to shopping facilities. These implications should be considered through the planning process. In Manchester's circumstances, the impacts of out-of-centre development will vary across the City and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square-metres gross will generally be of local significance only.

Proposals of more than local significance should be accompanied by a statement which describes the nature and role of the proposals, evidence of the area the development is likely to serve, an assessment of the likely turnover of the development, an assessment of trade diversions from designated centres and an appraisal of the effects of the proposal on the vitality and viability of affected centres.

Paragraph 10.57 goes on to state that Policy C9 also establishes a basis to support out-of-centre development provided it is intended to improve the experience of visitors or neighbours, rather than increase the role of the location. This could include enhanced pedestrian linkages within the scheme or the reorganisation of loading facilities to reduce the impact on adjacent residents.

The proposal provides a modest amount of retail and is consistent with the aspirations of the Ancoats development framework. The activation of Oldham Road is an important aspect of the development and will complement the gateway into the City Centre.

Policy H1 '*Overall Housing Provision*' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the

availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed site in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

The development would form a dense residential scheme within an area that is expected to accommodate housing growth. Consideration has been given to the design, siting and scale of the building along with prioritising the re-use of a previously developed site. In addition, the proposal would provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation sizes. Given the proposal is for privately rented accommodation, it is expected that the proposal will be attractive to young professionals wishing to share.

Policy H2 '*Strategic Housing Location*' states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.

- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.
- Considering the scope to include a residential element as part of employment-led development.

The proposal is considered to comply with policy H2 in that it will provide a dense residential development in an area of the City that is expected to accommodate residential growth.

Policy H4 '*East Manchester*' states that over the lifetime of the Core Strategy, the area will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats and New Islington.

The proposal is considered to comply with policy H4 in that it would provide a dense residential development in an area of the City that is expected to accommodate residential growth.

Policy H8 '*Affordable Housing*' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The development will not provide provision for affordable housing and will provide private accommodation for rent as part of diversifying the area and offering housing choice.

Policy EN1 '*Design principles and strategic character areas*' states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, 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 will enhance the regeneration of the 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.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

The proposal will eliminate a partially vacant site, retain the façade of non-designated heritage asset and preserve the setting of the adjacent Listed Buildings and Conservation Area. The proposed building is considered to be a high quality addition to the area reflecting the key characteristics of the area in terms of siting, scale, massing and materiality.

EN4 '*Reducing CO₂ 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 CO₂ emissions and rising fossil fuel prices, through the following actions:

All development must follow the principles of the energy hierarchy being designed to:

- Reduce the need for energy through design features that provide passive heating, natural lighting and cooling;
- To reduce the need for energy through energy efficient features such as improved insulation and glazing;
- To meet residual energy requirements through the use of low or zero carbon energy generating technologies

Policy EN5 '*Strategic areas for low and zero carbon decentralised energy infrastructure*' states that with the regional centre (which includes the application site) 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 CO₂ 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 development is considered to comply with policies EN4 – EN6 in that clear consideration has been given to how the buildings functions to reduce overall energy demands. The building fabric is considered to be high quality and will 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 to 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:

E3.3 states the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

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*' determines that planning applications for development involving the sale of hot food to be consumed off the premises the Council will have regard to, particularly in this instance:

- The general location of the proposed development;
- The effect on the amenity of neighbouring residents;
- The storage and collection of refuse and litter.

The Council will normally accept the principle of development of this kind in the City Centre, industrial and commercial area and, at ground level, in local shopping parades of more than 8 shops or offices.

Where the Council considers food and drink premises to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. Such conditions include limitations in terms of the hours of opening and the need to deal adequately with the storage of refuse and collection of litter.

The proposed commercial units as part of this development will add to the viability of the development and its vibrancy.

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

a. The Council will seek to preserve or enhance the character of its designated conservation areas by carefully considering the following issues:

- the relationship of new structures to neighbouring buildings and spaces;
- the effect of major changes to the appearance of existing buildings;
- the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
- the effect of signs and advertisements;
- any further guidance on specific areas which has been approved by the Council.

Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

The proposal has been designed to respect the setting of the Conservation Area and adjacent Listed Buildings along with maintaining established views around the application site and road network. The extent of the demolition work has been given due consideration and it is considered that although the buildings have some significance this has been reduced through extensive alterations over the years. In addition, the public benefits of redeveloping the site outweigh the retention of the building.

DC19 '*Listed Buildings*' - 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. In giving effect to this policy, the Council will:

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the

use of adjacent land, and where appropriate, by the preservation of trees and landscape features;

e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;

f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

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. Sections of relevance are:

- Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;
- Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.
- Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.
- Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;
- Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

Ancoats and New Islington Regeneration Framework (2014)

The framework was adopted by the City Council's Executive in 2014 and is now a material consideration in the determination of planning applications.

The document details that there are a number of character areas and the application site falls within the character area '*Great Ancoats Street and Oldham Road frontage*'.

The document states:

Great Ancoats Street (where East Manchester meets the City Centre) is identified as an 'Arc of Employment' within the East Manchester SRF and as such is appropriate for employment or service related development with retail uses at street level. There are several sites remaining along the Ancoats frontage with the potential for new development. Development of these sites should be of a high quality and contemporary in design.

The document goes on to highlight a number of key actions and priorities. These are as follows:

- Encourage active street level uses that can help to animate the street
- Encourage development that is contemporary in design and massed to respond to the area's historic environment and context, reflecting the prominence of the key road frontages and the need to enhance the pedestrian environment along them.

- Environmental improvements and enhanced connectivity to adjoining districts and back to the city centre in relation to both Great Ancoats Street and Oldham Road.
- Encourage optimum viable uses for heritage assets, imaginative proposals for preservation and enhancement of the historic character of the Conservation area.

There are also a series of core development principles within the document. These are:

- To provide for a range and mix of residential accommodation in a high quality and well managed environment that will ensure the emergence of vibrant new neighbourhoods of choice.
- Whilst regeneration of the framework area will be residential led, opportunities for a mix of uses should be sought that combine to create a distinctive sense of place and neighbourhood, ensuring life and vitality on weekdays and evenings.
- Given that the Ancoats and New Islington neighbourhoods will be predominantly residential in character, late night uses including bars (Class A4) and nightclubs (*Sui Generis*) will generally not be appropriate or supported where there would be a potential conflict with residential amenity.
- The wider mix of uses in the area should be encouraged through flexible leasing strategies – design to encourage start-up businesses and independent operators as well as established operators. For Private Rented Schemes there is potential to incorporate space at the ground floor of buildings which starts life in residential use before converting to commercial use in the future as population and activity in the area builds up over time.
- New development should exploit the area's locational advantages in terms of its proximity to the city centre, public transport nodes and the inner relief route and take maximum advantage of the area's key assets – its heritage, canalside settings, public spaces and infrastructure including public transport nodes, schools, cultural facilities, public spaces and retailing.
- To protect and enhance the character of the Conservation Area and build upon the unique heritage assets which define the special character of Ancoats, new buildings should offer a well-considered, contemporary and distinctive design which is contextually responsive to the area's heritage in terms of form and materiality. In moving forward, it will be important to ensure that design responses are based on a thorough understanding of the significance of heritage assets and their settings.
- New buildings should be designed to support active streets particularly around key public spaces and pedestrian desire lines. This may be in the form of ground floor active commercial uses – ensuring that such uses are compatible with the primary residential character of the area and will not create conflict with residential amenity – or where commercial uses are not appropriate or indeed there are concerns regarding viability, through appropriate design, e.g. the position of residential front doors, which will provide enhanced animation to the street scene.
- Ensure new development helps to contribute to a walkable, pedestrian-friendly environment.

- New development proposals should be accompanied by an appropriate car parking strategy which allows the potential demand generated by future residents to be met whilst considering the promotion of alternative sustainable forms of transport. On-site car parking solutions should be incorporated into development proposals in a manner that does not detract from the character or animation of the street.

There are also specific principles which relate to the Ancoats Conservation Area including:

- New development should respond to and reinforce the existing character and pattern of development within the area.
- New buildings should be designed to support active streets. Opportunities to create retailing and workspace adjacent to Cutting Room Square and along key routes and desire lines, such as Blossom Street and Bengal Street should be fully explored and exploited. These uses should be compatible with the residential character of the area and therefore protect residential amenity. In addition, there is an opportunity for buildings to be designed which are future proofed, through the design of their ground floor such that retail and other commercial uses can be established over time as the area further regenerates and the critical mass of activity and footfall increases.
- New development should consider the height and scale of existing patterns of development and take into account context materiality.

Ancoats and New Islington Framework Update 2016

The purpose of this document is to update the Ancoats and New Islington Neighbourhood Development Framework (NDF) approved by Manchester City Council's Executive Committee in October 2014, to reflect further detailed masterplanning work for the area and to take into account changes in policy context and the significant progress that has been made towards delivering the original 2014 NDF proposals

With regards to the character area '*Great Ancoats Street and Oldham Road frontage*', and the core development principles, the guiding objectives largely remain the same. In that new development along Great Ancoats Street should support the sense that Ancoats spatially is a seamless continuation of the Northern Quarter and what has been traditionally considered to be the core of the city centre beyond that.

There is a need for a quality and consistency of buildings, frontages and proposed uses as well as associated public realm.

Within the Conservation Area status sets a general presumption in favour of retaining heritage buildings, including non-listed buildings, where they make a positive contribution to the character or appearance of Ancoats. These buildings will continue to play a major role in maintaining the distinctive character of the area, and retention and conversion will help to nurture a strong sense of place. This applies to all three character areas within the Ancoats Conservation Area.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

City Centre Strategic Plan 2015-2018 (March 2016)

On the 2 March 2016 the City Council's Executive approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to *"shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England"*.

It should also be noted that the strategic plan approved by the Executive also endorsed an extended boundary of the City Centre upon which the strategic plan is based. This extended boundary includes the application site and the wider New Cross area.

Indeed the strategic plan states that the growth of the City Centre *"has contributed additional residential accommodation, commercial property and leisure destinations, and these locations (together with others including the Irk Valley and New Cross) have clear potential to contribute to the City Centre offer: their relationship with, and proximity to, existing concentrations of activity demands their inclusion with the City Centre boundary. The expansion of the City Centre boundary to incorporate edge of centre neighbourhoods and developments will increase a population that has already*

trebled over the last decade and subsequently further enhance the City Centre economy”

It is therefore clear that from this document that the expansion of the City Centre boundary to include areas such as New Cross is vital in terms of delivering the City's growth objectives for residential, commercial and population growth.

The City Centre plan particularly recognises the role that New Cross can play in terms of delivering residential growth and providing a higher quality residential offer in line with the regeneration framework. Indeed, the strategy recognises that by incorporating new areas such as NOMA, New Cross and the Irk Valley within the City Centre boundary it will allow for better linkages with the communities of North Manchester to the City Centre along with providing a catalyst that can drive further residential development in these areas.

As a result, one of the key priorities for the Northern Quarter is to *“explore options to develop connections to Ancoats/New Islington and New Cross, spreading the creativity of the Northern Quarter eastwards and also maximising the opportunities presented by the growing communities in those areas”*.

Manchester Strategy (January 2016)

The strategy sets the long term vision for Manchester's future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a key driver of economic growth and a major employment centre. Furthermore, increasing the centre for residential is fundamental along with creating a major visitor destination.

East Manchester Strategic Regeneration Framework (2008-2018)

The Eastlands Strategic Regeneration Framework (SRF) was revised in November 2007. It identified the progress made in East Manchester since 2001 but also sets out the strategic direction for the next 10 years in order to continue the holistic regeneration of the area.

A key objective of the framework is to increase local employment opportunities by attracting investment. East Manchester is seen as a major investment location with a key role in the development of a complete City region, in order to become one of the premier destinations for new investment and leisure visitors in the North West. Investment in the public realm and creation of high quality buildings will also assist in improving the image of the area.

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.

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

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:

Air Quality provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be

proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

Noise states that Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings

- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Health and wellbeing 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, high quality open spaces and opportunities for play, sport and recreation);

Travel Plans, Transport Assessments in decision taking states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

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.

Issues

Planning history

113535/FO/2016: Erection of a part 7, part 5 storey building to form ground floor commercial unit (Use Classes A1, A2, A3, A4 or A5) (81 sqm) together with 30 residential apartments (Use Class C3a) with associated car parking spaces, amenity space and associated works following demolition of existing buildings **Refused 12 December 2016**

The application was refused on the following grounds:

- The proposed demolition of 162-164 Oldham Road would result in the loss of a key building which makes a positive contribution to character, appearance and significance of the Ancoats Conservation Area. The demolition of the building would therefore result in substantial harm to the significance of the Conservation Area together with there be no substantial public benefits derived from the redevelopment of the site to outweigh its loss to the area. The proposal is therefore contrary to policies SP1 and EN3 of the Manchester Core Strategy (2012), saved policy DC18 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD (2007), The Ancoats and New Islington Development Framework (2014), the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG).
- The erection of a part 7, part 5 storey building, following the demolition of the existing building, at 162-164 Oldham Road would, by virtue of its layout, height, size, massing and appearance would fail to preserve or enhance the character, context, appearance and significance of the Ancoats Conservation Area. The proposal will therefore fail to make a positive contribution to the Conservation Area and its visual amenity by failing to enhance and sustain (or better reveal) the significance of the area with a distinctive and high quality development. In addition, the proposal would fail to support positively the ongoing regeneration of the local area by failing to create a sustainable neighbourhood of choice. The proposal is therefore contrary to policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC18 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD (2007), The Ancoats and New Islington Development Framework (2014), the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG).

Demolition works in the Conservation Area

The application site consists of a three storey Edwardian building which is located in a prominent position on the corner of Oldham Road and Portugal Street and acts as a gateway into the heart of the Ancoats Conservation Area. The applicant's proposal is to demolish part of the side and the rear of the premises (essentially a façade retention) to allow for the extension and alteration of the premises.

As a consequence, it is necessary to determine if these demolition works are acceptable and what impacts there will be on the significance of the Ancoats Conservation Area.

Paragraph 138 of the NPPF advises that not all elements of Conservation Areas will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated as either substantial harm (under paragraph 133 of the NPPF) or less than substantial harm (under paragraph 134) taking into account the relative significance of the element and its contribution to the significance of the Conservation Area as a whole.

The applicant has provided a detailed justification for the demolition works together with a heritage statement to justify the loss of part of the buildings in the Conservation Area.

The significance of the Ancoats Conservation Area is derived from the juxtaposition of the larger former cotton spinning mills, which are principally located adjacent to the Rochdale Canal and the surrounding lower scale housing and commercial buildings. Historically throughout the area, there have always been commercial and residential buildings. This juxtaposition, and interlinking of manufacturing, transport and residential uses meant that Ancoats functioned as the first industrial estate in the world.

Furthermore, the concentration of mill buildings within Ancoats has become an important landmark in the history of the Industrial Revolution. Murray Mills, McConnel and Kennedy Mill, along with others in the area, represent a clear chronology of development of cotton mill architecture from 1800 to the 1920s.

Although the area is dominated by the mill buildings, the Conservation Area also contains other Listed Buildings of differing character. The Victoria Square housing and St Peter's Church represent some of these other key buildings. These buildings have a different style of architecture than the mill buildings in form, scale and appearance. It is considered that these Listed Buildings, along with other older non listed buildings, provide a rich, often contrasting, mix of architectural styles alongside the dominant mill buildings.

The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Buildings, is a key requirement within policy EN3 of the Core Strategy, saved policies DC18 and DC19 of the UDP along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through retention of building which add to the significance of the Conservation Area or where new additions are proposed that they are carefully detailed and, where appropriate, the use of compatible materials.

The historical records describe the application site as a late 19th Century brick built building with 3 storeys, 2 x 3 bays for the shop. It is likely that the building was formerly offices or warehousing with a possible former dwelling to the rear. The building has a hopped roof with an entrance on the corner.

The applicant has prepared a heritage statement in support of the partial demolition of the existing building on site. This states that the building is constructed on the north and west sides in red orange brick in Flemish bond and on the other sides with mottled brick in stretcher bond. The building has a distinctive curve which highlights the building and its position on the corner of Oldham Road and Poland Street. The building has been adapted and currently has UPVC windows. The rear of the building has less features and is more simple in appearance.

With regards to the interior of the building, the building has been adapted over time but still provides ornate detailing of interest, particularly at the lower levels of the building.

The applicant's assessment concludes that the building is of low to medium local significance, mainly in virtue to some surviving historic architectural details. In addition, the land to the east which forms part of the applications site, has a high potential for industrial archaeological remains relating to the houses from the late

18th century. These include the terrace houses fronting Oldham Road, as well as the Spread Eagle Inn and the back to back dwellings along Portugal Street.

In terms of whether it is appropriate to partially demolish this building in the Ancoats Conservation Area, consideration has been given to paragraph 138 of the NPPF which requires consideration as to whether this building makes a positive contribution to the significance of the Conservation Area and accordingly whether substantial or less than substantial harm would arise as a consequence of its demolition.

As the façade of the building will be retained, its retention will maintain the visual amenity and character of this part of the Conservation Area. The building represents an example of a more modest building in the overall context of this industrial area that is dominated by mill buildings.

The side and rear of the building are less sensitive aspects of the building and although the internal aspects of the building will be lost, there are other examples of this type and age of building across the City where the interior is better preserved. In addition, there have been unsympathetic alterations to the building. Furthermore, it is considered that there are public benefits from the scheme which outweigh the harm from the loss of the side, rear and interior the building.

In addition, the removal of the adjacent surface level car park will improve the visual character of the area which currently has a negative impact on the setting of the building and the character of the Conservation Area.

The harm caused as a result of the loss of these buildings is therefore considered to be '*less than substantial*' (as stated in paragraph 134 of the NPPF). In line with paragraph 135 of the NPPF, the scale of the loss has to be balanced against the substantial public benefits that comprehensively redeveloping the site will bring. This development will bring a high quality modern development to the area which will contribute positively to the characteristics of the Conservation Area.

It is concluded that the applicant has prepared a robust justification for the partial demolition of the buildings in the Conservation Area. Notwithstanding the considerable weight that must be given to preserving the setting of the conservation area, as required by virtue of S72 of the Listed Buildings Act, the harm caused by the partial loss of the exterior and interior of the building (in both social and architectural terms) is considered to be less than substantial particularly when balanced against the overall significance of the buildings.

Furthermore, there are considered to be sufficient public benefits to outweigh the loss of the buildings given the overriding regeneration benefits from the comprehensive redevelopment of the site. The requirements of the NPPF are therefore considered to be satisfied in this regard, particularly paragraphs 133, 134 and 135 together with policy EN3 of the Core Strategy and saved policy DC18 of the UDP.

Indeed, the proposed development has been designed with regard to the sustaining and enhancing the significance adjacent heritage assets and would make a positive contribution to local character and distinctiveness and therefore meets with the requirements of paragraph 131 of the NPPF.

Principle of the redevelopment of the site and contribution to regeneration

Policy H1 outlines the strategic approach to housing growth in the City. Approximately 60,000 new homes need to be provided in the City between 2009 and 2027. This growth is expected to be accommodated principally within the North, East, City Centre and central areas of Manchester which fall within the Regional Centre and inner areas of Manchester. This is as a direct response to Manchester's growing economy and population growth the later which is expected to rise significantly over the next 20 years.

New developments in the City will therefore be expected to contribute towards this growth strategy ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice. There is currently a mismatch between supply and demand for suitable accommodation to meet the growing population of the City.

The application site is located within the Regional Centre, as allocated on the Proposals Map contained within the Manchester Core Strategy (2012), and forms part of the Ancoats and New Islington Regeneration area. Policy SP1 states that this area will be the focus for economic and commercial development, retail, leisure and cultural activity alongside high quality city living. Policy H1 goes on to state that the Regional Centre is a priority area for residential schemes in order to support regeneration and drive regional growth.

The application site is also identified within the Ancoats and New Islington Development Framework as a site which should be redeveloped for housing as part of supporting the ongoing redevelopment and renewal of the area.

The proposal differs from the previous refusal at the application site as it seeks to retain the façade of the existing building on site. As such, this is considered to contribute positively to the character of the surrounding area and allows for an extension which is in keeping with this façade albeit in a contemporary fashion. The proposal which contribute to the supply of good quality family housing in the city centre and therefore makes a positive contribution to the ongoing regeneration of the area.

Material planning considerations

Although the principle of development is not considered acceptable, it is still necessary to consider the following material considerations and determine whether any undue harm will arise as a consequence of other aspects the development:

- Affordable housing;
- Visual amenity;
- Impact on the historic environment ;
- Ecology;
- Effect of the development on the local environment and existing residents
- Effect of the development on the proposed residents
- Landscaping and amenity space /boundary treatment/public realm

- Impact on the highway network/car parking
- Flood Risk/surface drainage
- Sustainability;
- Designing out crime;
- Ground conditions; and
- Construction management.

The above matters will be considered in turn below.

Affordable Housing

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on site of 0.3 hectares and above or where 15 or more units are proposed for development to contribute to the City-wide target for 20% of new housing provision to be affordable.

The supporting SPD to this policy states that there are exemptions to the policy where either a financial viability assessment is conducted that demonstrates that it is not viable to deliver affordable housing or a proportion, or where material considerations indicate that intermediate or social rented housing would be inappropriate.

The criteria that might qualify development for exemptions that are of relevance in this instance include:

- that inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Framework, planning frameworks or other Council approved programmes.
- It would financially undermine significant development proposals critical to economic growth within the City;
- The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability.

The applicant does not propose any affordable housing as part of their proposal and has provided a viability statement as part of their scheme. This report has been assessed. Given the need to diversify the tenure mix of properties throughout the Ancoats area, it has been determined that on site affordable housing should not be provided. However, there may be scope to secure an small off site commuted sum, however, there are costs associated with retaining the façade of the building, together with creating a high quality extension, which would need to be taken into account. As the City Council has a land ownership interest in the site it is considered that securing an amount of money would be undertaken during any discussions with regards to re-gearing the lease arrangement for the site which is due for renewal.

Residential development - density/type/accommodation standards

The proposal will provide 28 residential units within the development. This represents a development of 500 units per hectare. Policy H1 states that developments of over 75 units per hectare will be appropriate on sites in the City

Centre and in the Regional Centre. Whilst this development is considered to represent a dense form of development, it is considered appropriate given the character of the area given its location on the City Centre fringe.

In terms of the type and standard of accommodation, policies SP1, H1, H2 and H4 of the Core Strategy seek to ensure that the right type and standard of accommodation is created in the City. The space standards for new accommodation to ensure that a minimum standard of accommodation is created across the City. This is also now become embodied within the draft residential design guide.

The breakdown of accommodation and sizes within the development is as follows:

- one bed apartments – 8 (28%);
- two bed apartments – 20 (71%)

The mixture of apartment sizes is considered to be acceptable, particularly as the predominant apartment type is well sized two bedroom accommodation. The apartments also comply with the space standards which is welcomed. There are balcony areas for each apartment which provide amenity areas.

The properties would have been available on a for sale and rental basis. Had the application been for approval this would have been conditioned so that the accommodation would have been C3a only.

Commercial development

The proposal seeks to provide a 230 sqm commercial unit on the ground floor of the premises and has indicated that this will be used for A1, A2, A3, A4 or A5 uses.

Policy SP1 of the Core Strategy states that the regional centre, which the application site is located within, will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living. Policy EC3, which relates to the regional centre, goes on to that that proposals for other town centre uses, will be assessed in accordance with policies C1 and C9 of the Core Strategy.

The application site is not identified within the list of defined centres outlined within policy C1. The nearest centre is the City Centre which is a 10-15 walk from the application site. Policy C9 states that development of town centre uses in locations which are outside of a centre identified in policy C1 (or a strategic location identified for such uses) will be inappropriate unless it can meet the criteria in the policy. This includes demonstrating that there are no sequentially preferable sites or any unacceptable impacts on a defined centre. The supporting text to this policy states that developments of below 650 sqm will generally be of local significance only.

This proposal seeks to create 230 sqm of commercial floor space. As such, it is considered that the impacts of the floor space will only impact on the local area and not any nearby defined centre. As such, it is not necessary to undertake any form of sequential test.

It should also be noted that creating an active ground floor use in this instance is welcomed and would seek to replace the existing ground floor use which currently activates the street scene.

In this instance, it is considered that this quantum of floor space is acceptable in this location.

In terms of the provision of restaurant/café, drinking establishment and takeaway uses (use class A3), regard must be had for saved policy DC10 of the UDP. Saved policy DC10 of the UDP seeks to encourage food and drink uses in centres or in parades of 8 or more shops along with an assessment on the impact on residential amenity.

Whilst the development is not within an established parade or centre, it is considered it is located in a parade of 8 or more commercial premises. However, it is not considered that, in the interest of residential amenity an A4 or an A5 use is appropriate in this location. These types of uses are known to be late night uses and given the close proximity of residential (both at this development and nearby) these type of uses are not considered appropriate.

It is recommended that the planning permission be restricted to use classes A1, A2 and A3 only.

Visual amenity

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester and the draft residential design guide, requires that consideration be given to layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene and other important features of sites.

The Ancoats and New Islington Development Framework also provides specific guidance for new developments along the Oldham Road frontage. This includes encouraging active street level uses that can help to animate the street and being contemporary in design and massing that responds to the area's historic environment and context, reflecting the prominence of the key road frontages and the need to enhance the pedestrian environment along them.

In response to these design principles, the proposal seeks to provide a comprehensive redevelopment with perimeter block development resulting in a positive response to the grid iron network and preserving the physical separation between development plots in the conservation area.

Oldham Road and Poland Street would be activated at ground level with commercial units thus adding to the vitality and vibrancy of the area and surrounding street scene. Oldham Road will also provide the entrance to the residential apartments which will ensure it is naturally surveyed and located in a prominent position.

Portugal Street will provide the vehicular entrance to the ground floor car parking along with the servicing requirements for the development.

The siting and layout of the proposed development maximises its frontages with the surrounding road network and provides activity along the street harnessing a safe and inviting environment.

The Guide to Development in Manchester SPD advises that consideration should be given to the scale of new developments and ensure that they are informed by their context. Where buildings are of different scale to their surroundings they should be of the highest quality and be of landmark status.

The proposed development is in keeping with the scale of the surrounding development. The Ingenta apartment block at 2 Poland Street forms a four storey building and therefore the proposed development will be in keeping with the proportions of this building. Whilst the development on the opposite side of to the application site (on the corner of Oldham Road and Poland Street) – 156-160 Oldham Road is a 2 storey building, it is considered that the proposed 4 storey building at the application does not feel out of context with this building. Indeed, it is considered that this variety in scale adds to the interest in the conservation area.

The siting and scale of proposed development is therefore considered to be appropriate and well considered response to its position on a major road frontage such as Oldham Road. Although in the immediate context there are smaller buildings, it is not considered that the resulting relationship is unduly harmful to the street scene. Indeed, it is considered that this change in building height adds to and responds positively to the characteristics of the Conservation Area.

In terms of design and architectural quality, policy EN1 of the Core Strategy states that opportunities for good design, that enhance the overall image of the City, should be fully realised. This is reiterated within the Guide to Development in Manchester SPD along with the NPPF.

The design concept is to create a high quality designed development which respects the setting of the Conservation Area and nearby Listed Buildings. Whilst the predominant material within the Ancoats Conservation Area is a variety of red brick buildings, this proposal takes a different form in order to respond to the application site prominent position along Oldham Road.

A zinc parapet is introduced to the roof of the existing building. This will provide a modern and contemporary feel to the roof of the development rather than seeking to create a pastiche of the previous roof form and parapet detail which has subsequently been lost from the building through unsympathetic alterations.

The rear of the existing façade, together with the brick work for the extension, will be formed by a light grey brick and dark mortar joint. This will provide a contrasting finish to the extension whilst employing some of the characteristics of the conservation area by importing a regular and vertical window pattern. The windows will be set deep into the elevation provide interest to the elevations which also provides the opportunity to create inserted balconies to all the apartments.

The shops fronts and entrances will be well detailed with slender aluminium frames and large glazed openings which provide activity and natural surveillance to the

street scene. A dark bronze finish to the frames will provide a high quality finish to the ground floor level of the development.

It is considered that the architecture and elevational treatment creates a high quality development. The simple and regular arrangements of the elevations combined with the quality and use of materials would provide buildings that will enhance the setting of the Conservation Area and provide the required presence to Oldham Road and the continued regeneration of Ancoats.

Overall the siting and layout of the development maximises the relationship with the surrounding road network. The proposed building follows a similar perimeter block arrangements to the surrounding buildings and respects the grid iron pattern. The arrangement of commercial units on the ground floor, car parking and residential accommodation provides a logical arrangement and is therefore considered to be in accordance with policies SP1, EN1 and DM1 of the Core Strategy along with the aspirations in the SPD and the East Manchester SRF.

It is recommended that a condition of the planning approval is that all materials are agreed by planning conditions to ensure that they are of a suitable high quality for this site.

Impact on the historic environment

Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. In this instance, the application site is located within the Ancoats Conservation Area along with being seen in the same context as Victoria Square (Grade II). There are also non designated heritage assets whose setting will be affected by the development.

The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Buildings, is a key requirement within policy EN3 of the Core Strategy, saved policies DC18 and DC19 of the UDP along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials. In addition, the maintenance of road surfaces, kerbstones and street lighting, together with reuse of vacant sites will be a key objective.

As detailed above, the significance of the Ancoats conservation area is derived from the former cotton spinning mills, which dominate the area and are principally located adjacent to the Rochdale Canal and the nearby housing. Historically throughout the area, there have always been commercial and residential buildings. This juxtaposition, and interlinking of manufacturing, transport and residential uses meant that Ancoats functioned as the first industrial estate in the world.

Furthermore, the concentration of mill buildings within Ancoats has become an important landmark in the history of the Industrial Revolution. Murray Mills, McConnel and Kennedy Mill, along with others in the area, represent a clear chronology of development of cotton mill architecture from 1800 to the 1920s.

Although the area is dominated by the mill buildings, the Conservation Area also contains other Listed Buildings and non-designated heritage assets of differing character and scale which provide an interesting juxtaposition between the dominant mill buildings and the low scale commercial and domestic structures.

The retention of the façade of the existing building, together with its modest first floor, allows the proposed development to respond positively to the characteristic of the conservation area and maintain a relatively modest scaled development at the application site.

In addition, the siting principles of buildings throughout the conservation area, a generally set back of pavement in a perimeter block arrangement. The proposed development will reinforce these principals by occupying the whole site with development and addressing the key road frontages around its perimeters.

The scale of the development at four storeys will ensure that the building sits appropriately within its context and not compete with the stature of the nearby Victoria Square (Grade II) which is located to the west of the application site.

The proposed building will be seen from many vantage points throughout the conservation area, particularly along Portugal Street, Poland Street and Oldham Road. It is considered that the development will enhance these views as a result of the high quality façade and use of materials. The building will feature a regular fenestration with large vertically proportioned windows which reflect some of the historically features of the older buildings throughout the conservation area.

The predominant material throughout the conservation area is red/orange brick and stone detailing. Through the retention of the façade of the existing building on site, this feature will be preserved. The extension, however, will provide a contrast with this material with the use of a light grey brick which will provide a modern addition to the site and is considered to be appropriate in this context.

Whilst the proposed development would form a substantial new building to Oldham Road together with being seen in the same context as nearby Listed Buildings, overall it is considered to be a positive addition to the street scene adding to the variety of building scales along this frontage. As already noted, the proposed development will add to the variety of building scale and materials which is considered to be a positive addition to the area. All the nearby Listed Building would remain appreciated and their setting respected.

The impact on the Conservation Areas and nearby Listed Buildings is therefore considered to be '*less than substantial*' as defined by paragraph 134 of the NPPF in that the historic environment will remain largely legible and understood but due to the overall scale of the development, and its relationship to the historic environment, which will result in certain historical features being lost (i.e. the internal and rear aspects of the existing building).

It is considered that the proposed development suitably mitigates against this low level harm that would arise through the public benefits to be derived from the

elimination of a poor quality site within a key regeneration area which currently has a negative impact on the surrounding area particularly the Oldham Road frontage.

The siting of the buildings and the site layout responds positively to the grid iron format of Ancoats thus contributing towards to the creation of a sense of place. Furthermore, a distinctive form of high quality architecture would be created at the application site with the use of high quality materials which will respond positively to the scale and form of the building. The street scene would be enlivened with active frontages and enhance public realm providing positive connections with the City Centre.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the conservation areas as required by virtue of S72 of the Listed Buildings Act, any harm caused by the proposed development would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 132 and 134 of the NPPF.

In addition for the reasons set out above it is considered that the proposed development has been designed with regard to the sustaining and enhancing the significance adjacent heritage assets and would make a positive contribution to local character and distinctiveness and therefore meets with the requirements of paragraph 131 of the NPPF.

Indeed, from the key vantage points listed above it is considered that the proposal makes a positive contribution to the setting of the Conservation Area and Listed Building thereby better revealing its significance (as directed by paragraph 137 of the NPPF and S72 of the Act).

It is therefore concluded that the proposal complies with policy EN3 and saved policies DC18 and DC19 of the UDP in that the development will broadly enhance the historic environment and where there is a degree of harm this is outweighed by the overriding positive impacts this development will bring to the regeneration of Ancoats.

Archaeology

The applicant has submitted an archaeology report with their application.

The report outlines that there are 1860 extant buildings and evidence of commercial premises which were present in the late 18th Century including the Spread Eagle Tavern and the buried remains of back to back workers housing from around 1820.

The heritage statement has a section on mitigation which includes a recommendation for a level 2/3 historic building survey and archaeological investigations of below ground remains. GMAAS agree with these recommendations. For the latter the initial stage will comprise of evaluation through archaeological trial trenching. Dependent of the state of preservation and significance of buried remains, this is likely to lead on to further open area and more detailed archaeological excavation.

The works detailed above must be included as part of the planning conditions.

Ecology

The planning application has been accompanied by an ecological appraisal which assesses the potential impact of the development on local ecology and nature conservation. This is a key requirement of policies EN15 and DM1 which seeks to ensure that applicants identify, enhance and restore impacts from developments on local habitats.

The report concluded that there is low potential for roosting bats to be present within the building on site.

Greater Manchester Ecology Unit concur with this approach and have advised that there be an informative of the planning approval advising on the approach to be taken in the event bats are found.

Effect of the development on the local environment and existing residents

a) Sunlight, daylight, overshadowing and overlooking

The applicant has undertaken a daylight and sun light report in respect of this planning application. There is one residential building, the Ingenta apartments which are situated in close proximity to the application site which are likely to be affected by the development.

Although the proposed development will be seen through the windows of the Ingenta apartments, none of the windows of this development overlook the application site directly.

The proposed developments windows on Poland Street overlook the low rise Crown Industrial Estate and its Portugal Street window provision overlooks 156-160 Oldham Road.

As a consequence, good access to sky visibility (from which daylight is derived) will continue to be available to the residential windows notwithstanding the increased massing of the proposed development.

Further, those rooms of the existing apartments nearest the proposed development apartments are located at the northern corner and are clearly dual aspect, meaning that access to daylight is achieved from two different directions.

On that basis the proposed development is considered to have no unduly harmful impacts on the internal daylight conditions of the Ingenta residential apartments.

The report also considers the impact of the development on neighbouring commercial and retail uses. The report concludes that the continued use and function of these building will continue unaffected by the development as none of the windows are considered to be key receptors or sensitive to changes in daylight.

In terms of overlooking, there is well over 10 metres separated the proposed block and the existing apartments. This is not an unusual arrangement and one which is the character of the area. It is noted that there is an objection from a local resident in the Ingenta apartments, it is not considered that there will be any undue loss of privacy due to the reasons outlined above.

b) TV reception

The applicant has submitted tv reception survey in respect of their proposal. Whilst this concludes that there will be no negligible impacts associated with the development, it is recommended that a condition of the approval is that a post assessment be completed to ensure no mitigation was required.

a) Air quality

An air quality assessment has considered whether the proposal would change air quality during the construction and operational phases. The application site is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of emissions from the surrounding road network.

The report submitted has considered the impact on air quality during both the construction and operational phases of the development.

Dust would be inevitable during the construction process but there is limited demolition with works mainly associated with earthworks and above ground construction activities. Good on site practices during this stage this would ensure dust and air quality impacts are not significant. This should remain in place for the duration of the construction period and should be the subject of a condition.

The impacts on existing air quality once the development is complete would be negligible. There is a relatively low level of car parking provision across the site with a commitment from the applicant to provide electric car charging pointing and cycle parking so that residents can take advantage of the sustainable location.

Environmental Health concur with the conclusions and recommendations within the air quality report. In light of the mitigation measures proposed above, it is considered that the proposal will comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there will be no detrimental impact on existing air quality conditions as a result of the development.

Effect of the development on the proposed residents

a) acoustic insulation – residential and commercial accommodation

A noise assessment has been provided in support of this application which principally considers the noise insulation requirements for the residential and commercial accommodation proposed along with any associated plant equipment. The consideration of such matters is a key requirement for policy DM1 of the Core Strategy along within saved policy DC26 of the UDP. This approach is also outlined

within the NPPF which seeks to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new developments.

The main sources of noise from the development are as follows:

- plant; and
- acoustic specification of the building to limit noise ingress from external noise and from the commercial use on the ground floor.

The proposed development may require some additional plant. It is unclear at this stage what will be required and its specification. Such details are therefore required prior to the first use of the development and it is recommended that this is included as a condition of the planning approval.

The acoustic report also considers external noise sources on the proposed residential accommodation. The main sources of noise will be from road traffic, particularly along Oldham Road, noise transfer from building services, the commercial unit and plant. It is also noted that there is a detailed objection from Royal Mail who have a Mail centre directly opposite the application site. They are concerned that there may be future noise complaints from the occupants of the proposed development as a result of their 24 hour activities.

The report concludes that it is necessary that the residential apartments are acoustically insulated to mitigate against any undue harm as a consequence of these noise sources.

The applicant's acoustic report, along with the recommendations of Environmental Health, states that the preferred solution is for the apartments to include mechanical ventilation. This will allow fresh air for occupants so that windows can be closed to meet the internal noise level criteria.

Environmental Health also recommend that the commercial unit is acoustically insulated but no details have been provided to date.

Further details are required to ensure that all relevant noise criteria can be met with this system, including any relevant glazing specification. It is considered that such information can be dealt with via planning condition, including ensuring that there is a post completion assessment prior to the first occupation of the residential element of the scheme to ensure that the relevant criteria has been met and that no further mitigation is required.

Whilst it is noted that the proposed development lies opposite the Royal Mail centre, it is not considered that the activities of the mail centre warrant refusal of this planning application. The application site is separated from the mail centre by Oldham Road which is a major road into the city centre. The road has four lanes is a busy route with consistent levels of traffic throughout the day including sensitive parts of the day when background noise levels decrease.

Whilst residents of the proposed development may notice some of the activities associated with the mail centre, it is not considered that these impacts are unduly

harmful. Indeed, it is considered that the development can be appropriately insulated to protect its occupants from any harm from the activities of the mail and those associated with the traffic noise from Oldham Road.

b) waste management

A major mixed use development of this nature is likely to generate a significant amount of waste which will need to be managed on a daily basis. Policies EN19 and DM1 of the Core Strategy require that applicants show consistency with the waste hierarchy which principally seeks applicant to re-use and recycle their waste.

The waste strategy for the building has been carefully considered. It has been calculated that the following refuse capacity is required

- General waste – 3 x 1100 litres;
- palpuable – 1 x 1100 and 1 600 litres;
- Mixed recycling – 1 x 1100 and 1 600 litres; and
- Organic waste – 1 x 240 litres.

The main waste storage facility is located on the ground floor of the development and is accessed off Portugal Street for servicing. Residents will be accessed to deposit their waste directly in the waste storage area.

Environmental Health are satisfied that the waste management arrangements are adequate for residential element but that further details were required for the commercial unit. This should form part of the conditions of the planning approval.

Landscaping and amenity space /boundary treatment/public realm

The perimeter block formation of the development results in no opportunity to provide amenity space or the need for any boundary treatment. There will be an opportunity to make footway improvements around the application site to improve the pedestrian environment. This will be secured by planning condition.

Each individual apartment will have their own balcony area which will provide a suitable space for the drying of clothes and recreation. This is welcomed as it will provide a meaningful space for the occupants of the development to enjoy.

Impact on the highway network/car parking

Policy T1 and T2 of the Core Strategy seeks to encourage modal shifts away from the car and locate new development that is accessible by walking, cycling and public transport. Policy DM1 goes on to state that traffic generation and road safety must be considered as part of new developments.

A transport statement has been prepared in respect of this planning application which acknowledges the sustainable location of the application site particularly that the site is accessible to a range of transport modes along with close proximity to the City Centre and a range of amenities and services.

Highway Services outline that given the scale of the development it is considered that the trip generation associated with this development will be acceptable and will not have a detrimental impact on the capacity of the local highway network.

In addition, the proposal will provide 6 on site car parking spaces (21% provision) which given the overall sustainability of the application site (along a major bus corridor and within walking distance of the City Centre).

Policy T2 of the Core Strategy states that developments in the City Centre, which the application site falls within, should '*provide a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development*'. This requirement to find a balanced approach to car parking provision for developments in highly sustainable locations, such as the application site, is also reflected within the Ancoats and New Islington Development Framework which states that:

'New development proposal should be accompanied by an appropriate car parking strategy which allows the potential demand generated by future residents to be met whilst considering the promotion of alternative sustainable forms of transport. On site car parking solutions should be incorporated into development proposals in a manner that does not detract from the character or animation of the street'

The provision of 21% in this instance would have been acceptable subject to a robust off site car parking strategy which could include leased off-site parking provision, car club and other initiatives. This should form part of the conditions of the planning approval.

With regards to cycle parking, a total of 36 cycle spaces would have been provided within a internal secure locked cycle store. This would have equated to 100% provision which is acceptable in this instance and would have allowed residents to take advantage of the location of the application site so close to the city centre.

The servicing arrangements proposed for this development were considered acceptable, further details would have been required in respect of the opening of the doorways.

There should be improvements to the footways around the application the extent which should be agreed by planning condition.

A construction management plan should be agreed to ensure no unacceptable impacts on the local highway network.

Flood Risk/surface drainage

The application site is located in flood zone 1 '*low probability of flooding*'. However, the site lies within a critical drainage area (an area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network). These areas are particularly sensitive to an increase in rate of surface water run-off 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 run off in a critical drainage area.

The applicant has not provided sufficient details in respect of the Sustainable Drainage Hierarchy and accordingly the flood risk management team have raised an objection to the proposal.

Had the principle of the development been acceptable, further consideration would have been given to this aspect of the proposal to ensure that adequate arrangements could be put in place.

Sustainability and energy efficiency

An energy and environmental standards statement demonstrates that the energy hierarchy has been applied and that low and zero carbon technologies have been used within the development which would enable the buildings to part L (2010).

The overall energy performance of the development is satisfactory and there would be an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development performs well, and complies with the spirit of the Core Strategy policies given the high quality building fabric and systems 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

Design for Security at Greater Manchester Police have raised no objections to the proposal subject to the inclusion of a Secured by Design planning condition. This has been included in the list of planning conditions for consideration.

Ground conditions

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments. Initial site investigation work has been carried out by the applicant. This found a large amount of made ground at the site.

The initial site investigation report has been considered by Environmental Health. They have recommended that further investigation works are required. Had the recommendation been to approve, further consideration would have been given to this matter and conditions imposed accordingly.

Demolition and Construction management

It is recommended that a condition of the planning approval is that a construction management plan be submitted prior to the commencement of the development in order to assess the highway implications of the construction activities. Such a plan should include details of a routing strategy, site compound, staff car parking and matters such as wheel washing and dust suppression measures.

Permitted development

The Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable.

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 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.

Public opinion

There have been two comments received in respect of this planning application. A local residents from the Ingenta apartment block has raised concerns about overlooking and loss of privacy. As outlined in detail in the report, it is not considered that there will be any unduly harmful impacts as a result of the development. It is noted that Poland Street is a narrow street, however, the relationship of blocks through the conservation area is one where development are within close proximity to one another. The distance between the blocks will preserve the amenity of the existing residential apartment block and it is not considered that there will overbearing or overshadowing impacts that would warrant refusal of this planning application.

The detailed object from the Royal Mail has been carefully considered. It is determined that both the impacts from the operation of the mail centre on the proposed occupants of the development together with any impacts associated with the construction side of the development, can be suitably mitigated against to ensure that there are no unacceptable impacts. Environmental Health are satisfied that an appropriate acoustic insulation scheme can be developed in this instance to protect the occupants of this development from road noise and the activities of the mail centre. A post completion survey before first occupation will establish if any additional measures are required.

Conclusion

The proposal would have a positive impact on the regeneration of this part of the City Centre including contributing to the supply of high quality housing. Active frontage to Oldham Road will ensure that the development contributes positively to this main road route.

There would be cycle parking provision and well considered servicing improvements. The buildings would be of a high level of sustainability and the high quality materials on the exterior of the building.

The façade retention of the building has a positive impact on the visual amenity of the site and the conservation area and the proposed extension removes the vacant part

of the site which has a negative impact on the visual amenity of this part of the site on a major road.

The report has outlined that the proposal would not have any unduly harmful impacts on the setting of any heritage assets and in most instances will have a positive impact on views in the Conservation Area.

The level of harm is considered to be less than substantial and is outweighed by the public benefits that would be delivered. Notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme thus meeting the requirements set out in paragraphs 132 and 134 of the NPPF.

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 siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application as a result of matters arising from the consultation and notification process. 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

PL 301 Rev 01 and PL 300 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 12 September 2017

PL 400, PL 209, PL 202, PL 201, PL200, PL 303, PL 030 and PL 302 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017

Supporting Information

Air quality report, archaeology report, Crime Impact Statement (version B), Energy Statement, Planning application, signal reception, ventilation strategy, travel plan, noise, habitat survey, daylight and sunlight, geo environmental report, heritage report and transport statement stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017

Surface water strategy report prepared by Innervision design ltd stamped as received by the City Council, as Local Planning Authority on the 5 October 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) The development shall not commence until a programme of archaeological works has been submitted. The works are to be undertaken in accordance with Written Schemes of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSIs shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

- a Historic England Level 2/3 historic building survey
- archaeological evaluation through trial trenching
- informed by the above, more detailed targeted excavation and historic research (subject of a new WSI)

2. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.

3. Dissemination of the results commensurate with their significance.

4. Provision for archive deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy.

4) Notwithstanding the surface water strategy report prepared by Innervision design ltd stamped as received by the City Council, as Local Planning Authority on the 5 October 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. For the avoidance of doubt this shall include:

- 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 (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- Hydraulic calculation of the proposed drainage system for the 1 in 1, 1 in 30 and 1 in 100 year plus climate change events;
- Construction details of flow control and SuDS elements.

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 geo-environmental phase 1 report stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, a) before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, 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.

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. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. 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) 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.

8) 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:

- Verification report showing implementation of the scheme.
- 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).

9) The development hereby approved shall be carried out in accordance with the Energy Statement stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017. 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.

10) 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. The approved scheme shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

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).

11) Prior to the first use of the commercial units as indicated on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented and post construction survey (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures agreed thereafter retained and maintained in situ.

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).

12) (a) Prior to the first occupation of the residential accommodation hereby approved, the accommodation shall be insulated in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved scheme shall be implemented and prior to the first occupation of the residential element and post construction survey (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures agreed thereafter retained and maintained in situ.

Reason: To secure a reduction in noise from traffic and the Mail Centre 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).

13) Notwithstanding the waste and servicing strategy prepared stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, prior to the first occupation/use of the commercial unit as indicated on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017 a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted for approval in writing by the City Council, as Local Planning Authority. The details of the approved scheme shall be implemented as part of each phase and shall remain in situ whilst the use or development is in operation.

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

14) The residential element hereby approved shall be carried out in accordance with the waste management strategy and drawing PL 200 both stamped as received by the City Council, a Local Planning Authority, on the 17 July 2017. The waste arrangements shall be in place prior to the first occupation of the residential element and thereafter retained and maintained in situ.

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

15) Prior to the first occupation the commercial unit as indicated on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 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 situ.

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).

16) 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, or as may be otherwise agreed in writing by the City Council as local planning authority. 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.

17) 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.

18) 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).

19) The 2 commercial units hereby approved, as indicated on PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, shall not be open outside the following hours:-

Monday to Saturday	08.00hrs - 23.00hrs
Sundays	09.00hrs - 23.00hrs

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.

20) The 2 commercial units as shown on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, shall remain as separate units and shall not be sub divided or amalgamated 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 units 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.

21) The 2 commercial units, as indicated on PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017 can be occupied as A1, A2 and A3. The first use of the commercial units 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 1995.

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.

22) In the event that any of the commercial units, as indicated on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, are 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.

23) 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.

24) The development shall be carried out in accordance with the Crime Impact Statement (Version B) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 17 July 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.

25) The development hereby approved shall be carried out in accordance with the Travel plan framework stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017.

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

- the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- 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
- mechanisms for the implementation of the measures to reduce dependency on the private car
- measures for the delivery of specified travel plan services

- 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).

26) Prior to the first use of the building, the cycle provision, as indicated on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017 shall be implemented prior to the first occupation of the development 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 pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

27) Prior to the first use of the development hereby approved, the car parking layout, as indicated on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

28) (a) Prior to the commencement of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for both the construction and operations element of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved document shall be implemented as part of the construction and occupation of the development. Within six 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).

29) Prior to the first use of the development, a scheme of highway works in relation to Oldham Road, Poland Street and Portugal Street 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:

- creation of dropped kerbs to car park entrance;
- reinstatement of footways.

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).

30) Notwithstanding the TV reception survey, stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, 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 a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. 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.

31) Prior to the first use of each of commercial units, as indicated on drawing PL 200 stamped as received by the City Council, as Local Planning Authority, on the 17 July 2017, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 117014/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

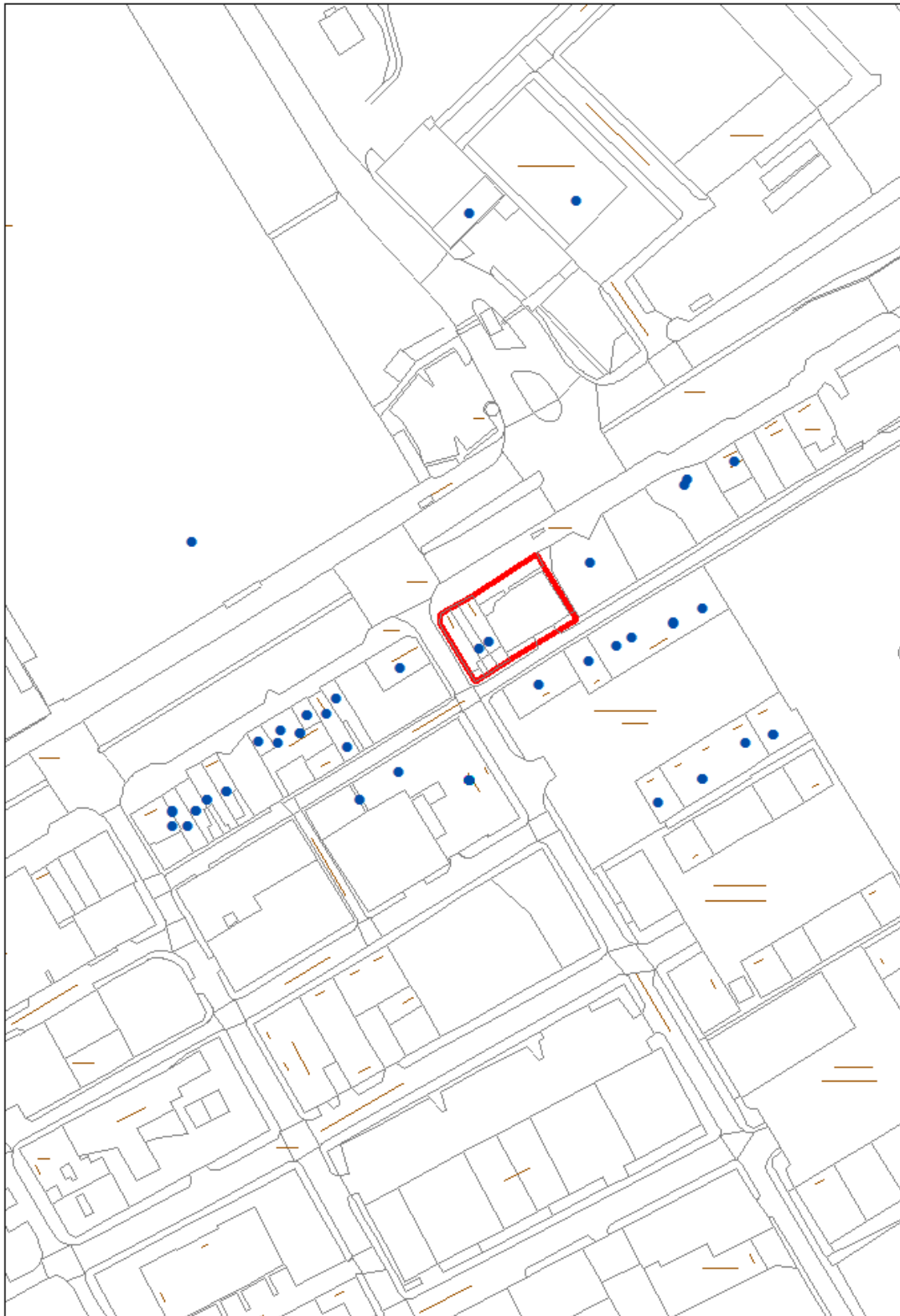
Environmental Health
MCC Flood Risk Management
Strategic Development Team
Greater Manchester Police
Transport for Greater Manchester
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit

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:

2 Poland Street, Manchester, M4 6BR

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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