



## **Planning and Highways Committee**

Date: Thursday, 18 October 2018

Time: 2.00 pm

Venue: Council Chamber - Town Hall Extension, Albert Square

Everyone is welcome to attend this committee meeting.

### **Access to the Council Chamber**

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

### **Filming and broadcast of the meeting**

Meetings of the Planning and Highways Committee are 'webcast'. These meetings are filmed and broadcast live on the Internet. If you attend this meeting you should be aware that you might be filmed and included in that transmission.

## **Membership of the Planning and Highways Committee**

### **Councillors**

Ellison (Chair), Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, J C Lyons, Madeleine Monaghan, Strong, Watson, White and J Wilson

## Agenda

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**1. Urgent Business**

To consider any items which the Chair has agreed to have submitted as urgent.

**2. Appeals**

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

**3. Interests**

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

**4. Minutes**

To approve as a correct record the minutes of the meeting held on 20 September 2018.

5 - 22

**5. 391 Palatine Road, Manchester, M22 4JS**

The report of the Head of Planning, Building Control and Licensing is attached.

**Northenden**

23 - 46

**6. 318 Barlow Moor Road, Manchester, M21 8AY**

The report of the Head of Planning, Building Control and Licensing is attached.

**Chorlton Park**

47 - 62

**7. Land known as Birley Plot E, Stretford Road, Manchester**

The report of the Head of Planning, Building Control and Licensing is attached.

**Hulme**

63 - 98

**8. Land at Arundel Street, Manchester, M15 4JZ**

The report of the Head of Planning, Building Control and Licensing is attached.

**Hulme**

99 - 182

**9. 39 Mason Street, Manchester, M4 5FX**

The report of the Head of Planning, Building Control and Licensing is attached.

**Piccadilly**

183 - 216

## Meeting Procedure

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The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at [https://secure.manchester.gov.uk/downloads/download/4030/the\\_constitution](https://secure.manchester.gov.uk/downloads/download/4030/the_constitution).

At the beginning of the meeting the Chair will state if there any applications which the Chair is proposing should not be considered. This may be in response to a request by the applicant for the application to be deferred, or from officers wishing to have further discussions, or requests for a site visit. The Committee will decide whether to agree to the deferral. If deferred, an application will not be considered any further.

The Chair will explain to members of the public how the meeting will be conducted, as follows:

1. The Planning Officer will advise the meeting of any late representations that have been received since the report was written.
2. The officer will state at this stage if the recommendation of the Head of Planning in the printed report has changed.
3. ONE objector will be allowed to speak for up to 4 minutes. If a number of objectors wish to make representations on the same item, the Chair will invite them to nominate a spokesperson.
4. The Applicant, Agent or their representative will be allowed to speak for up to 4 minutes.
5. Members of the Council not on the Planning and Highways Committee will be able to speak for up to 4 minutes.
6. Members of the Planning and Highways Committee will be able to question the planning officer and respond to issues that have been raised. The representative of the Highways Services or the City Solicitor as appropriate may also respond to comments made.

Only members of the Planning and Highways Committee may ask questions relevant to the application of the officers. All other interested parties make statements only. The Committee having heard all the contributions will determine the application. The Committee's decision will in most cases be taken under delegated powers and will therefore be a final decision.

If the Committee decides it is minded to refuse an application, they must request the Head of Planning to consider its reasons for refusal and report back to the next meeting as to whether there were relevant planning considerations that could reasonably sustain a decision to be minded to refuse.

## Information about the Committee

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The Council has delegated to the Planning and Highways Committee authority to determine planning applications, however, in exceptional circumstances the Committee may decide not to exercise its delegation in relation to a specific application but to make recommendations to the full Council.

It is the Council's policy to consult people as fully as possible before making decisions that affect them. Members of the public do not have a right to speak at meetings but the Committee will usually allow applicants and objectors to address them for up to four minutes. If you have a special interest in an item on the agenda and want to speak, tell the Committee Officer, who will pass on your request to the Chair. Groups of people will usually be asked to nominate a spokesperson.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Joanne Roney OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

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For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Wednesday, 10 October 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA.

## Planning and Highways Committee

### Minutes of the meeting held on Thursday, 20 September 2018

**Present:** Councillor Ellison (Chair)

**Councillors:** Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, Watson, White and J Wilson

**Apologies:** Councillor Nasrin Ali, J C Lyons, Madeleine Monaghan and Strong

**Also present:** Councillors: Akbar, Ahmed Ali, A Simcock, Wheeler and Wright

#### **PH/18/74. Interests**

Councillor White declared a prejudicial interest in Item 14 - The Old House At Home, 73 Burton Road, Manchester, M20 1HB

Councillor Watson declared a prejudicial interest in Item 15 - 118 Egerton Road North, Manchester, M16 0DA

Councillor Wilson declared a prejudicial interest in Item 16 - 825 Wilmslow Road, Manchester, M20 2SN

#### **PH/18/75. Minutes**

To approve as a correct record the minutes of the meeting held on 23 August 2018.

#### **PH/18/76. 118538/OO/2017 - North Manchester Business Park, Land Off Brightside Road, Manchester**

Planning application 118538/OO/2017 for development comprising: Erection of a commercial vehicle MOT and maintenance facility and provision of associated vehicle storage area with all matters to be considered, together with an outline application with all matters reserved except for means of access for up to 8,537m<sup>2</sup> of employment uses (B1/B2/B8) was received.

The development will comprise a predominantly single storey building with some office elements and storage at first floor level for the servicing, maintenance and VOSA testing of the Salford Van Hire fleet. In addition it is proposed that there will be a manned gatehouse to control access to the site, a canopied fuelling area and screened washing area, staff and visitor parking areas and a large area dedicated to vehicle storage.

Neither the applicant nor any objectors attended the meeting, and the Committee carefully considered all of the information contained in the report. The Committee concluded that that the proposed use will not result in significant impact upon either residential or visual amenity, or upon the operation of the local highway network.

Policy states that north Manchester is expected to provide approximately 14ha of employment land and identifies North Manchester Business Park as key development opportunity for employment purposes. The proposed development will help facilitate the long-term redevelopment of a former industrial, brownfield site and result in economic and environmental benefits to the area.

The site is situated in a highly sustainable location and will harness the economic objectives of both the City Council and the Government by bringing forward an effective use of land that will ultimately create jobs and contribute to the local economy.

Any potential harm is significantly outweighed by the efficient use of land that will result in environmental improvements to the immediate area and also the creation of additional employment both during construction and during the operational life of the development. It is estimated that the development has the potential to support 300 full time jobs once complete.

### **Decision**

MINDED TO APPROVE subject to a legal agreement which requires that the vehicle maintenance and storage facility is completed in full within 2 years from the date of planning permission; to submit all reserved matter applications relating to the outline proposal within 2 years from the date of permission; and for the development to be completed in full within a further 2 years from the date of the last of the reserved matters.

### **PH/18/77. 120707/FO/2018 - 20 Brideoak Street, Manchester, M8 0PN**

Planning application 120707/FO/2018 for the erection of single storey extension to the side and rear of the premises to form ancillary accommodation was received.

The application site relates to a single storey building used as a community centre (D1 use). The site is bounded by a wall of approximately 2 metres, along the periphery of the curtilage. The site also contains an area of hardstanding to the east of the building, which provides a number of off-street parking spaces.

The land is adjoined by residential properties on Brideoak Street to the south and west (C3 use), a place of worship (D1 use) to the east and garage (B2 use) on Cheetham Hill Road to the north. The building lies close to the junction between Brideoak street and Cheetham Hill Road, a major arterial route connecting the wider Cheetham area to the City centre. The location is nearby to the district centre of the Cheetham area with its wide range of commercial uses.

The submitted application seeks full planning permission for the erection of single storey extensions to the side and rear of the premises to form ancillary accommodation. The proposed extension would create 93 square metres of additional floor space within the community centre. The extension would lead to the creation of a mother and baby room, storage area, a larger kitchen area, larger male and female toilets and a quiet/study room.

Planning permission was granted on 16 July 1987 under planning reference 029257 for the conversion of a derelict church hall into a community centre.

The applicant spoke to the Committee in support of the application, and said that they acknowledged the concerns raised by the objectors, but that after discussions with officers, measures had been put in place to address all of the concerns raised.

Officers confirmed that there will be an amendment to Condition 10 regarding the Travel Plan, requiring the use of Traffic Marshalls and a further Condition requiring the windows at the rear of the premises to be obscurely glazed.

### **Decision**

To approve the application subject to the conditions and reasons in the report, the amended condition regarding the Travel Plan and an additional condition requiring the windows at the rear of the premises to be obscurely glazed.

#### **PH/18/78. 117249/FO/2017 - 231 Upper Brook Street, Manchester, M13 0HL**

This application was withdrawn prior to the meeting.

#### **PH/18/79. 120507/FO/2018 - 30 Albert Road, Manchester, M19 2FP**

Planning application 120507/FO/2018 for the change of use of former post office and sorting office to a mixed use licensed food hall, grocery shop and deli, microbrewery, community space and associated offices with installation of photo voltaic panels to flat roofs and elevational alterations to rear outbuildings was received.

This application relates to a former retail post office and associated postal sorting depot constructed in the 1920's. The applicant has indicated that the former retail post office was used as a restaurant for 8 years. This use was undertaken without planning permission and has recently ceased. The sorting depot was vacated by Royal Mail in April 2017 and was subsequently acquired by the applicant along with the former retail post office. The proposal therefore seeks the comprehensive development of the entire site.

A local resident spoke in relation to the proposals, but said that they did support the proposals in principle, but had concerns about the level of vehicle access at the site. He suggested that there should be changes to the entrance and exit arrangements to minimise the risk of traffic congestion or risk to the public from increased vehicle movements.

The applicant's agent also spoke to the Committee and said that the proposals would revitalise a currently unused building, and would add value to the local area. She said that Levenshulme had changed over the past few years, and that venues of this nature would add amenity to the Community, rather than detract from it. She also acknowledged the concerns of residents regarding traffic management, but said that these issues had been fully addressed and would be managed under the terms of the agreed conditions.

Officers reminded the Committee that the premises was a former Royal Mail Sorting Office, and that the level of vehicle movements proposed under the current scheme would be much less intensive than under the former use.

The Committee did welcome the proposals, as well as the employment opportunities and social value that would be created, but expressed concern that the site had been used as a restaurant without the appropriate planning permission for a period of 8 years without enforcement. However, the Committee concluded that the introduction of the proposed uses outside Levenshulme District Centre was justified given its close proximity to the established high street and potential for the development to positively contribute to the vitality of the retail offer and local regeneration. Any impact on residential amenity would be capable of being satisfactorily managed the proposed schedule of conditions.

### **Decision**

To approve the application subject to the conditions and reasons in the report and the late representations.

#### **PH/18/80. 120378/FO/2018 - Gorton Mount Primary Academy, Mount Road, Manchester, M18 7GR**

Planning application 120378/FO/2018 for the erection of a two-storey primary school with associated playgrounds, all-weather pitch, landscaping, car parking and new vehicular access onto Mount Road following the demolition of the existing building, with retention of existing temporary classroom during construction works was received.

The site is currently occupied by the former Gorton Mount Primary School. This school relocated to a new school building on Shillingford Road to the east of Mount Road (ref: 106655/FO/2014/N2) which was approved in November 2014. Since that time the building has been occupied by a pupil referral unit, which is due to relocate to premises adjacent to Plymouth Grove primary school, at the junction of Plymouth Grove and Plymouth Grove West shortly.

The proposed development comprises a primary school which has been designed to accommodate 420 pupils, and 52 nursery places, being taught by 21 teachers, 20 teaching assistants, 5 Special Educational Needs staff, and the head and deputy head teachers, with 3 office staff.

There were no objectors present, but the Committee carefully considered all of the representations contained in the report.

The applicant was present but did not wish to address the Committee and relied on the information contained in the report.

The Committee noted that this would be much needed provision, and welcomed the fact that it would utilise a previous school site. They acknowledged the concerns raised about poor parking and congestion and requested clarification as to how this



could be effectively managed. The Committee also asked for clarification as to whether the provision for staff parking was adequate.

Officers confirmed that the existing school could operate without any further control measures in place, and said that the current proposals would include 23 additional car parking spaces. Officers also told the Committee that there was a comprehensive travel plan and package of measures to ensure that any loss of amenity due to traffic would be mitigated as far as possible.

Officer also confirmed that the BREEAM rating would be acceptable, and that there would be a comprehensive contaminated land condition attached to any approval.

The Committee also requested that officers explore the possibility of the applicant undertaking educational work with future pupils given the historic nature of the site and the surrounding area. Officers confirmed that they would be happy to propose such educational work to the applicant.

The Committee concluded that this proposal offers the opportunity to provide new primary school in response to an identified need, which is an essential facility to serve the local community. All other issues have been addressed in the report and subject to conditions the recommendation is to approve in line with the relevant policies.

## **Decision**

To approve the application subject to the conditions and reasons in the report and the late representations.

### **PH/18/81. 120113/FO/2018 - 1 Alpha Place Manchester M15 4PP**

Planning application 120113/FO/2018 for the erection of a seven storey apart-hotel (use class C1), comprising 59 rooms on the upper floors, with reception area and ancillary residents' lounge and breakfast area on the ground floor was received.

The site measures 0.05 hectares and is within Knott Mill. It is bounded by Alpha Place, Jordan Street, Commercial Street and buildings that front onto Commercial Street and Constance Street. Opposite the site, fronting Jordan Street and Commercial Street, is the 10 storey Hill Quays residential development. To the north is a four storey brick building with a pitched slate roof, which is occupied by offices, with residential use on the top floor and within the roofspace. The buildings to the west are offices. The area contains a mixture of uses, including residential, offices and design studios and has a diversity of architectural styles.

The proposal is for a seven storey apart-hotel with a ground floor reception area, including a residents' lounge and breakfast area. A cycle store, with nine cycle spaces, and bin storage would be accommodated within the ground floor. The bin store would have four 1100l bins and two 240l bins, segregated to provide for general refuse, pulpable recycling, mixed recycling, garden waste and food waste. The bin store would have access doors onto Jordan Street and staff would be responsible for

taking the bins to and from the collection point on Jordan Street. The building would have a basement to accommodate back-of-house facilities.

The applicant spoke to the Committee and said that the proposals would regenerate a currently derelict site, and would provide high quality accommodation with outstanding design quality. The aparthotel would be run and managed by an experienced operator, who would ensure minimal disruption and disamenity to existing residents. He pointed out that previous similar approval had established the principle that the site was suitable for an aparthotel.

The Committee asked why there was no car parking available, and queried why there was no mention of any off site provision, bearing in mind the prevalence of car use. Officers confirmed that there were several thousand car parking spaces available in the immediate vicinity, and that the site enjoyed excellent public transport links for train, tram and bus travel. Officers also reminded the Committee that the assessment of the proposals by Highways Officers included the opinion that the site was in “an optimum location for sustainable transport”, which accorded with both National and Local Policy. Officers added that the size of the site was so limited that it would not be realistic to expect on-site car parking to be provided.

The Committee also asked about the management of guests at the aparthotel, and how the operators would ensure that no disturbance would be caused to surrounding residents. Officers confirmed that the premises would be acoustically insulated to a high standard to prevent noise breakout and disturbance, but conceded that the behaviour of patrons while on the street could be hard to control. However, the responsibility for controlling people on the street was considered to be outside the responsibilities of the proposed operators. The application terms and conditions will ensure that what the operator can control will be properly controlled.

Officers also confirmed that there is adequate facilities for disabled people in and around the proposed premises. The Committee concluded that the proposal was in accordance with the City of Manchester’s planning policies and regeneration priorities including the Adopted Core Strategy, the relevant Strategic Regeneration Frameworks and the Community Strategy, as well as the national planning policies contained within the National Planning Policy Framework, and should be approved.

## **Decision**

To approve the application subject to the conditions and reasons in the report and the late representation.

### **PH/18/82. 120149/FO/2018 - Car Park Between 57 And 59 Ducie Street, Manchester, M1 2JQ**

Planning application 120149/FO/2018 for the Erection of 7 to 8 storey residential building (Class C3) to provide 41 apartments ( 7 x 1-bedroom 1-person apartments, 6 x 1-bedroom 2-person apartments, 6 x 2-bedroom 3-person apartments, 22 x 2-bedroom 4-person apartments) with associated landscaping and other works was received.

The applicant's agent spoke in support of the proposals and said that this would be a very high quality development in a sustainable location in the City Centre. The property would be managed by a reputable and experienced management company on a day to day basis, in the first phase of a new City district in this part of the City Centre. She said that the site currently has a negative impact on the street scene, which could be rectified by this development. There would also be a financial contribution towards the provision of affordable housing in alternative locations.

Councillor Wheeler spoke in objection to the proposals, and said that it was unacceptable that the contribution to affordable housing would be less than the 20% target that was as per the Council's Policy. He also said that there was no indication where the affordable housing would be located, and that he was disappointed that the viability assessment had not been shared more widely. In addition, Councillor Wheeler objected to the fact that the proposed accommodation would not be suitable for longer term family residence.

Officers confirmed that the legal position regarding the sharing of viability assessments was in a transition period. The consultation period regarding the proposed assessment checklist had been virtually concluded, and that the checklist would be introduced imminently. The Head of Planning, Building Control and Licencing confirmed that they are committed to providing greater transparency, but that this had to be done within a legal framework.

Officers also confirmed that the target of 20% affordable housing was constantly monitored, and was an overall target encompassing all developments but not individual developments. In addition, officers confirmed that no new social housing has been built in the City Centre for over 2 years.

The Committee asked whether the waste disposal arrangements were adequate, and officers confirmed that total number of bins in the development has been calculated from City Council document 'GD04 Waste Storage and Collection Guidance for New Developments V2.00 -0 Citywide Support - Environmental Protection (September 2014). Officers confirmed that they would add to the Waste Management condition terms that each apartment would be supplied with separate containers to enable and encourage a greater degree of recycling.

## **Decision**

To be Minded to Approve the application subject to the conditions and reasons in the report and the later representation and subject to the signing of a S106 agreement for a financial contribution towards the provision of off-site affordable housing.

### **PH/18/83. 118045/FO/2017 - Land Bounded By Worsley Street, Arundel Street, Ellesmere Street And Egerton Street, Manchester, M15 4JZ**

Planning application 118045/FO/2017 for the erection of a 10 storey residential building (Use Class C3a) together ground floor commercial units (Use Classes A1, A2, B1, D1 and D2) (379 sqm) and the erection of 35 storey residential building (Use Class C3a), following demolition of existing buildings, together with the change of use of the former Department of Transport Building to form a mixed use residential and

commercial building (Use Classes C3a, A1, A2, B1, D1 and D2), forming 386 residential apartments in total with associated amenity space, car and cycle parking, access, landscaping and other associated works was received.

The site measures 0.5 hectares and is bounded by Arundel Street, Ellesmere Street, Worsley Street and the inner ring Road. It includes the 4 storey DOT building fronting Ellesmere Street and a single storey gym and fire place on Arundel Street. It is divided into two distinct plots by Balmforth Street, an un-adopted highway. An area of green space at the top of Balmforth Street contains trees and the land rises, providing a buffer to the IRR. The site is within the St Georges area but it has also has a prominent position on the IRR. .

The surrounding area is largely residential with some ancillary commercial and leisure uses. The 6 storey Box Works apartment building is to the north with the 7 storey Moho and 8 storey Base building to the west fronting Ellesmere Street and Arundel Street. Buildings within St George's island on the opposite side of the Bridgewater Canal are between 9 and 15 storeys in height. St George's Church, a grade II\* listed building to the south has been converted into apartments. The church is surrounded by a substantial former graveyard area and its gates and gate post are grade II listed.

The site is within the Castlefield Conservation Area and the following listed buildings are nearby: Church of St George (Grade II\*); Churchyard walls, gate, piers and gates at Church of St George (Grade II); Former Canal Flour Mills (Grade II); Hulme Lock Branch Canal (Grade II); Castlefield railway Viaduct Manchester Central to Dawson Street (Grade II); Rochdale Canal lock number 92 and Castle Street Bridge (Grade II); Merchants warehouse (Grade II); Middle Warehouse at former Castlefield goods yard (Grade II); Bridgewater canal offices (Grade II); [215-219 Chester Road](#) (Grade II); Former Campfield Market Hall (Grade II); Former LNWR goods transfer shed (Grade II); and Former Liverpool Road station goods warehouse (Grade II).

The development proposes the construction of two residential buildings of 35 and 10 storeys and the conversion of the former DOT building to provide 386 apartments and 379 sqm of commercial floor space.

A representative of the Britannia Basin Community Forum spoke in objection to the proposals, and said that the proposals would be an overdevelopment of the site. In addition, although this was classified as a City Centre development, she pointed out that the site was in a residential area of Hulme. She said that the applicant had not addressed all of the concerns, and was especially concerned that only 3 of the proposed apartments would have 3 bedrooms which was not in keeping with Council policy to encourage families to live in or close to the City Centre.

The Committee were also told that the proposed commercial units could easily be converted to office use rather than retail or other commercial use, which would provide no value at all to local residents. The street scene would be taken up by more than 2/3's by bin stores, with less than 1/3 being retail or commercial units.

She added that the proposals would be overbearing and bulky, given that the majority of the surrounding buildings were no more than 8 storeys high. She told the Committee that there was no evidence as to why underground parking could not be provided, given that many of the surrounding buildings did have underground parking provision. In addition, she raised concerns that the access to the site would be from the Mancunian Way, which was already heavily congested at all times.

The applicant's agent spoke in support of the proposals, and said that 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 frontages together with high quality façade will make a positive contribution to the city scape.

The current condition of the application site has at best a neutral impact on the area in terms of wider townscape quality. There is the clearly capacity for change which could enhance the setting of adjacent heritage assets and wider townscape. The retention of the DOT building is also considered to be a welcomed addition as part of the proposals and the conservation area.

Councillor Wright spoke in objection to the proposed development, and said that she fully supported the objections of the residents. In addition, she said that the development would have a significantly negative impact on the Castlefield Conservation Area, as well as the setting of St Georges Church. She said that there has been a tendency to build bigger and bigger buildings over a period of time, that do not provide the family housing of community infrastructure that is needed in the Ward. She added that there are some positive aspects to the scheme, but that the positive aspects do not outweigh the negative impact that this development would have on the existing residents.

The nature of the accommodation provided would not encourage people to live and stay in the area, and in anticipation of a high level of transience she had concerns that this would not be a cohesive development for the wider community. In addition, she said that it was not acceptable that there would be no affordable or social housing provision.

Officers said that most of the issues raised were addressed in the report, the report had 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 the Manchester skyline. They added that the parts of the development that were closest to people's homes were fully in keeping with the scale of development in the immediate vicinity. The scale of the building to the Mancunian Way elevation would enhance a key entrance to the City and would be of benefit to the wider Cityscape as a whole.

The Committee expressed concern that a development of this scale and size would have a negative impact on the setting of the Castlefield Conservation area and the setting of the nearby listed buildings. They also expressed concerns regarding the impact on the existing residents of Britannia Basin, and concluded that the value of this scheme would not outweigh the negative impacts.

## **Decision**

Minded to refuse the application and request officers bring a report back which addresses the concerns raised by the Committee and to provide potential reasons for refusal for further consideration.

**PH/18/84. 120908/FO/2018 - Langdale Hall, Upper Park Road, Manchester, M14 5RJ**

Planning application 120908/FO/2018 for the erection of 6no. three storey six bedroom townhouses to provide managed student accommodation (sui generis) with landscaping, cycle parking and other associated uses was received.

In November 2005 planning permission was granted (ref. 073960/FO/2004/N2) for the conversion of Langdale Hall into 15 flats and for the erection of a three storey building to form 31 flats to the north of the villa.

In November 2006 planning permission was refused (ref. 080389/FO/2006/N2) for the erection of a three storey building to form 18 flats on this site. The subsequent appeal (ref. APP/B4215/A/07/2034511) was dismissed in May 2007.

The applicants submitted an identical application (117078/FO/2017) in July 2017 to the one now proposed. It was placed before the Planning and Highways Committee on 19 October 2017 with a recommendation of approve. At that meeting the Committee resolved to defer further deliberation until they had undertaken a site visit. The application was then further considered by the Planning and Highways Committee on 16<sup>th</sup> November 2017 following a site visit that morning. As Members resolved that they were minded to refuse the proposal, the application was deferred again and it was requested that a report be brought back which addressed the Committee's concerns and provided for further consideration potential reasons for refusal. The application was then placed before the Planning and Highways Committee on 14<sup>th</sup> December 2017 and was duly refused for the following reason:

*1) The proposed development, due to its siting would be harmful to the spacious character and landscaped setting of the site and as a result would have a detrimental impact upon the character of the Victoria Park Conservation Area and the setting of Langdale Hall, contrary to Policies DM1 and EN3 in the Core Strategy and saved UDP Policies DC18 and DC19.*

In March 2018 the applicants obtained planning permission (119003/FO/2018) to convert a number of basement rooms into 1 no. studio flat and 1 no. one-bedroom flat for student accommodation.

A local resident spoke in objection to the proposals and said that this identical application to one previously refused attracted the same reasons for objection.

The applicant's agent spoke to the Committee and said that the use of the site as student accommodation had been firmly established, and that the accommodation would be marketed at older students who wanted a quiet setting. They had fully considered the heritage of the site, and the proposals were sensitive to the setting of the Conservation area.

Councillor Ahmed Ali spoke in support of the residents objections, and said that the proposals were completely unsuitable for the conservation area, and supported the resident's assertion that the reasons for refusal remained unchanged.

Officers confirmed that in this case, after assessment the benefits of redeveloping the site would outweigh any harm to the Conservation area, with the careful design and siting of the student accommodation the impact upon the character of the Victoria Park Conservation Area and the setting of Langdale Hall can be preserved and that as a result the harm to both can be categorised as "less than substantial".

The Committee carefully considered all of the representations that had been made, but concluded that the negative impact of this development on the character of the Conservation area and the setting of Langdale Hall would be so great that any benefits of the scheme would be outweighed by the detriment to the Conservation area.

The recommendation was to approve the planning application but due to the fact that Committee has previously refused an identical application for the reason included within the report then the decision to refuse the application was able to be made without the requirement to bring the application back to a future meeting.

## **Decision**

To refuse to grant the application on the basis that the proposed development, due to its siting would be harmful to the spacious character and landscaped setting of the site and as a result would have a detrimental impact upon the character of the Victoria Park Conservation Area and the setting of Langdale Hall, contrary to Policies DM1 and EN3 in the Core Strategy and saved UDP Policies DC18 and DC19

### **PH/18/85. 119450/FO/2018 - The Old House At Home, 73 Burton Road, Manchester, M20 1HB**

Planning application 119450/FO/2018 for the erection of 12 no. four-bed, three-storey dwelling houses (Class C3) with associated parking, landscaping and boundary treatment following demolition of existing, vacant, public house was received.

This application was reported to the Committee on 23<sup>rd</sup> August 2018, as Committee resolved that it was minded to refuse the proposal, the application was deferred for the following reasons and asked that a report be brought back which addresses these concerns and provide for further consideration of potential reasons for refusal:

- Overdevelopment of the site
- Loss of privacy and impacts on residential amenity as a result

Officer confirmed that concerns have been raised with the applicant and amendments have been made to the proposal since first submitted. These amendments seek to address these concerns and have resulted in: the reduction of the number of dwellinghouses proposed from 13 to 12; reduction in height of the rear of the dwellinghouses by 1.4m; omission of rear balconies and second floor windows

to overcome issues of overlooking and loss of privacy; site layout changes to retain TPO trees and provide two terraces of 5 dwellings and a central pair of semi-detached properties with private driveways; the end property adjacent to No. 59 Burton Road has been reconfigured to improve the transition between the building line of the two properties; the overall height of the proposed houses has been reduced by 1.32m; and additional non-opening windows overlooking the recessed parking spaces.

Councillor White, in his capacity as Ward Councillor, spoke in objection to the proposals it is the view of the Councillors that the applicant is still proposing to build too much, too high and too close to existing houses and, therefore, the application should be refused on the grounds of overdevelopment and proximity to existing properties.

The applicant's agent spoke in support of the proposals, and said that the development had been changed significantly in reaction to the concerns raised by residents, and that he felt that all concerns would be comprehensively addressed by agreement with officers and robust conditions attached to any permission.

The Committee carefully considered all of the representations, and concluded that the additional conditions combined with the information provided by the applicant was sufficient to mitigate their previous concerns.

### **Decision**

To grant the application subject to the conditions and reasons in the report and the late representation, with an additional condition regarding obscure glass to the windows at the rear of the properties.

*(Councillor White declared a prejudicial interest in this matter, and although he spoke in his capacity as Ward Councillor withdrew from the meeting while the matter was discussed and while the decision was made.)*

### **PH/18/86. 116871/FO/2017 - 118 Egerton Road North, Manchester, M16 0DA**

Planning application 116871/FO/2017 for the retention of dormer to rear to provide additional living accommodation was received.

The host property is split into 5 residential flats, all flats are accessed from Egerton Road North. The building constitutes a large two storey white rendered semi-detached property. The dormer that has been constructed is clad in white UPVC.

Councillor Watson spoke in her capacity as Ward Councillor to object to the proposals. She said that the dormer was of shoddy design and inappropriately overlooked neighbouring properties. The dormer had been erected without planning permission, and this application was as a result of residents raising concerns with officers. She acknowledged that dormers were a common feature, but this addition was badly built and disturbs the privacy of neighbours.



Officers confirmed that the application was as a result of a report of unauthorised development, and had invited the applicant to submit the application. Officers had visited the premises and assessed the structure, and concluded that the materials selected could have been of a better quality, however the material selection has not resulted in undue material harm to the host dwelling or to the character of the area or the visual amenities of surrounding property. The introduction of the dormer has not provided any further overlooking than from pre-existing windows to the rear elevation of the application property. The structure sits within the roofscape to the west of neighbouring property and would not be unduly overbearing or result in a loss of light to neighbouring property.

The Committee confirmed that this building contained 5 self contained dwellings, and was not an HMO.

### **Decision**

To approve the application subject to the conditions and reasons in the report.

*(Councillor Watson declared a prejudicial interest in this matter, and although she spoke in her capacity as Ward Councillor withdrew from the meeting while the matter was discussed and while the decision was made. Councillor Watson took no further part in the rest of the meeting.)*

### **PH/18/87. 119242/FO/2018 & 119243/LO/2018 - 825 Wilmslow Road, Manchester, M20 2SN**

Planning applications 119242/FO/2018 and 119243/LO/2018 for the Erection of 22 No. (2 x 3 bed, 18 x 4 bed, 2 x 5 bed) houses (C3), conversion of Parklands (use class B1a) to 39 No. (16 x 1 bed, 20 x 2 bed, 3 x 3 bed) apartments (C3), conversion of and extensions to The Cedars (use class B1a) to 21No (8 x 1 bed, 10 x 2 bed, 3 x 3 bed) apartments (C3), conversion of The Coach House into 2 No. (1 x 1 bed, 1 x 2 bed) houses (C3) and conversion of The Lodge into 1 No. (1 x 2 bed) house (C3), totalling 85 units, including demolition works, works to highways, provision of parking, landscaping and other associated works, and Listed Building Consent for the erection of 22 No. (2 x 3 bed, 18 x 4 bed, 2 x 5 bed) houses (C3), conversion of Parklands (use class B1a) to 39 No. (16 x 1 bed, 20 x 2 bed, 3 x 3 bed) apartments (C3), conversion of and extensions to The Cedars (use class B1a) to 21No (8 x 1 bed, 10 x 2 bed, 3 x 3 bed) apartments (C3), conversion of The Coach House into 2 No. (1 x 1 bed, 1 x 2 bed) houses (C3) and conversion of The Lodge into 1 No. (1 x 2 bed) house (C3), totalling 85 units, including demolition works, works to highways, provision of parking, landscaping and other associated works were received.

The immediate site is located in a predominately residential context with other uses nearby, such as the Towers Business Park and Francis House Children's Hospice. The site is not far removed from Didsbury Centre and the commercial properties associated with the A34, it lies in a highly sustainable location with access to the bus, Metrolink and Rail network.

The proposal would provide:

- 21 No (8 x 1 bed, 10 x 2 bed, 3 x 3 bed) apartments (C3) within The Cedars
- 39 No. (16 x 1 bed, 20 x 2 bed, 3 x 3 bed) apartments (C3) within Parklands
- 22 No. (2 x 3 bed, 18 x 4 bed, 2 x 5 bed) new build houses (C3)
- 2 No. (1 x 1 bed, 1 x 2 bed) houses (C3) within the conversion of the Coach House and 1 No. (1 x 2 bed) house (C3), within the conversion of the Lodge, totalling the provision of 85 residential units.

A local resident spoke in objection to the proposals and said the proposed development will result in very significant extra traffic congestion and pollution to an already congested and polluted area. Specific reference is made to increase in congestion and pollution at peak hours. Detailed concerns are expressed that the development and other developments will adversely impact upon the operation of the highway leading to gridlock. She said that there should be modifications to the travel plan to take account of the increased movement of vehicles, and that there should be an extension of double yellow lines to prevent inappropriate parking and obstruction of egress from the site.

The applicant's agent spoke in support of the proposals, and said that they had worked closely with officers to ensure that all the concerns had been fully addressed. The development would see the removal of large scale inappropriate extensions to Grade II listed building and large areas of hard standing that impact harmfully upon the setting of the Listed Buildings and the character of the Didsbury St James Conservation Area in favour of the introduction of landscaping and homes within the grounds. The proposals would not cause harm to the designated heritage assets in the form of the listed buildings or the Didsbury St James Conservation Area.

The applicant has undertaken a trip generation exercise using the TRICS database to establish the current and expected level of trips. The information provided suggests that there would be a significant reduction in the number of trips generated by the housing development when compared with the existing office use. In the AM peak there is expected to be a decrease of 103 no. 2 way trips and in the PM peak there would be a decrease of 78 no. 2 way trips.

TfGM have reviewed the trip generation exercise and agree the predicted trips are appropriate. Based on this it is accepted that there is likely to be a reduced impact on local highway operation and no further assessment is required.

Councillor Wilson, in his capacity as Ward Councillor, spoke in support of the concerns raised by residents and said that while he does not object to the principle of the development, travel patterns would need to be closely monitored to ensure that measures were appropriate and supported the safety of residents. He also said that the tree to be retained at the Wingate Drive elevation should be reassessed.

Councillor Wilson spoke in his capacity as Ward Councillor also said that the 3% contribution towards off site affordable housing was disappointing, and requested that after the units have been sold a reconciliation exercise should be undertaken to determine whether the S106 contribution could be increased.

Councillor Andrew Simcock also spoke in support of the resident's concerns and agreed with Councillor Wilson. He said that he was not opposed to the principle of

development, and recognised that this was an established and experienced operator. He also agreed that the viability assessment should be re-visited once all of the units were sold. He requested that consideration be given to using the S106 contribution not just for off site affordable housing but for community leisure facilities.

Officers confirmed that they would be happy to discuss the possibility of community facilities being provided from the S106 contribution.

The Committee expressed disappointment at the lack of affordable or Social housing provision under the terms of the proposals, and said that officers must be as robust as possible when negotiating S106 contributions.

### **Decision**

Minded to approve subject to the completion of a Section 106 agreement relating to affordable housing provision, and the conditions and reasons in the report and the late representation.

*(Councillor Wilson declared a prejudicial interest in this matter, and although he spoke in his capacity as Ward Councillor withdrew from the meeting while the matter was discussed and while the decision was made.)*

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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
120665/FO/2018	16 <sup>th</sup> Aug 2018	18 <sup>th</sup> Oct 2018	Northenden Ward

**Proposal** Erection of a part three to five storey building comprising of a ground floor commercial units for Class A1/A2 and 1 x 1 bedroom apartment, 6 x 2 bedroom apartments, 5 x 3 bedroom apartments (12 in total) together with associated landscaping and car parking.

**Location** 391 Palatine Road, Manchester, M22 4JS

**Applicant** Mr Jon Wylson , Mansion House Project Management Limited, Tatton House, 20 Tipping Street, Altrincham, WA14 2EZ,

### Description

The application site relates to a vacant site, approximately 891m<sup>2</sup> in size, which was formerly used as an unauthorised car park and previously occupied by a garage, workshop and office. This irregular shaped site is situated within a prominent frontage within the heart of Northenden District Centre, close to the junction with Palatine Road and Church Road.

The site is adjoined to the south by a large, 6 storey building and to the south and east by two storey residential properties along Church Road, namely nos. 11 to 19 Church Road. To the north of the site and to the west, on the opposite side of Palatine Road, there are predominantly two storey semi-detached and terraced buildings containing a variety of retail, office and food and drink uses with residential flats above. To the east of the site lies the car parking facilities associated with an apartment complex. Typical of a busy district centre, the immediate area is characterised by a wide variety of commercial and residential uses which are principally focused along the main north/south arterial route of Palatine Road. The site and its context is shown below, with the site annotated with a white cross.



The applicant is proposing to erect a part three to five storey building to provide a ground floor commercial use with residential above, in detail:

- a ground floor commercial unit for Class A1 (retail) and Class A2 (offices) providing 234.5m<sup>2</sup> of floor space.
- 1 x one bedroom apartment.
- 6 x two bedroom apartments.
- 5 x three bedroom apartments.
- car parking for seven vehicles, including one disabled space.
- two motorcycle parking spaces.
- provision of an access drive off Palatine Road.

In August 2014, planning permission was granted under reference 105465/FO/2014/S2 for the erection of a part three/part four storey building comprising of Class A1/A2 commercial use on the ground floor with 12 apartments above.

In October 2005, planning permission was granted under reference 074033/FO/2004/S2 for the erection of part 3, part 4 storey building comprising ground floor retail units with 14 flats above and associated basement. That permission was renewed for a further 18 month (ref. 094436/REP/2010/S2) on 27<sup>th</sup> September 2011.

### **Consultations**

**Local Residents** – Three letters of objection have been received, the points of concerns are detailed below:

- The parking is inadequate for the number of flats proposed, this will exacerbate parking problems associated with the adjoining apartments at number 393 Palatine Road.
- Local schools and doctors are already stretched to capacity and this proposal will not help the situation.
- The proposal will have a severe effect on the stream of light available to the apartments on Church Road.
- The proposal will have a detrimental impact on the levels of privacy enjoyed by the residents of Church Road
- The retail property that is positioned on the corner of Palatine Road and Church Road is an empty shell and has been so since its erection. The additional retail space proposed would not be of any benefit to the community.
- The density of the proposed development will have an effect on the surrounding community.
- Given the previous uses of the site it should be checked for contamination before construction commences.
- The proposal is not in keeping with the historic character of the locality. It is noted it is adjacent to a very modern and tall building, but the appropriateness of that in this locality has been questioned by an Inspector at a public inquiry.
- There are a number of slab fronted, flat roofed properties in the vicinity, but they represent the least attractive face of Northenden and should not become model for the future.

- There is already an oversupply of retail units along Palatine Rd, including the large one next door.
- Access for cars and deliveries to the flats, and for refuse collection, is down a side alley. The existing site plan indicates that most of this alley does not belong to this site, and it would appear that it is currently used both for access to the rear of nos. 389 – 381 Palatine Rd, and for parking by no.389 on their own land. This suggests that access to the proposed development, both during building and subsequently, may be inadequate.
- There may be problems during the construction of this development due to the constricted nature of the site and its proximity to a major route and a difficult junction.
- Given Manchester's declared aim of being the Greenest City in Britain it is disturbing that the proposal shows disregard for ecological issues. This scheme does not use Zero-Carbon technology for energy (though a flat roof would provide ample area to install solar units) while its insulation is not flagged up as being ecologically sourced.
- Arrangements for refuse disposal may not work.
- Decorative paving is specified for some communal areas of the outside. This should be specified as non-slip as similar work on the public pavements in Northenden is slippery to the point of danger on wet days.
- The development will darken the rear of houses 11 –19 Church Rd.
- Provision is promised at the front of the premises for deliveries to the retail unit, and for its customers. Only three places are offered. Clearly there will have to be some restriction on the time spent in those bays, not least because no parking facilities are planned for the staff of that unit. Nor will it be possible to prevent customers or staff from the other hundred retail units in Northenden (not least the adjacent tall building which has no similar provision) from using the planned lay-by.
- In the same location, there is concern that the lay-by will restrict the width of the footpath.

**Northenden Civic Society** – No objections to the proposal in principle subject to there being no impact on the levels of amenity and privacy enjoyed by those people who live on Church Road.

**Northenden Neighbourhood Forum (NNF)** – The NNF have confirmed their support for the proposal.

**Highway Services** – Highway Services have made the following comments:

- The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.
- It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.
- Car parking bay sizes are considered acceptable.
- Twelve cycle parking spaces are to be provided which is considered acceptable.
- The proposed loading bay and resultant footpath width of 1.8 metres is considered acceptable.

- Waste storage for the retail unit is to the rear and a swept-path analysis has been provided showing a large refuse collection vehicle reversing into the existing access to the collection point and pulling out onto Palatine Road in forward gear.
- Alterations to the highway will be required and undertaken through S278 agreement between the developer and the City Council.
- A construction management condition should be attached to any approval granted.

**Environmental Health** – Requests the imposition of a number of conditions regarding acoustic insulation, servicing and delivery management, air quality and lighting.

**Contaminated Land Section** – Suggests the imposition of a conditions which requires the submission of a Remediation Strategy and Verification Report.

**MCC Flood Risk Management** – Request the imposition of a number of conditions concerning the provision of floor level measurements; details of surface water drainage and the implementation, maintenance and management of the sustainable drainage scheme.

**United Utilities Water PLC** – Requests the imposition of a number of drainage conditions

### Policies

**The National Planning Policy Framework July 2018 (NPPF)** – The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.



**Core Strategy Development Plan Document** – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – 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 and protect and enhance the built and natural environment.

Policy EC10, *Wythenshawe* – The Northenden District Centre will be suitable for mixed use local employment provision serving its catchment area.

Policy C1, *Centre Hierarchy* – District centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. Development in these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.

Policy C2, *District Centres* – Development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. Housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.

The policy states further that development in District Centres should:

- Prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active;
- Promote the development of employment which provides opportunities for local people;

- Promote the efficient use of land, particularly through considering options for multi-storey development. New development should positively contribute to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies;
- Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function. Development should also promote a range of retailers and shop formats;
- Promote choice and competition particularly where development will support the independent sector;
- Remedy deficiencies in areas with poor access to facilities.
- New development should respect and enhance the character of existing centres.
- New development should deliver improvements to the quality and accessibility of the centre environment. Opportunities should be taken to adopt sustainable building design and practises to assist in adapting to climate change

Policy C7, *Wythenshawe District Centres - Baguley (West Wythenshawe), Northenden and Wythenshawe Town Centre* – In Northenden additional food retail will be supported, although this will be limited in scale, within the boundaries of the existing centre. The character of the centre will be maintained, with particular attention to its appearance and retail function. Further small retail units will be appropriate. Development of the evening economy will be carefully managed to ensure that this complements the vitality of the retail and the amenity of nearby residents.

Policy H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and 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 sites 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.

Policy H7, *Wythenshawe* – The Council expects that Wythenshawe will accommodate only around 3% of new residential development over the lifetime of the Core Strategy. New high quality high density development will be encouraged within the district centres of Northenden, Baguley and Wythenshawe and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. There is also the potential for additional family housing for sale.

Policy EN 4, *Reducing CO2 Emissions by Enabling Low and Zero Carbon Development* – This policy states that all developments must follow the principle of the Energy Hierarchy; to reduce the need for energy through energy efficient design and features; and, meet residual energy requirements through the use of low or zero carbon energy generating technologies.

Policy EN 6, *Target Framework for CO2 Reductions from Low or Zero Carbon Energy Supplies* – This policy requires applications for residential development of 10 or more units and all other development over 1,000m<sup>2</sup> to meet a minimum target.

Policy EN 8, *Adaption to Climate Change* – This policy requires that developments are adaptable to climate change in terms of design, layout, siting and function of buildings and external spaces.

Policy EN 16, *Air Quality* – The Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself, including from Combined Heat and Power and biomass plant.

Policy EN 19, *Waste* – States that developers will be required to submit a waste management plan to demonstrate how the waste management needs of the end user will be met.

Policy T2, *Accessible areas of opportunity and need* – Seeks to ensure that new development is easily accessible by walking/cycling/public transport; provided with an appropriate level of car parking; and, should have regard to the need for disabled and cycle parking.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality, 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;  
 Year 2013 - Code Level 4;  
 Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

**Saved UDP Policies** – 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.

**Wythenshawe Strategic Regeneration Framework** – This document provides the most up-to-date guidance for the Wythenshawe Area and the following policies are of relevance:

Part 4 section (12), *Shopping and Local Facilities* – seeks to promote a wider range of shops and services and improve the quality and appearance of centres.

Policy SL2.1, *Deliver enhances retail/leisure facilities in Northenden* – In Northenden this is likely to include a range of public realm improvements designed to improve prospects for encouraging further investment in the district centre.

Policy SL5, *Develop best practice in the function and design of local centres* – Wythenshawe has suffered in the past from poorly designed investments, with a result that some centres and open spaces appear dilapidated and neglected. It is important that high quality design and streetscape are an integral part of efforts to revitalise neighbourhood centres.

Part 4 section (20), *Neighbourhood Character* – seeks to promote community pride through the development of high quality public space and landmarks of distinction and incorporate good design into every aspect of development in Wythenshawe.

Policy NC1.1, *Gateways into Wythenshawe* – states that these must be improved to make the physical environment easily understandable and to mark and celebrate entrance into Wythenshawe and important junctions...special attention, therefore should be paid to the design of 'gateway' buildings and features at key junctions to the site, also to the design of public realms at key spaces and intersections. Key public spaces within the SRF include: Northenden High Street.

Policy NC2.2, *Create positive and distinctive landmarks* – state that landmarks that exist should be preserved and their setting enhanced. New landmark buildings should be celebrated to create memorable places and improve the 'mind map' of Wythenshawe.

**Northenden Village Local Plan (2011)** – The Northenden Village Local Plan is a non-statutory document that provides Northenden with a 10-15 year strategy to guide future interventions in the area. In particular, the Local Plan seeks to address economic and physical challenges and will inform new developments in order to establish Northenden as a successful and distinctive centre and creating a neighbourhood of choice and increasing housing choice.

The application site is identified within the Local Plan as a priority in terms of its redevelopment for a mixed use retail and residential scheme. The Local Plan states:

*“This is a priority site for development in Northenden. The site is currently vacant and represents an under-exploited opportunity to create a new focal point on a prominent site along the high street”.*

**The Manchester Green and Blue Infrastructure Strategy (G&BIS)** – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

**Manchester Residential Quality Guidance 2016** – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016).

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

### **Guide to Development in Manchester Supplementary Planning Guidance –**

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

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

### **Issues**

**Principle of the Proposal** – Having regard to the existing planning policy framework, national planning guidance, the Wythenshawe Strategic Regeneration Framework and the Northenden Village Local Plan, the principle of redeveloping this site is considered acceptable.

The vacant site has been earmarked as a priority site for development in Northenden and represents an opportunity to create a new focal point on a prominent site along the high street and would result in further investment in the district centre. The proposal would allow for the development of a high quality building which would add to the vitality of the district centre and increase the range of accommodation and services within a highly sustainable location within a defined district centre.

The principle of redeveloping the site has also been established with the granting of the two previous planning permissions (105465/FO/2014/S2 approved by Planning Committee at its meeting on 14<sup>th</sup> August 2014 and 074033/FO/2004/S2) referred in this report, which both allowed for part three/part four storey buildings on the site which provided a commercial use on the ground floor and 12 and 14 apartments above respectively.

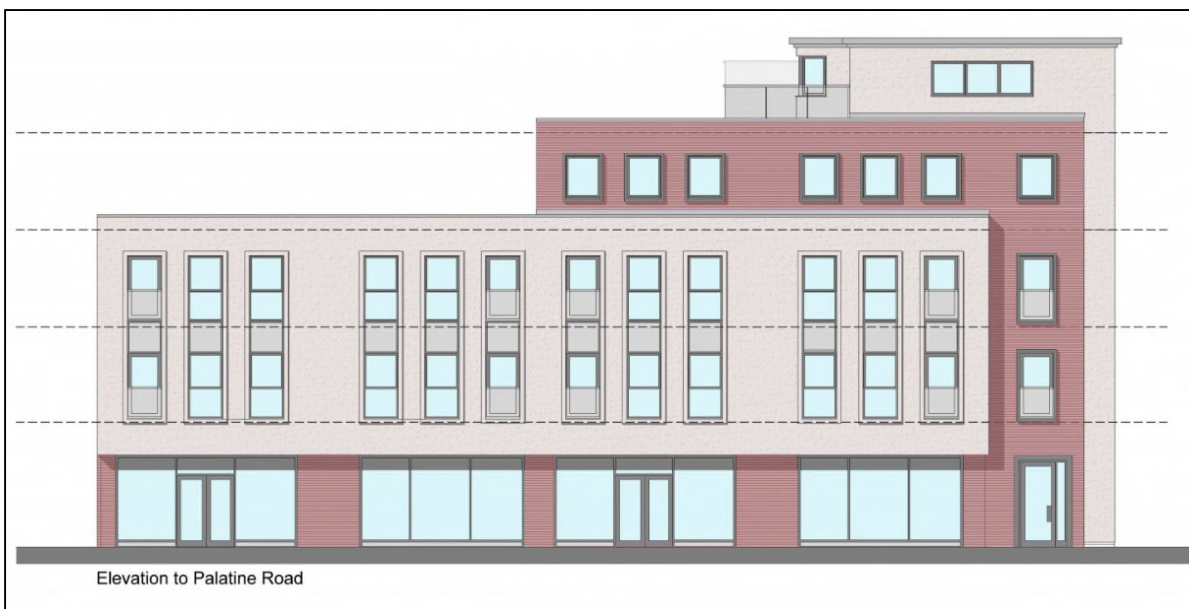
Notwithstanding the above, the impact of the proposal upon existing levels of visual and residential amenity must be assessed, as well as any impact upon existing levels of pedestrian and highway safety along this section of Palatine Road.

**Affordable Housing** – As the proposal is for 12 apartments on a site approximately 891m<sup>2</sup> in size it falls below the triggers relating to affordable housing in Policy H8 of the Core Strategy, i.e. 15 apartments or a site 3,000m<sup>2</sup>.

**Design** – The proposed building is contemporary in design although it has been informed by the surrounding properties. The use of red brick, along with through-colour render, and windows with a vertical emphasis, are features seen along the Palatine Road frontage, in particular the adjoining commercial 2 storey terrace and the six storey apartment building. Full height glazing to the commercial element will promote an active frontage while the rendered element at the southern end of the building accentuates the entrance to the apartments.

In terms of materials, the ground floor consists predominantly of glazing with the external skin of the upper floors consisting of a combination of red brickwork and through-colour render, louvered and cladding panels. Windows are proposed to be framed with grey uPVC frames in this instance and given the location of the building on a major arterial route a higher quality finish such as aluminium window frames are considered to be more acceptable. A suitably worded condition is proposed to ensure these details are agreed prior to the installation of window frames.

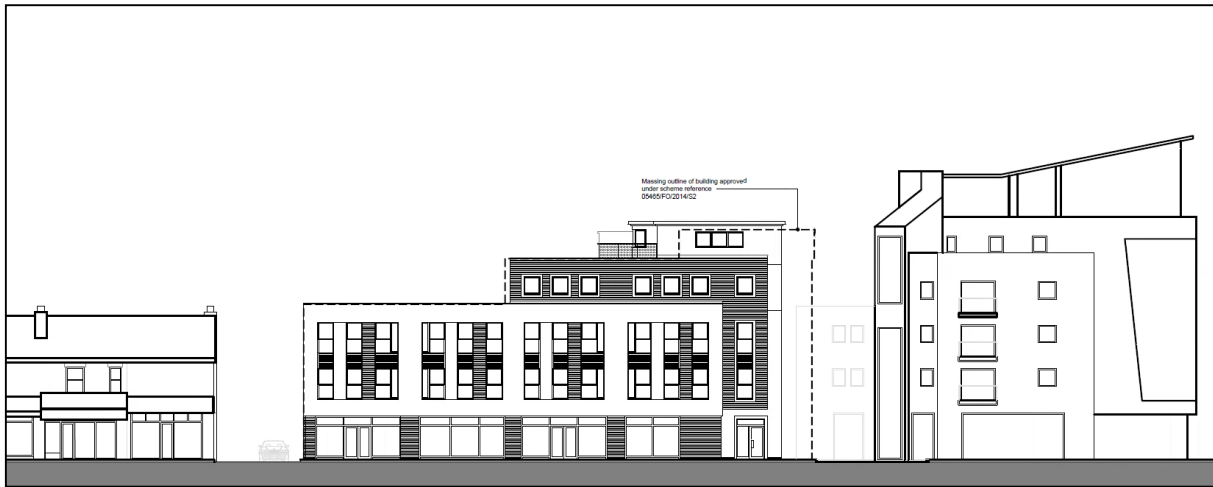
Overall, the design of the proposal is considered acceptable and can be seen below:



**Scale** – The building is arranged over three, four and five storeys, stepping up in height to help it better assimilate with the larger, six storey building on the corner of Palatine Road and Church Road. Whilst the proposed building is larger than the majority of the immediate context, the split between the three and five storey elements allows for the building to integrate into both the predominantly two storey context of the immediate surroundings and provide a visual connection to the larger building on the corner. Given the above, the scale of the proposal is considered acceptable.

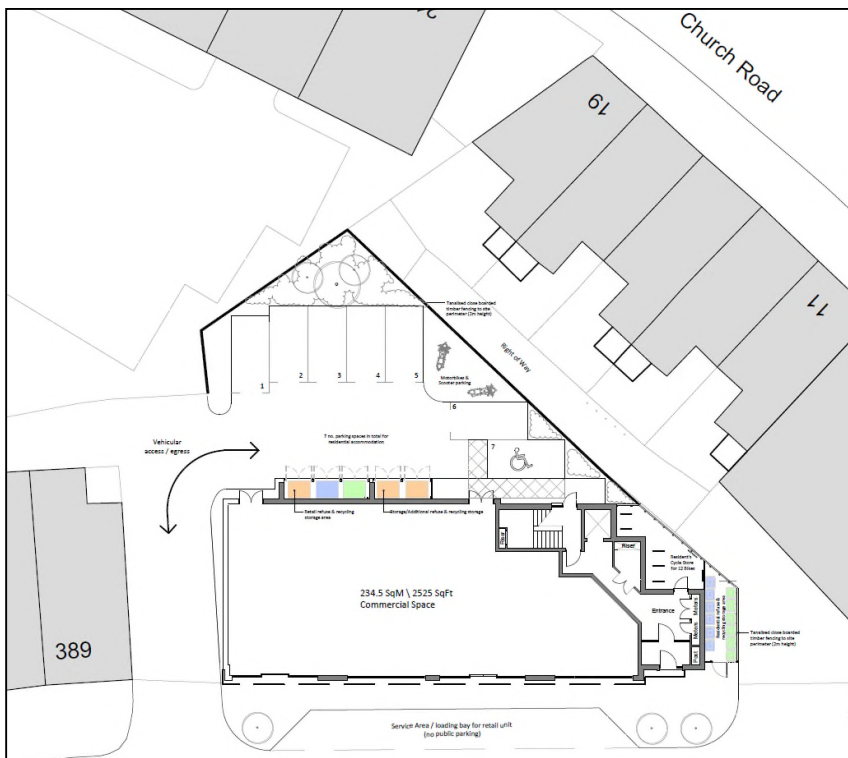


Whilst this proposal is taller than the scheme approved in 2014, it should be noted that this difference is marginal and, when combined with a reduction in the overall length of the building, is considered acceptable. The differences in the two heights is shown below with the previous planning approval being represented by a dotted line.



**Massing** – By introducing a varied palette of materials and articulation around the windows, as well as setting back the third and fourth floors and feature tower, impact of the proposed building has been reduced and the massing considered acceptable.

**Site Layout** – The footprint of the proposal has been reduced from that previously approved. It is linear in shape, rather than “L” shaped and presents a strong frontage to Palatine Road, within which the principal access points are located to both the commercial element and the apartments above. In order to comply with the City Council’s adopted design guidance, the car parking and waste storage facilities are located at the rear of the building. The site layout, which can be seen below, is considered acceptable.



**Space Standards** – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of the Nationally Described Space Standards (NDSS) as interim space standards for residential developments.

The amount of floor space proposed for each apartment and that required under the NDSS is detailed below:

- Apartment 1 and 6 – 61m<sup>2</sup> (NDSS - 61m<sup>2</sup>)
- Apartment 2 and 7 – 41m<sup>2</sup> (NDSS - 39m<sup>2</sup>)
- Apartment 3 and 8 – 41m<sup>2</sup> (NDSS - 39m<sup>2</sup>)
- Apartment 4 and 9 – 61m<sup>2</sup> (NDSS - 61m<sup>2</sup>)
- Apartment 5 and 10 – 39m<sup>2</sup> (NDSS - 39m<sup>2</sup>)
- Apartment 11 – 61m<sup>2</sup> (NDSS - 61m<sup>2</sup>)
- Apartment 12 – 88m<sup>2</sup> (NDSS - 79m<sup>2</sup>)

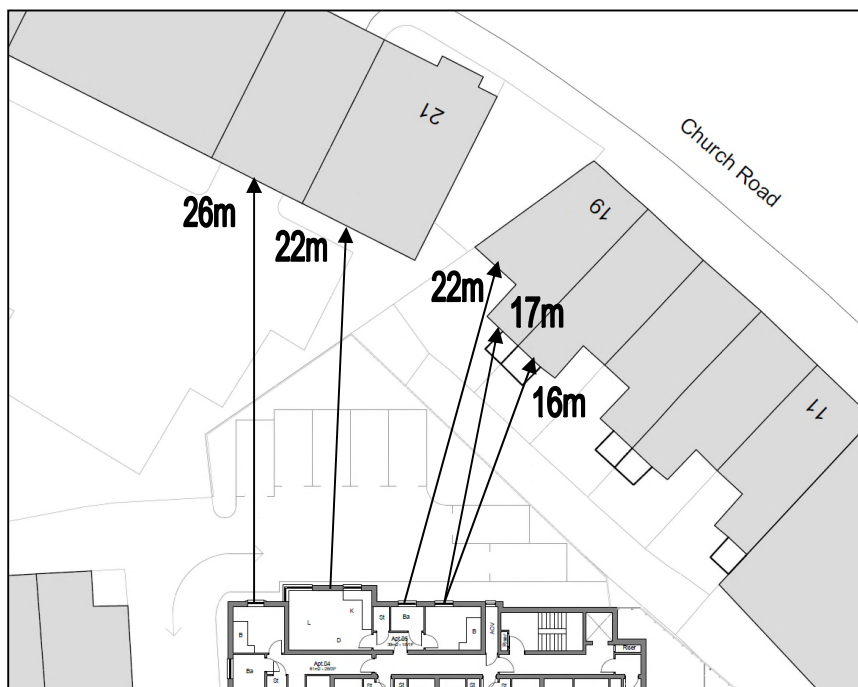
The proposal complies with the space standards.

**Disabled Access** – Access to the ground floor commercial premises will be obtained via a level access off Palatine Road.

Level access to the proposed apartments is provided from Palatine Road, with a secondary access from the car park. Both lead to a lift which allows access to all of the apartments. Given this and the fact that the development will be constructed to Part M of the Building Regulations the overall access provision is considered acceptable.

**Residential Amenity** – A number of factors have been assessed in order to judge the impact of the proposal upon residential amenity:

Impact upon Privacy – The proposed accommodation is located between 16 and 26 metres away from the rear elevations of the nearest dwellings on Church Road (as indicated on the drawing below).



Privacy can be delivered in a variety of ways; the nature of this and what will be appropriate will depend on location and degree of enclosure and screening. Although there is no specific privacy standard, Manchester still relies, as a bench mark, on privacy distances adopted in the past. These distances also reflect those widely used across the country today. They recommend for “diagonally opposite” and “directly opposite” habitable windows, as in the case of the proposed rear elevation and the rear elevation of those properties on Church Road, a distance of 17 and 21 metres.

On the whole the proposal meets and in some circumstances exceeds these longstanding recommended privacy distances, although in two cases (a 1<sup>st</sup> and 2<sup>nd</sup> floor bedroom window) it does fall short by one metre. Notwithstanding this and given the relationship between the existing and proposed buildings, it is not considered that the development would lead to any undue loss of privacy resulting from overlooking. In addition, as the nearest habitable room window in the proposed development will be approximately 11 metres from the common boundary with the Church Road dwellings, it is not considered that the proposal would lead to excessive overlooking of the rear amenity areas.

Noise – It is not considered that the proposal would be an inherently noise generating use. Notwithstanding this, it is considered prudent to attach a number of acoustic insulation conditions in order to protect not only the residential amenity enjoyed by the occupants of the nearby dwellings but also the future residents of the proposed accommodation.

Overshadowing – Given the siting of the proposal to the north and east of the dwellings on Church Road and the distance between them, it is not considered that the development would lead to undue overshadowing of those residential properties.

In conclusion, given the above it is not considered that the proposal would have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of those properties closest to the application site.

**Visual Amenity** – The vacant site, whilst currently cleared, has previously been subject to unauthorised parking and fly-tipping, both of which have had a detrimental impact on the visual amenity of Northenden District Centre.

Given the design, scale and massing of the proposed building it is considered that the development would enhance the levels of visual amenity that are experienced in Northenden District Centre.

**Car Parking** – The City Council does not have a prescribed policy standard for residential schemes. Notwithstanding this, it is anticipated that all new developments should provide appropriate car parking facilities and new developments should improve access to jobs and services by being located on sites that reduce the need to travel and provide good access to sustainable transport provision.

This desire to links trips and minimise travel times by locating developments in sustainable locations would allow the ability to minimise car travel and take advantage and facilitate the use of sustainable forms of transport.

Given the sustainable nature of the site within a district centre, the number of apartments proposed and availability of local amenities and public transport, it is believed that the proposed car parking to flat ratio is acceptable and is consistent with similar developments found in the immediate area and in other district centre locations.

In conclusion, given the sustainable location of the site and the prevalence of public transport within its vicinity, a parking provision of 7 spaces for 12 apartments is considered acceptable in this instance.

**Pedestrian and Highway Safety** – It is not considered that the additional dwellings would generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed along Palatine Road. Highway Services have confirmed that the level of proposed development is acceptable and have raised no highway safety objections to the proposal.

**Servicing** – The ground floor commercial use is to be serviced from a dedicated loading area within a layby on the road frontage. This bay is to be demarcated and formally adopted by way of a Traffic Regulation Order facilitated by a S.278 agreement. This will allow the ground floor unit to be serviced effectively and without any disruption to both prospective occupiers of the proposed building or those that adjoin the site to the rear.

In terms of refuse disposal, collection vehicles would access the site via the shared vehicle access point off Palatine Road where allocated refuse storage areas for both the apartments and commercial use are proposed.

These arrangements replicate those previously considered to be acceptable for the redevelopment of the site.

**Waste Storage** – Environmental Health have confirmed that the submitted Waste Management Strategy is acceptable and have requested that it be conditioned to ensure future compliance with it.

The strategy states that for the commercial use the following bins will be provided:

- 1 x 1,000 litre bin for general waste,
- 1 x 1,000 litre bin for pulpable recycling,
- 1 x 1,000 litre bin for mixed recycling.

For the residential element, current guidance states that 0.43m<sup>2</sup> of space should be provided for each apartment, in this case that would equate to a bin store with a floor area of 5.16m<sup>2</sup> of space.

In this case the applicant has provided a bin store with a floor area of 11m<sup>2</sup> which provides the flexibility to house twelve 240 litre containers or a larger number of smaller containers to allow recycling of garden/food waste, glass, metal, plastics, paper/cardboard and general household waste. A food caddy will also be located in each of the apartments.

The proposed waste storage and recycling facilities are considered acceptable.

**Commercial Use** – Given, the amount of floorspace proposed (234.5m<sup>2</sup>) and the location of the site within a district centre, the proposed retail and office use would provide a facility that is appropriate in policy terms, whilst also providing a business opportunity that would complement the existing offer along the Northenden high street.

It is acknowledged that the adjoining retail premises is vacant, remaining unlet since its construction a number of years ago. However, this is not a basis for refusing this development and it is still considered that the proposed commercial element is an acceptable use within this district centre.

**Energy Efficiency** – The energy efficiency rating of the proposed development will comply with Building Regulations Part L which is the equivalent of Code level 4 in the Code for Sustainable Homes. This approach is considered acceptable.

**Trees** – In order to facilitate the proposed development three, small street trees situated at the back of the footway would need to be removed. In order to compensate for their loss, three, new street trees are proposed along the edge of the kerb line. In order to ensure this necessary mitigation measure, a planning condition has been inserted which will require the submission and approval of further details.

To the rear of the development, the proposed parking courtyard area is to be resurfaced and new boundary treatment erected. Again, to ensure the detail is satisfactory, a condition is recommended with respect to the submission and approval of landscaping measures.

**Flooding and Drainage** – The conditions requested by both United Utilities and the Flood Risk Management Team will be imposed in order to minimise flood risk and ensure adequate drainage.

**Air Quality** – During the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. Assuming dust control measures are implemented as part of the proposed works, the significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities is predicted to be negligible. It is considered that the imposition of a Construction Management Condition would ensure that appropriate dust management measures are implemented during the construction phase.

It is recognised that during the operational phase of the development there is the potential for air quality impacts as a result of vehicle exhaust emissions associated with traffic generated by the proposal, i.e. the comings and goings of residents and visitors to the commercial elements. However, given the number of units proposed, and the anticipated car ownership levels, the overall significance of potential impacts is considered to be low.

As a result of the above findings it is considered that the proposal would not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it.

**Crime and Anti-Social Behaviour** – Greater Manchester Police (GMP) stated in the Crime Impact Statement which accompanied the proposal that the following needs to be incorporated into the scheme in order for it to achieve Secured by Design accreditation:

- provision of a robust and secure method of enclosing the rear parking area,
- provision of a robust door, with electronic lock, to the Palatine Road apartment entrance, and
- all windows and doors to incorporate British Standard compliant physical security measures.

Imposition of the Secured by Design condition will ensure that these element are incorporated into the proposal.

**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 to resolve any problems arising in relation to dealing with the planning application.

### **Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse**

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:

- a) Drawing no. MHG-13(PL)03 C, stamped as received on 4th October 2018
- b) Drawing no. MHG-13(PL)04 C, stamped as received on 4th October 2018
- c) Drawing no. MHG-13(PL)05 C, stamped as received on 4th October 2018
- d) Drawing no. MHG-13(PL)06 C, stamped as received on 4th October 2018
- e) Drawing no. MHG-13(PL)07 C, stamped as received on 4th October 2018
- f) Drawing no. MHG-13(PL)08 C, stamped as received on 4th October 2018
- g) Drawing no. MHG-13(PL)09 C, stamped as received on 4th October 2018
- h) Drawing no. MHG-13(PL)10 C, stamped as received on 4th October 2018
- i) Drawing no. MHG-13(PL)11 C, stamped as received on 4th October 2018

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) Above-ground construction works shall not commence until samples and specifications of all materials, including window frames, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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.

4) The commercial premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full and thereafter maintained before the commercial use commences.

Reason - To safeguard the amenities of the occupiers of the residential accommodation and occupiers of nearby properties, pursuant to Policy DM1 in the Core Strategy Development Plan Document and extant Unitary Development Plan Policy DC26.1.

5) Above-ground construction works shall not commence until a scheme for acoustically insulating the proposed residential accommodation against noise from Palatine Road and nearby commercial/licensed premises shall be submitted to and approved in writing by the City Council as local planning authority. The approved acoustic insulation scheme shall then be installed, and thereafter maintained, before the residential accommodation is occupied.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to Policy DM1 in the Core Strategy Development Plan Document and extant Unitary Development Plan Policy DC26.1.

6) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The approved scheme shall be implemented, and thereafter maintained, before the external plant, equipment and servicing becomes operational.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Core Strategy Development Plan Document and extant Unitary Development Plan Policy DC26.1.

7) Prior to the commencement of the development hereby approved a Contaminated Land Remediation Strategy shall be submitted and approved by the City Council as local planning authority.

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

8) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy Development Plan Document.

9) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason – To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to national policies within the NPPF and NPPG and local policies EN08 and EN14.

10) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- 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.



Reason – To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system, pursuant to national policies within the NPPF and NPPG and local policies EN08 and EN14.

11) Above-ground construction works shall not commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a 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.

12) Above-ground construction works shall not commence until a hard and soft landscaping treatment scheme (including details of trees to be planted at the front of the development) has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

13) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 10th August 2018 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

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

- a. 0730hrs to 2000hrs, Monday to Saturday,
- b. no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Core Strategy Development Plan Document and extant Unitary Development Plan Policy DC26.1

15) The opening hours of the ground floor commercial use hereby approved shall be submitted to and agreed in writing by the City Council as local planning authority before first use commences.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

16) External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

17) Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Council. The Construction Management Plan shall contain the following:

- 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;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

### **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: 120665/FO/2018 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:**

Greater Manchester Police  
 Environment Agency  
 Northenden Civic Society  
 Northenden Neighbourhood Forum  
 United Utilities Water PLC

**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:**

Northenden Civic Society  
Northenden Neighbourhood Forum  
United Utilities Water PLC

**Relevant Contact Officer :** David Lawless  
**Telephone number :** 0161 234 4543  
**Email :** d.lawless@manchester.gov.uk



 Application site boundary  Neighbour notification  
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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
116753/FO/2017	17th Jul 2017		Chorlton Park Ward

**Proposal** Erection of a part three-storey, part single-storey building to form ground floor retail unit with four residential flats above, following demolition of the existing building

**Location** 318 Barlow Moor Road, Manchester, M21 8AY

**Applicant** Mr Bahman Rashidi , Piccolo restaurant, 61 Church Road, Gatley, Cheadle, SK8 4NG

**Agent** Mr Elliot Justin Giovacchini, Spazio Ltd, 27 Scholars Drive, Withington, M20 1AY

### Description

318 Barlow Moor Road is located at the southern edge of Chorlton District Centre and is the end property of a staggered group of three, linked-detached, two-storey properties with commercial uses at ground floor and residential above. The group of properties has a large forecourt to the front and this is used for car parking in connection with the two end properties, and the middle unit has a raised decking area. All three properties have extensions to the rear of one and two storeys in height and there is almost 100% site coverage. There are terraces of residential properties directly to the north, divided from these three properties by an alley way. Directly to the south of the application site is a McDonald's 'drive-thru' and associated parking which extends to the rear of the application site. The application site is close to the junction with Beech Road, and the parade opposite is a mix of commercial and residential properties.



**Aerial view of the property**



The group of three properties with the application property on the right



View northwards towards the application property

The proposal involves the demolition of the existing property and the erection of a three- storey building which steps down to single-storey at the rear. The ground floor would form A1 retail space and there would be four apartments above.

The proposal has undergone a number of revisions to its design, scale and density following negotiations with the applicant.

### **Consultations and notifications**

**Local Residents/Businesses** – Two neighbours have objected to the proposal on the grounds that it will exacerbate parking problems in the area and that it is too tall and out of character.

**Highways Services** – Initially raised concerns about the lack of parking, but following the reduction in number of apartments and the amount of cycle storage now proposed they do not raise an objection.

**Environmental Health** – Recommend conditions – hours of deliveries, construction management plan, acoustic attenuation, restriction of use class to A1 or A2 only, storage and disposal of refuse, and contaminated land.

**Greater Manchester Police** – Recommend a condition be attached requiring the development to achieve Secured by Design accreditation.

## **Policies**

**National Planning Policy Framework** – The NPPF has been amended and the revised Framework came into force in July 2018. It sets out the Government's planning policies and how they are expected to be applied and is a material consideration in determining planning applications. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan and maintains the emphasis on sustainable development.

**Paragraph 68** - Small and medium-sized sites can make an important contribution to meeting the housing needs of an area.

**Paragraph 80** - Planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

**Paragraph 85** - Planning policies and decisions should support the role that town centre play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

**Paragraph 117** - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions and making as much use as possible of previously-developed or 'brownfield' sites.

**Paragraph 118 e)** - Planning policies should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed and can maintain safe access and egress for occupiers.

**Paragraph 124** - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

## **The Development Plan**

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

### **Policy SP1**

This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

### **Policy H1**

Proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours.

### **Policy H6**

South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within District Centres as part of mixed use schemes. Outside the District Centres priorities will be for housing which meets identified shortfalls, including family housing.

### **Policy C2**

This policy relates to District Centres and seeks to ensure that retail remains the principal use in Primary Shopping Areas, but also that provision is made for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. It encourages the development of employment to provide opportunities for local people and promotes the efficient use of land particularly through considering options for multi-storey development. New development should contribute positively to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies, and to the diversity and mix of uses within centres without undermining their primary retail function. Housing is also considered an appropriate use within district centres.

### **Policy EN1**

Design Principles and Strategic Character Areas - Development in Manchester will be expected to have regard to the strategic character area in which the development is located.

### **Policy T1**

This policy promotes sustainable transport and encourages a modal shift away from car travel to public transport, cycling and walking.



**Policy T2**

The Council will actively manage the pattern of development to ensure that new development is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and education opportunities.

**Policy DM1**

This policy seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice. DM1 covers the issues which need consideration and those relevant to this scheme are considered below.

**Guide to Development in Manchester**

- A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located and new development should be designed having full regard to its context and the character of the area.
- Preserve or enhance buildings and areas of architectural and historic importance together with their settings.
- Buildings should present their main face and pedestrian entrance to the adjacent main street, to contribute to its vitality and interest
- Buildings should relate well to each other. The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline.
- All residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area

**Manchester Residential Quality Guidance**

The City Council's Executive has endorsed the Manchester Residential Quality Guidance. Therefore 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. Above all the guidance seeks to ensure that Manchester can become a city of high quality residential neighbourhoods and a place for everyone to live. The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings, based on the nationally-described space standards, and is suitable for applications across all tenures.

**Issues****Principle**

Chorlton District Centre is identified in the Core Strategy as a suitable location for high density residential development as part of mixed use developments. The

application site is in a sustainable location, characterised by a range of types and sizes of residential and commercial accommodation. Therefore subject to consideration of the detailed matters set out below the principle of the redevelopment of the site for mixed commercial and residential uses is considered to be acceptable.

### **Siting and layout**

The proposed building would sit on the footprint of the existing property, maintaining the forecourt area to the front, the stagger in the terrace, and a small area of yard at the rear. Access to the shop, the residential and the bin and cycle stores would all be taken from the front, and visitor cycle parking would be located on the forecourt. The layout of the site is considered acceptable.



**Visualisation of the proposed building together with properties to the north**

### **Scale and massing**

The overall bulk of the initial submission was of concern, particularly in its relationship to the rest of the terrace. The applicant has revised the scheme, and reduced the overall size of the building as well as the number of apartments. The building has three main sections: it is three storeys at the front, the middle section is also three storeys, but has a lower roof, and then the final section at the rear steps down to a single storey. It is acknowledged that the front element is taller than the existing buildings and the adjoining properties, but this is not a significant difference in height and it is considered that it has an acceptable relationship. The middle section of the proposal is also taller than the adjoining and the existing buildings, but the adjoining property has a single storey element here which covers the whole of the rear yard area and it is considered that the proposal would not have an overbearing impact. The property at the other end of the terrace is two storeys with dormers in the front roof slope and a two-storey element to the rear and it is considered that there would not be a significant impact on this property. The street scene and the character of the area is varied in terms of the scale and massing of surrounding buildings and it is considered that the proposal would sit well within its setting.



**Visualisation of the proposed development**

### **Design and appearance**

There were initial concerns about the use of materials in the early iteration of the proposals as the building was to be white render throughout and considered inappropriate in this setting. The amended design is still contemporary, but using traditional materials of brick with timber and glazed detailing, and on balance it is considered to provide an improvement to the visual appearance of the street scene and to the southern extent of Chorlton District Centre. The final choice of materials will be agreed by planning condition to ensure that they are appropriate and of sufficient quality.

### **Parking**

As no on-site parking is proposed, concern has been raised about additional pressure for parking. Generally the Council expects development proposals to balance the expectation for off street car parking provision with the need to reflect its commitment to sustainable transport, reducing emissions and congestion. Core strategy Policy T1 states that in order to encourage modal shift away from car travel, proposals that improve choice by developing alternatives to the car will be supported.

Core Strategy Policy T2 states that all new development in District Centres should provide 'appropriate' parking facilities and will take the circumstances of each case into account to establish what level is appropriate. It is acknowledged that there is pressure for parking in this area, but it is considered that the proposed development would not automatically result in increased car ownership and visitor traffic to the area. The site is located at the hub of a busy district centre in a highly sustainable location, well-served by public transport and it is considered reasonable to assume that future residents of the flats, as well as staff of the ground floor use would walk, cycle or use bus services to access home/work. The scheme includes residential and visitor cycle parking. Taking into account the number of apartments, the sustainable location and the cycle storage proposed, it is considered that additional demand for parking is likely to be modest and it is considered that the level of off-

street car parking provision that may result from the development would not warrant refusal of the application proposals.

### **Standard of accommodation**

The proposal involves two-bedroom units with floor spaces varying from 64 square metres to 77 square metres and are therefore larger than the space standards guidance of 61 square metres for two-bedroom units. It is considered that the proposal would therefore provide a suitable living environment for future residents with adequately-sized rooms and a good standard of accommodation. Considering the size of the units to be created it is considered that a condition should be attached to prevent the individual units being converted to HMOs.

### **Disabled access**

The ground floor commercial unit has level access and accessible toilet facilities.

### **Cycles**

Secure cycles storage for the residential units is provided within the building at ground floor and would accommodate six cycles. Cycle stands are also proposed on the forecourt for and these could be used by visitors to and/or staff of the commercial unit.

### **Waste**

The proposal includes separate bin storage areas at ground floor level for the residential and commercial units and these are well-located for disposal of waste by tenants and for collections. The residential storage includes provision for refuse, recycling and organic waste and Environmental Health have stated that the arrangements are acceptable. There is sufficient space within the residential units for refuse and recycling storage before its removal to the communal bin area. As there is no tenant identified for the commercial unit yet, the exact number and type of bins required is unknown. The storage space has, however, been provided based on the Council's guidance and would accommodate 3 x 1100 litre Eurobins. Environmental Health have requested a condition relating to the commercial element of the proposal so that once a tenant is identified, the waste storage requirements can be accurately assessed and appropriate provision made in terms of type and size of bins. The applicant has also stated that tenancy agreement will include an element to ensure that the pavement and forecourt areas to the front of the property are kept safe, clean and clear.

### **Affordable housing**

The proposal includes only four residential units and therefore falls below the threshold for provision of affordable housing (15 units) and meets the exemption requirements of Policy H8 of the Core Strategy for the provision of affordable housing.

### **Sustainability**

The applicant has submitted a short energy statement setting out that:

- They are committed to achieving at least 25% improvement in CO2 emissions over Part L requirements using a variety of building techniques and technologies;
- Electrical sub metering will be used for appliances which use substantial energy such as heating and air conditioning, in order to monitor energy usage effectively;
- External lighting will be controlled by PIR system;
- The average heat loss parameter across the whole site will be <1:12;
- 75% of fixed internal lighting in habitable areas will be dedicated energy efficient fittings;
- Security lighting will be designed for energy efficiency and fitted with dawn to dusk timers/sensors;
- Materials (including any timber) will be responsibly sourced;
- All insulation will have a 'zero Ozone depletion potential';
- SAP calculations will be provided as part of the Building Regulations application;
- The use of rainwater harvesting and grey water will be investigated.

### **Construction Management**

Due to the location and position of the site it is considered necessary that details of a construction management plan are submitted for approval via an appropriately worded condition to ensure matters raised by Highway Services are addressed and that appropriate mitigation is in place to reduce disamenity to nearby residents and businesses.

### **Use of the properties as HMOs**

The application proposals are for C3 flats. Due to the existence of the Article 4 direction, the change of use of any C3 residential property to a C4 House in Multiple Occupation in Manchester would require planning permission. In order to reflect the nature of the proposals submitted it is recommended that a condition be attached to any approval that the units are retained for C3 residential use.

**Conclusion** – Consideration has been given to the siting, scale, appearance and density of the development to ensure it provides a high quality development along with minimising the impact on existing and proposed residents. On balance it is considered that the proposed development would make a positive contribution in terms of improving the visual amenity of the area and is considered to conform with national and local policies.

**Human Rights Act 1998 considerations** – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

### **Recommendation - APPROVE**

#### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with the planning application, particularly in relation to the scale and density of the proposal, the impact on the adjoining properties and in the street scene. The application has been determined in accordance with the policies within the Development Plan.

#### **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:

797-01-201r4 Site Plan  
 797-01-210r4 Ground Floor  
 797-01-211r4 First Floor  
 797-01-212r4 Second floor  
 797-01-215r4 Roof Plan  
 797-01-216r4 Waste Storage Plan  
 797-01-220r4 Side Elevation next to 316  
 797-01-221r4 Side Elevation  
 797-01-222r4 Rear Elevation  
 797-01-223R4 Front Elevation  
 797-01-230r4 Section AA  
 797-01-231r4 Section BB  
 797-01-280 Details  
 797-01-281 Details

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) No above ground level works hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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.

4) 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.

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

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

6) Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Council.

The Construction Management Plan shall contain the following:

- 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;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy SP1 and DM1 in the Core Strategy Development Plan Document.

7) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Barlow Moor Road and other actual or potential sources of noise on or near the site, including commercial and industrial premises, shall be submitted to and approved in writing by the City Council as local planning authority. Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation necessary. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policies DM1 in the Core Strategy Development Plan Document and saved UDP Policy DC26.

8) Prior to the occupation of the commercial unit of the development hereby approved, a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. Internal and external areas are required. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to Policy DM1 of the Core Strategy.

9) The storage and disposal of waste for the residential units shall be undertaken in accordance with the Waste Management Strategy dated July 2017 and it shall remain in situ whilst the use is in operation.



Reason - In the interests of amenity and public health pursuant to Policy DM1 of the Core Strategy.

10) 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 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the premises 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 2010, 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).

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.

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

- a. 7.30 am to 8.00 pm Monday to Saturday
- b. No deliveries or collections on Sundays or Bank holidays.

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

12) The permitted hours of opening of the ground floor unit are to be agreed in writing with the City council as local planning authority prior to occupation of the units.

Reason - In order to protect the residential amenity of nearby residential properties, pursuant to Policies SP1 and DM1 of the Core Strategy.

13) Details of any roller shutters or security grilles to be installed within the development shall be submitted to and agreed in writing by the City Council as Local Planning Authority before they are in place. Roller shutters and grilles shall be of an open grille construction, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located and be colour-coated.

Reason -In the interests of visual amenity, pursuant to Policy DM1 of the Core Strategy

14) Upon the occupation of the shop units, any proposed roller shutters on the frontage of the proposed shop units and food store shall be open/raised from 9.00 a.m. until the business closes in the evening.

Reason - In the interests of visual amenity and order to ensure that the appearance of the building is in keeping with the character of the area pursuant to Policy DM1 of the Core Strategy.

15) Above-ground construction works shall not commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. Within six months of the occupation of the first unit, written confirmation of a Secured by Design accreditation shall be submitted to by the City Council as local planning authority.

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.

### **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: 116753/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:**

Environmental Health  
Highway Services  
Greater Manchester Police

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

**Relevant Contact Officer :** Paula McGovern  
**Telephone number :** 0161 234 4547  
**Email :** p.mcgovern@manchester.gov.uk



 Application site boundary  Neighbour notification  
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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
120896/FO/2018	6th Aug 2018	18th Oct 2018	Hulme Ward

**Proposal** Construction of a part 6, part 11 and part 16 storey building comprising 491 student bed spaces (sui generis), amenity space, cycle parking, landscaping, and associated highways work.

**Location** Land Known As Birley Plot E, Stretford Road, Manchester

**Applicant** Manchester Metropolitan University, C/o Agent

**Agent** Mr John Cooper, Deloitte LLP, 2 Hardman Street, Spinningfields, Manchester, M3 3HF

### **Description**

The site lies in a prominent location on Stretford Road next to the Hulme Arch to the east of Princess Road in Hulme. The site is viewed in the context of the Mancunian Way and Manchester City Centre when approaching Manchester using the Princess Road arterial route from the south.

The site measuring 0.4 hectares comprises vacant unallocated previously developed land that is currently secured with fencing and has historically been used as a surface level car park. There are three groups of trees on the site. The site is bounded by Stretford Road to the north, Bonsall Street to the south, Birchall Way and Princess Road beyond to the west and Stonelow Close to the east.



The proposal comprises the redevelopment of the site to create a part 6, part 11 and part 16 storey building to be used as purpose built student accommodation. A total of 491 student rooms would be provided within the development, arranged in clusters of 7 and 8 single occupancy rooms (en-suite), organised around kitchen and lounge area.

The development would provide communal areas in the form of a social area with TV lounge, games room, gym, an informal study room and group study areas. The ground floor would include a reception area, management offices, storage, post room and a show flat.

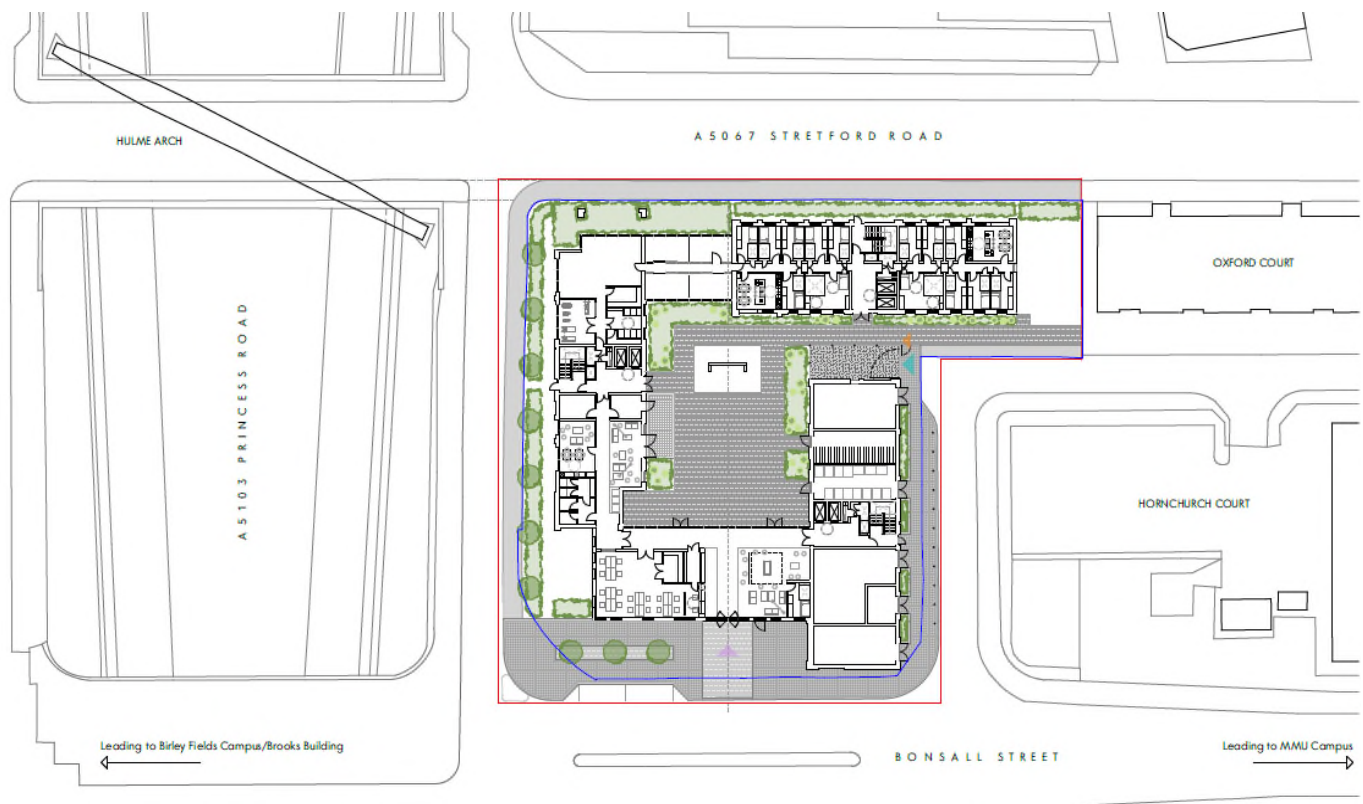
The proposed buildings would be arranged around a courtyard which would include informal seating areas and secure cycle storage.

Building A fronts Birchall Way and Princess Road beyond to the west of the site. This is the tallest building at 16 storeys high.

Building B fronts Stonelow Close to the east and south of the site. This building is 11 storeys high.

Building C fronts Stretford Road next to Oxford Court to the north of the site. This building is 6 storey high.

Buildings A and B and A and C are connected with two single storey extensions with green roofs to connect the development around the courtyard. The single storey elements front Stretford Road to the north and Bonsall Street to the south.



## History

Birley Fields Campus is located a short walking distance of c.100m east of the site. Birley Fields was relocated from Didsbury to Hulme. Part full, part outline planning permission for the development of the new campus was granted under planning application 095557/FO/2011/S1 in February 2012. Reserved Matters consent was granted under the cover of planning application 101075/MO/2012/S1 in February 2013.

Plot E represents the final phase of the Birley masterplan linking the Birley Campus and the All Saints Campus.

## Consultations

Publicity – The development was advertised in the Manchester Evening News as a major development. A site notice was placed next to the site boundary. A map showing the extent of residents and businesses notified of the application is set out at the end of this report.

## Members

Councillor Annette Wright – Wrote on behalf of the three Labour Party councillors representing Hulme Ward.

Members do not oppose development of the land, which has been unused for some time. They are aware that MMU has a historic outline planning application for the land and they do not object to the previously consented scheme. Concerns are expressed that the development proposals may damage relations between MMU and local residents. Members requested that the application be put on hold to allow for a significant period of consultation, with a view to revising the design plans and submitting a new proposal, more in keeping with the original application. They are critical of pre-application consultation carried out by the developer and application notification by the City Council, particularly with regards to the exclusion of the Aquarius Estate Residents Group. Members offer to be involved in any further consultation exercise.

Residents welcome students. Members have received complaints with regards to student behaviour at times but most of those have not related to the accommodation owned and managed by MMU. However, concern is expressed about the lack of sufficient infrastructure to cope with large increases in resident numbers e.g. doctors, chemists, shops, public transport.

Concern is expressed with regards to the height of the development proposed, which is 2 to 12 storeys higher than the outline planning application, particular concerns are expressed in relation to the two taller blocks. Residents are stated as not being supportive of tall buildings and it is stated that they fear that the City Centre is expanding and that they will eventually lose their homes. Members request assurances in this regard.

Members consider the proposed 11 storey block to be too tall and too close to Hornchurch Court, a social housing tower block owned by One Manchester. They state that the development proposals will result in a loss of light and views to the western elevation of this block. Members believe that there should be face to face consultation with residents in the block in conjunction with the housing provider.

Members consider that the 16 storey block will tower over Hulme Arch bridge, a hugely significant local landmark, which is liked by residents and which defines the area for those passing through. They state that putting such a tall block so close to the bridge will, regardless of intention, be seen as a symbol of developers concerns take priority over the views of residents.

Residents have also informed Members that they are concerned about the potential loss of light to St Phillips School.

## **Residents**

Fifty objections have been received from local residents on the grounds that:

- The proposed development is not in keeping with existing buildings as it is a huge monolithic inappropriate structure. Residents believe that they were informed that no high rise development would come forward as part of the Birley Campus development.
- The scheme will block sunlight and daylight (having an impact on right to light), provide overlooking and loss of privacy to surrounding properties, and be overbearing impacting on outlook, in particular comments have been made in relation to the impact on Hornchurch Court (and its garden and allotment) and the playground of the nearby St. Philips Primary School.
- There were concerns with regards to the noise, disturbance and anti-social behaviour associated with an additional 491 students. Comments have been made about the late night disturbance associated with existing student accommodation (including MMU accommodation) and the impact that this has upon existing long term residents with regards to sleep disturbance, sometimes to families with young children, impacting detrimentally upon health and wellbeing. Local residents complain that students:
  - Hang around outside of buildings to smoke;
  - Speak and shout profanities loudly, conversing from window to window;
  - Wait outside for taxis in large groups;
  - Arrive home intoxicated from between 10pm to 03.00am, drinking, singing, smashing bottles and climbing on parked cars;
  - Hold parties with noise, shouting, singing and loud music;
  - Partake of legal highs in the street;
  - Leave litter and sick in the street.
- They believe that MMU have not managed their student accommodation successfully and state that further student accommodation encourages a transient population with no incentive to behave in a responsible manner. They state that this is a residential area not a campus.
- There is no parking in the area, this will lead to further pressure on parking.
- The highway is already chaotic near a primary school.



- Since Birley campus has been built there is increased congestion which has increased air pollution, along with double parking in cycle lanes.
- The previously approved scheme for the site was appropriate with regards to scale.
- The development in contrary to the Hulme Development Guide 1991
- There should be more social housing, the City Council should address the homelessness issue and we should not be support student accommodation for profit.
- This will increase the amount of opportunistic crime.
- The down draught effect associated with the height of the buildings proposed will add to pre-existing strong wind conditions in this area that could cause danger to pedestrians.
- Fire safety associated with having so many of one particular age group in a building.
- The development will place strain on sewage infrastructure
- The development would place pressure on health care infrastructure e.g. Doctors and Dentists
- Construction will cause noise and inconvenience and have an impact upon access roads.
- There is a perception that there has been a lack of engagement.
- The Hulme Arch will be overpowered.
- There is a lack of active frontages in the form of a retail / commercial unit. The Stretford Road frontage should have more interest at street level.
- The proposal does little to benefit the local community, the land should be used for a community centre, public park or allotments.

### **Statutory Consultees**

**Highway Services** recommended a minimum width of 2m along all footways across the site's perimeter. A travel plan condition is required detailing pedestrian safety / connectivity improvements. A construction management condition is required.

A management plan condition is required to ensure that there is a pick-up / drop off strategy.

Highways advised on matters relating to Section 247 stopping up and Section 278 for off site highways works required as part of the development which require conditioning, for example, removal of the dedicated left-hand turning lane at the Bonsall Street/ Birchall Way junction, sufficient clearance for the turning of refuse vehicles and amending the existing Traffic Regulation Order to exclude Halls of Residence tenants from applying for an on-street resident parking permit since they would not comply with the "principal place of residence" definition to be inserted within that order.

**PARKING** - The development will be a car free, therefore there will be no on site provision offered.

Given the nature of this development, low levels of vehicle ownership are anticipated and given its accessible location, this is deemed to be acceptable to the Highways

Team. It is recommended that the operator monitors demand for potential leased parking with nearby operators as part of the Travel Planning Strategy.

CYCLE PARKING - 40 cycle spaces have been proposed, equating to a provision of 8%. Although it has been indicated that other MMU student residences offer similar levels, Highways consider this to be exceptionally low and request that further accommodation be provided.

In principle, the location and access into the cycle stores are accepted by Highways.

### **Environmental Health**

Recommend conditions relating to construction management, external lighting, acoustic insulation, external equipment, refuse and contaminated land.

### **Neighbourhood Team Leader (Arboriculture)**

Any comments received will be reported to Committee

### **MCC Flood Risk Management**

Conditions are recommended relating to surface water and maintenance of a sustainable urban drainage scheme.

### **Greater Manchester Police**

Any comments received will be reported to Committee

### **Greater Manchester Archaeological Advisory Service**

There would appear to be no reasonable grounds for seeking to impose any further archaeological requirement upon the applicant.

### **Greater Manchester Ecology Unit**

Recommend a condition relating to breeding birds, but also make the following comment:

The appraisal also makes recommendations for biodiversity enhancement at the site, in line with the requirements of the National Planning Policy Framework. However these do not appear to have incorporated into the landscape plan for the site. We would therefore recommend that the landscape plan be amended accordingly prior to the determination of the application.

## **Policies**

### **Relevant Local Policies**

#### **Local Development Framework**

The relevant development plan in Manchester is the Core Strategy Development Plan Document 2012-2027 (the “Core Strategy”), adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document 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. The proposals are considered to be consistent with the following Core Strategy Policies SP1, EN1, EN2, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12.

Policy SP1 - Spatial Principles. This sets out the key special principles which will guide the strategy. 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, make a positive contribution to the health, safety and wellbeing of residents, consider the needs of all members of the community regardless of disability and protect and enhance the built and natural environment.” The development would reuse previously developed land to improve the built environment and local character.

Policy EN1 - Design Principles and Strategic Character Areas. The site currently has a negative impact and there is an opportunity to enhance the area. The proposal involves a good quality design, and would enhance the character of the area and the overall image of Manchester. The design responds positively at street level. The positive aspects of the design are discussed in more detail below.

Policy EN 2 - Tall Buildings. The proposed development would have a high standard of design quality, be appropriately located within the site, contribute positively to sustainability, contribute positively to place making and would bring significant regeneration benefits.

Policy EN4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development. The proposal would follow the principle of the Energy Hierarchy to reduce CO2 emissions.

Policy EN6 - Target Framework for CO2 reductions from low or zero carbon energy supplies. The development would comply with the CO2 emission reduction targets set out in this policy.

Policy EN 8 - Adaptation to Climate Change. The energy statement sets out how the building has been designed to consider adaptability in relation to climate change.  
Policy EN9 - Green Infrastructure. The development includes tree planting and the incorporation of green roofs.

Policy EN14 - Flood Risk. A Flood Risk Assessment has been submitted and this is discussed in more detail below.

Policy EN15 - Biodiversity and Geological Conservation. The redevelopment would provide an opportunity to secure ecological enhancement for fauna typically associated with residential areas such as breeding birds and roosting bats.

Policy EN16 - Air Quality. The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and therefore minimise emissions from traffic generated by the development.

Policy EN17 - Water Quality. The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN18 - Contaminated Land and Ground Stability. A site investigation, which identifies possible risks arising from ground contamination has been prepared.

Policy EN19 – Waste. The development would be consistent with the principles of waste hierarchy. In addition the application is accompanied by a Waste Management Strategy.

Policy T1 - Sustainable Transport. The development would encourage a modal shift away from car travel to more sustainable alternatives. It would improve pedestrian routes within the area and the pedestrian environment.

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

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Design for health;
- Adequacy of internal accommodation and amenity space;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- That development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- Accessibility to buildings, neighbourhoods and sustainable transport modes;
- Impact on safety, crime prevention and health; adequacy of internal accommodation , external amenity space, refuse storage and collection, vehicular access and car parking; and
- Impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

These issues are considered full, later in this report.

Policy H12 - Purpose Built Student Accommodation. The provision of new purpose built student accommodation will be supported where the development satisfies the criteria below. Priority will be given to schemes which are part of the universities' redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council's regeneration priorities.

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.
4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.
5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.
6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the street scene either from the proposed development itself or when combined with existing accommodation.
7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.
8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.
9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bed spaces.
10. Applicants / developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

The proposals are in accordance with this policy and this is discussed in detail below.

## **Saved UDP Policies**

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.

It is considered that the proposal is consistent with the policies contained within the UDP.

## **National Planning Policy Framework**

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in July 2018 and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;
- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 103 states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or

the residual cumulative impacts on the road network would be severe. Within this context paragraph 110 states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

Paragraph 117 indicates that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Paragraph 127 confirms that planning decisions should 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; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

## **Other Material Considerations**

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

Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. The SPD states that proposals should seek to ensure that the use of the building reflects their purpose and the place in which they are located. Development should enliven and define neighbourhoods and promote a sense of place. Development should have regard for the location of sustainable public transport and its proximity. In relation to crime issues, the SPD requires that

prevention measures should be demonstrated, and include the promotion of informal surveillance, CCTV, good lighting and stewardship.

### **Residential Quality Guide**

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

### **The Manchester Green and Blue Infrastructure Strategy (G&BIS)**

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth



3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

### **Central Manchester Strategic Regeneration Framework**

This Strategic Regeneration Framework sets a spatial framework for Central Manchester within which investment can be planned and guided in order to make the greatest possible contribution to the City's social, economic and other objectives and identifies the Southern Gateway area, within which the site sits, as one of the main opportunities that will underpin the Framework, which is extremely important for Central Manchester, the city as a whole and the surrounding area. It is considered that the application proposals will contribute significantly to achieving several of the key objectives that are set out in the Framework, including creating a renewed urban environment, making Central Manchester an attractive place for employer investment, and changing the image of Central Manchester.

### **Legislative requirements**

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Section 17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

**Environmental Impact Assessment - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017** specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

This planning application was the subject of a Screening Opinion for an Environmental Assessment. The Screening Opinion concluded that as the scale of the development is appropriate for a its context, that it would re-use a previously developed site, allow greater use of public transport, would improve conditions for pedestrians, would assist regeneration of the City, is unlikely to result in significant or unusual adverse impact for local residents, that the impact of the development would not have more than a local impact and would support the City's objectives of making the City Centre a better place to live, shop, invest, and visit and that as such the scheme is not likely to have significant effects.

Having taken into account the EIA Directive and Regulations it is therefore considered that an Environmental Assessment is not required in this instance.

### **Issues**

## **Principle of student accommodation**

The application site is unallocated previously developed land, located within a sustainable location characterised by a range of types and sizes of residential accommodation and in close proximity to the relocated Manchester Metropolitan Campus.

The site forms part of the Manchester Metropolitan University Birley Masterplan Area, known as Birley Plot E. Plot E is the final plot within the masterplan to come forward for development. The proposed development is therefore well connected to and in close proximity to the University Campus and would satisfy the requirements of point 1 of Policy H12.

This development would be energy efficient and achieve BREEAM very good. It is considered therefore that the proposal would meet the requirements of point 2 of Policy H12.

The site benefits from an extant Outline Planning Permission 095557/FO/2011/51, which envisaged student accommodation coming forward on the site. This permission approved development parameters that allowed for the delivery of 475 student bed spaces on Plot E as part of an overall approval, under the terms of that consent, of 1,200 bed spaces across the wider Birley Masterplan Area.

If the maximum parameter had been implemented on Plot E, then a similar quantum of development to that which is now proposed (given the proposed scheme only has a difference of +16 bed spaces), would have been accommodated on the site. The outline permission described a building measuring 38m in height (approximately 13 storeys).

Notwithstanding the above, it should be noted that 967 bed spaces have already been delivered across the masterplan and therefore a maximum of 233 bed spaces would be capable of coming forward on Plot E under a Reserved Matters approval pursuant to the Outline Permission.

Reserved Matters consent was sought and granted under reference 101075/MO/2012/S1 for Plot E consisting of 3 terrace blocks of seventeen 4 storey townhouses (measuring 14m in height) which provided 180 bed spaces.

The principle of a high density development has therefore previously been established on the site. The site is highly sustainable and close to a wide variety of amenities and services, as well as public transport. The target population is expected to have zero levels of car ownership. Along with the provision of cycle parking and a Travel Plan, it is expected, therefore, that the proposal would not result in an increase in on-street parking in the surrounding area. It is considered therefore that the proposal would meet the requirements of point 3 of Policy H12.

The site is an undeveloped prominent site on a key gateway route. It has a negative impact on the local community and creates a poor quality built environment and issues of crime and safety. The redevelopment of the site would have a hugely

beneficial impact on the area, improve the perception of the City at a key location and improve the vitality and safety of the surrounding streets. It is considered therefore that the proposal would meet the requirements of point 4 of Policy H12.

The development would improve safety and security in the area. It would comply with the recommendations of the Crime Impact Statement and a condition should require Secured by Design accreditation. It is considered therefore that the proposal would meet the requirements of point 5 of Policy H12.

The applicant is an established provider of purpose built student accommodation with an understanding of how to appropriately integrate such developments into existing urban areas and they would design, build and operate the development. A condition controlling the management and operation of the development would be in place. The development would be subject to appropriate acoustic insulation levels. It is considered therefore that the proposal would meet the requirements of point 6 of Policy H12.

There are no listed buildings or other buildings with a particular heritage value in the vicinity of the site. Therefore point 7 of Policy H12 is not considered relevant to this proposal.

Waste would be stored at ground level in accessible stores. A private waste collection service would remove waste from the site twice a week, unless additional collections were required. It is considered therefore that the proposal would meet the requirements of point 8 of Policy H12.

The applicant is Manchester Metropolitan University therefore satisfying point 9 of Policy H12.

In terms of the deliverability of the scheme, this forms part of a strategy to complete the relocation of the university to Hulme. It is therefore considered that the proposal would meet the requirements of point 10 of Policy H12.

### **The need for student accommodation**

The supporting documentation with this application states that Manchester Metropolitan University's current Estates Strategy requires a greater level of accommodation on Plot E than 233 bed spaces within the terms of the original outline consent or indeed the 180 units previously granted Reserved Matters consent, to meet their need for good quality, affordable purpose built student accommodation within their limited available land resources. Therefore this application seeks to accommodate 491 bed spaces. There is an established need for purpose built student accommodation.

Therefore subject to consideration of the detailed matters set out below the principle for the redevelopment of previously developed land for student accommodation is considered to be acceptable.

### **Consultation**

The application is accompanied by a Statement of Community Consultation that sets out that the developer held three consultation events, one was held at Hornchurch Court, one at Café Grano on Stretford Road in the Birley Campus and a third within the Birley Residences Reception. Details of an extensive area for a leaflet drop that was undertaken have also been provided.

The City Council have consulted all individual properties that could be affected by the proposals within the Aquarius estate.

### **Tall Buildings Assessment**

One of the main issues to consider in assessing the scheme is whether this is an appropriate site for tall buildings. The proposal has been thoroughly assessed against the City Council's policies on tall buildings, the NPPF and the following criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABE in July 2007.

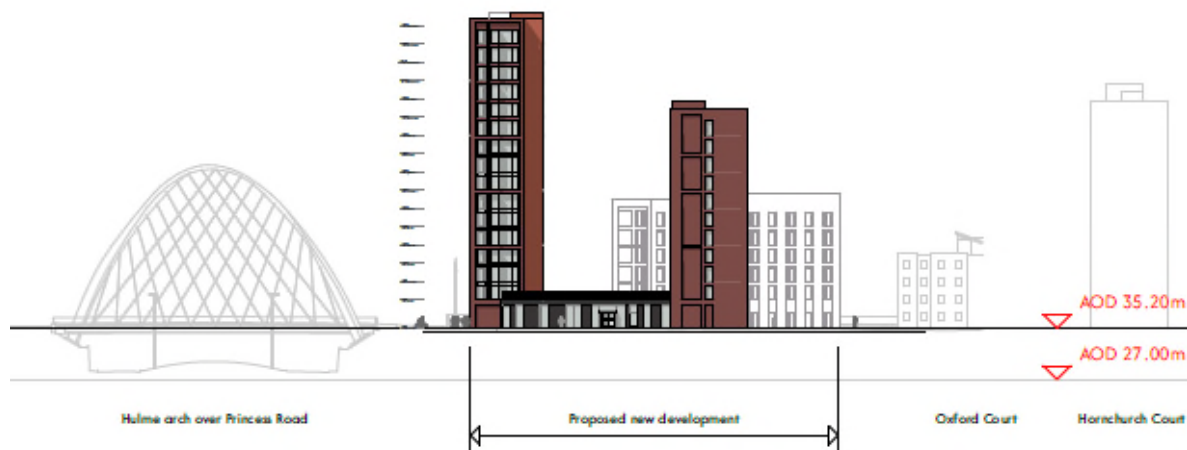
### **Height and Scale**

The previously approved Reserved Matters application 101075/MO/2012/S1, which included plans for the development of Plot E, was reported to Planning and Highways Committee in February 2013 for 3 terrace blocks of seventeen 4 storey townhouses.

Since the time of the reserved matters approval the character of development both in Hulme and the City Centre and its fringes has altered significantly. The aspirations set out in policies of the Core Strategy in 2012 to accommodate quality tall buildings in strategic locations on arterial and circular routes has been realised.

The proposed development would create a noticeable but improved change in the view along Princess Road from the south, improving the experience and character of the skyline which starts to introduce a larger massing that is in keeping with emerging developments along in the Inner Ring Road.

The revised National Planning Policy Framework at paragraph 123 sets out that where there is an existing shortage of land for meeting identified housing needs it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.



The development proposals have been split into three differently scaled buildings to respond to the scale of the building to which it is nearest.

Building A, the tallest building would front Birchall Way and Princess Road beyond. It would be 16 storeys in height. This tower would be read in conjunction with the scale of the Birley Field campus Manchester Metropolitan University buildings to the west of Princess Road. The tower would also be read in the context of taller buildings within the City Centre to the north when approaching the city from the south on Princess Road and with the backdrop of Hornchurch Court to the east.

Building B would front Stonelaw Close, the side elevation would face Bonsall Street, it would be 11 storeys in height. This responds to the height of the flat block at Hornchurch Court, which includes 15 storeys of accommodation (when viewed externally). Building B would be separated from the Hornchurch Court building by the width of Stonelaw Close and the substantial gated surface level car park associated with the block of flats. The separation distances would be in excess of 54 metres.

Building C would front Stretford Road at 6 storeys in height, separated by 10m by an external study area from the existing four storey student building at Oxford Court. Height in the location at the end of this section of Stretford Road would be appropriate providing a strong frontage along the arterial route of Princess Road and to Stretford Road. Which has buildings of a similar scale.

Comment has been made with regards to the impact upon the Hulme Arch as a landmark feature, however, it is considered that the scale of the development proposals would not detract from but would complement the scale of the Hulme Arch.

## Design

The design of the buildings focus on high quality materials to complement the local architectural materiality and vernacular which is characterized by the Manchester red brick.

The proposal seeks to utilise the brick, with two principal colours selected; a multi and a smooth red to contrast. These have been distributed across the towers to

assist in emphasising verticality to Block A, and provide contrast to modelling on blocks as part of reveals.

Aluminium window framing, in full height openings to rooms are proposed in a 'bronze' colour appearance, to sit complimentary to the bricks chosen. At ground floor level, active street frontage is achieved by glass curtain walling, interposed with brickwork panes to provide glimpsed views through into the central courtyard.

It is considered that the design of the proposed development is complimentary to the immediate local context whilst providing a building of good architectural quality, providing a landmark building in a prominent gateway location in accordance with policy



### **Trees, Landscaping and Public Realm**

A Tree Survey has been submitted. The assessment recorded 7 individual category 'C' trees which are low value poor quality trees, and these trees would need to be removed to enable the construction of the proposed development.

The removal of the poor quality trees necessary for construction will be mitigated as part of a post development planting scheme of 10 new specimen trees (7 Lime Trees fronting Birchall Way and 3 pear trees turnings onto Bonsall Street) that will add to the quality of the area and integrate the proposed development into the surrounding landscape.

Tree protection conditions, tree works condition and a landscaping condition would ensure that the street trees are protected and the planted trees are maintained.

The proposal would deliver a significant enhancement to the area, particularly along Stretford Road and Birchall Way. It would enhance the public realm around the site, with the buildings being set back from the back of pavement to provide a wider landscaped setting and defensive planting. The setback is also to accommodate easements to relocated gas mains, which currently run underneath the site. Which would prevent additional tree planting.

The public realm areas would be predominantly hard landscaped with tree planting and planting. The improved public routes would allow the area to be open and permeable to pedestrians, whilst also encouraging the safe and sustainable

movement of people. The new public realm would benefit from natural surveillance with the facilities at ground floor and the accommodation on the upper floors overlooking it.

### **Effect on the Local Environment**

This examines, amongst other things, the impact the scheme would have on nearby and adjoining residents. It includes the consideration of issues such as impact on daylight, sunlight and overshadowing, overlooking and loss of privacy, wind, noise, parking and highways.

### **Daylight, Sunlight and Overshadowing**

A daylight and sunlight analysis has been undertaken, which makes reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011) and BS8206 – Part 2:2008 Code of Practice for Daylighting.

The BRE Guide is generally accepted as the industry standard and is used by local planning authorities to consider these impacts. The guide is not policy and aims to help rather than constrain designers. The guidance is advisory, and there is a need to take account of locational circumstances, such as a site being within a town or city centre context where higher density development is expected and obstruction of natural light to existing buildings is often inevitable.

The following properties have been considered due to their sensitivity and proximity to the site:

- St Philips Primary School;
- 26-48 Stretford Road;
- Oxford Court;
- Hornchurch Court;
- 33-47 Bonsall Street.

#### **Daylight**

311 individual windows have been appraised. Despite a reduction in Vertical Sky Component (VSC), 298 of the windows will continue to achieve 27% VSC. For the 13 windows that do not achieve VSC, 11 serve dual aspect rooms that are served by at least one other compliant window. The two remaining windows achieve a VSC of c. 26% which is within acceptable tolerances with regards to BRE targets within a City Centre Fringe environment.

The assessment submitted found that the proposed development will have an appropriate and non-significant impact upon daylight amenity.

#### **Sunlight**

178 rooms located within 90 degree of due south have been sunlight appraised. 177 rooms continue to achieve the 5% winter and 23% annual probable sunlight hours

target. The experienced reductions in sunlight are stated to not be noticeable to room occupants. There is a single room that has only one window capable of receiving direct sunlight, however, the window is significantly restricted by its physical location within the building.

The assessment submitted found that the proposed development will have an appropriate and non-significant impact upon sunlight amenity.

#### Sunlight to Open Spaces

The playground of St Philips Primary School is an external amenity space that justifies the need for a 2 hour time in sun appraisal. In the existing conditions, the playground received at least two hours of direct sunlight to 98% of its area. Following development the external amenity space would experience a small reduction in the extent to which it received at least two hours of sunlight, falling to 96% of its area. This is considered to be a non-significant sunlight amenity impact.

A resident has cited loss of light to an allotment area, however, given the location of the development proposals due west of this space and the separation distances involved, it is not considered that there would be material harm.

#### **Overlooking and loss of privacy**

The development 6 storey element would be located across Stretford Road from St Philips Primary School and would not provide any further overlooking to St Philips Primary School than from existing student accommodation on Stretford Road.

The 16 storey element would be far removed from any neighbouring property with the nearest habitable windows being located a distance of 60m to the west.

The 11 storey element nearest to Hornchurch Court would be separated by a 54m distance across the car park, gardens and allotments associated with Hornchurch Court.

It is not considered that there is any unduly harmful loss of privacy or overlooking provided to any neighbouring property.





View from Hornchurch Court

## Wind

A wind environment assessment has been submitted to assess the impact of wind on the pedestrian environment within the site and its surroundings.

Generally, the site and surrounding context presents comfortable wind conditions for all pedestrians.

Whilst the proposed development creates localised areas of wind acceleration these remain suitable for the intended use and in some areas the proposed development shows improvement from the existing conditions by providing shelter from the prevailing south and south-westerly wind directions, particularly in areas north and east of the site such as the area on Stonelow Close.

Given the above it is considered that no mitigation measures are necessary and the development will result in comfortable and safe wind conditions for all pedestrians.

## Noise

The application includes a commitment to following Manchester Metropolitan University's management and maintenance strategy, which sets out that consideration will be given to existing and future residents, with particular consideration given to increasing activity on-street, whilst also mitigating potential for noise and disturbance in the context of the wider Birley Fields Masterplan Area. A specific operational and management plan with details in relation to this site would be conditioned.

## Parking

The scheme does not provide for any parking provision, in order to encourage students to use sustainable modes of travel. The proposed development is less than 500m away from the Birley Field Campus by foot and is within easy walking distance of the City Centre and the Oxford Road corridor. There is ready access to a number of regular bus routes.

Car parking space availability in close proximity to the development and the campus is difficult due to the presence of double yellow lines or residents parking zones. Students would be restricted from applying for residents parking permits.

No disabled parking access is shown on plan, however, the applicant has stated that they are willing to provide access to an on street disabled parking space, which is the subject of a condition.

### **Highways**

The scheme would not impact upon Highways through every day parking and servicing, however, there would be a pick up / drop off area proposed adjacent to the main entrance along Bonsall Street.

A robust management strategy would need to be conditioned to ensure the least impact on the highway network at times of peak use of this area e.g. term start/end including designated slot times, in order to protect both residential amenity and Highway safety.

The applicant is willing to enter into a Section 278 agreement to make necessary amendments to the Highway, such as:

- Removal of the dedicated left-hand turning lane at the Bonsall Street/ Birchall Way junction; and
- Sufficient clearance for the turning of refuse vehicles, in order for the scheme to be acceptable, this requirement is the subject of a condition.

The site is well located close to alternative transport means.

### **Bicycle Parking**

Secure Cycle parking provision will be provided at ground level within the courtyard accessible via a secure gated access. 40 secure cycle parking spaces will be provided within the courtyard, equating to 8% of occupancy. 5 Sheffield stands will be provided to the main entrance for visitor parking.

It has been raised with the applicant that this level of cycle parking provision, whilst evidenced by use of other cycle facilities managed by MMU, is not an acceptable level of cycle parking provision, given the policy drive to move residents to sustainable modes of transport, including the use of the cycle. The recommendation of approval includes a condition to ensure that the level of cycle parking provision is increased.

### **Construction Works**

A Construction Management Plan has been submitted stating that works will be carried out within Manchester City Council's guidelines for hours of construction, outlines dust suppression measures and details wheel wash facilities, construction lighting, construction traffic routes and codes of conduct including minimising nuisance to St Philips Primary School. A further condition is required to secure further information with regards to noise and vibration.

### **TV reception**

A baseline Television Reception Survey has been carried out. The report recommends mitigation measures should any interference be found, including:

- Replacement of aerials with more directional or higher gain aerials;
- Repositioning aerials so that the received signal is stronger;
- The installation of amplifiers;
- Replacing terrestrial equipment with satellite or cable equipment.

A condition requiring a post-construction survey and any mitigation measures should be attached to any permission to ensure that any mitigation measures are appropriately targeted. Given the above, it is considered that the proposal would not have a significant adverse impact on TV reception.

### **Ecology**

Greater Manchester Ecology Unit recommend conditions relating to breeding birds and stated that the biodiversity enhancements offered at in the Ecology statement (in the form of two bird and bat boxes, green roofs to provide foraging and breeding habitat and specific biodiversity enhancing planting) were in line with the requirements of the National Planning Policy Framework, but were not shown on the landscape drawings. A condition requesting an update landscaping drawing reflecting the biodiversity enhancements is attached at the end of this report.

### **Environmental Standards**

The application is supported by an Environmental Standards Statement and an Energy Strategy. These documents set out how the proposed development will incorporate sustainability measures, including energy efficiency and environmental design.

The Proposed Development will deliver a scheme that is inherently efficient during occupation.

Given the uplift in emissions compliance criteria between the current (2013) and previous (2010) iterations of Building Regulation Part L, the proposed scheme has been demonstrated to be aligned with the energy efficiency requirements and able to achieve a 15% reduction in carbon dioxide emissions.

To encourage a healthy internal environment through the provision of appropriate ventilation levels to provide fresh air and avoid problems associated with the build-up of pollutants and humidity levels without excessive heat loss.

The Proposed Development will be designed in accordance with the BREEAM criteria and achieve the required 'Very Good' rating.

It is therefore considered that the scheme is in accordance with Core Strategy policies EN4 and EN6.

### **Drainage / Flooding**

The site falls within Flood Zone 1 and is at low risk of flooding, the applicant has provided a drainage strategy to accompany the application. Following receipt of this strategy the Councils Flood Risk Management Team raise no objections to the proposals and have recommended a number of conditions be attached to any approval. The application proposals are therefore considered to accord with policy EN14 of the Core Strategy.

### **Crime and Disorder**

A Crime Impact Statement has been prepared by Greater Manchester Police and explains how the design may contribute to, or mitigate against, crime and anti-social behaviour. A condition requiring the achievement of a Secure by Design accreditation will be attached to any consent granted. Positive aspects of the scheme according to Greater Manchester Police are the;

- Use of the existing street pattern
- Promotion of activity and surveillance in the most appropriate areas
- Generate of significant activity on the surrounding streets beyond the development itself
- Location of the pedestrian entrance to the development
- Location of the proposed, staffed, reception desk
- Range of residents' amenity spaces and facilities
- Secure cycle parking.

### **Air Quality**

An Air Quality Assessment has been submitted which considers dust effects during the construction and operational phase.

The Assessment concludes that with the effective implementation of recommended mitigation measures, the residual effects of the construction phase on air quality are considered to be negligible.

During operation, potential impact may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the development site. However, due to scheme being a car free development, any car parking and any vehicle trips associated with the development will result primarily from taxis and student drop off days, which will be appropriately managed via an arrival procedure, road traffic impacts were predicted to be negligible.

The proposals were found to have some potential to expose future occupants to elevated pollution levels due to the local highway network, however the level of exposure was considered to be acceptable given from an air quality perspective given the sites urban environment.

### **Disabled Access**

The development has been designed to take into account the Equality Act and Part M of the Building Regulations. The site is generally flat, all pedestrian routes to the building connect with level access into the building. Trees and furniture in the landscape have been positioned so as not to cause a hazard. The main entrances provide direct access to the circulation core, from which there is access to all floor levels via lifts. All residential units are located on wheelchair accessible routes. As stated above an on street disabled car parking bay could be secured through a planning condition requiring the developer to enter into a Section 278 agreement.

### **Waste**

Refuse storage areas are provided within Building B at ground level, with allowance for each of the stores to be accessible from within the related circulation spaces as well as directly from the street for collection from Stonelow Close.

The number and capacity of bins has been estimated based on the proposed numbers of student bed spaces. Students will be asked to segregate recycling and general waste and will be provided with four bins for general waste, pulpable waste, co-mingled recyclables and food waste.

There will be provision for students to store waste internally within their cluster flats before taking it to the main bin store which is accessed from the courtyard.

The collection and emptying of bins will be overseen by building management. Waste would be removed from site twice a week by a private contractor, except at the beginning and end of term when extra collections would be arranged to meet need.

### **Infrastructure**

Comments received raised concerns in relation to the impact of the proposed development upon infrastructure in the locality, specifically upon medical services. The proposed development is in walking distance of local shopping parades, Asda Hulme and the City Centre, as such it is considered that the scheme would be well catered for and that the small increase in student numbers would not have a detrimental impact.

### **Conclusion**

The development proposals would see the completion the second phase of the relocation of Manchester Metropolitan University to Hulme. The principle of student accommodation in this location has been established by previous consents as being acceptable. The scheme for development is of an appropriate scale, mass and

design having regards to the site context. It is not considered that the proposals will adversely impact upon the residential amenities of surrounding residential property.

The development would see the reuse of previously developed land improving that appearance and character of this particular part of Hulme with a high quality well managed facility.

The development proposals will result in the loss of 3 trees, however, the trees are of low amenity value and the appropriately detailed replacement strategy can maximise high quality site landscaping that will benefit the visual amenity of the local area.

The proposals are considered to be consistent with Core Strategy Policies SP1, EN1, EN2, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12 and Saved Unitary Development Plan Policy DC26.

**Human Rights Act 1998 considerations** – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation      APPROVE**

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be acceptable and has been determined in a timely manner.

### **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:

Site Location Plan (333)1509-GWP-XX-00-DR-A-(PA)-0002  
 Site Elevations Existing (333)1509-GWP-XX-00-DR-A-(PA)-0026  
 Typical Cluster Flat Layout (333)1509-GWP-XX-00-DR-A-(PA)-0020  
 Site Elevations (333)1509-GWP-XX-00-DR-A-(PA)-0019  
 Roof Plan Building A (333)1509-GWP-XX-00-DR-A-(PA)-0010  
 Ground Floor Plan (333)1509-GWP-XX-00-DR-A-(PA)-0005  
 Façade Detail (333)1509-GWP-XX-00-DR-A-(PA)-0022  
 Façade Detail (333)1509-GWP-XX-00-DR-A-(PA)-0021  
 External Works Plan - Soft Landscaping (333)1509-GWP-XX-00-DR-A-(PA)-0024  
 External Works Plan (333)1509-GWP-XX-00-DR-A-(PA)-0023  
 Elevation – Stretford Road (333)1509-GWP-XX-00-DR-A-(PA)-0011  
 Elevation – Stonelow Close (333)1509-GWP-XX-00-DR-A-(PA)-0012  
 Elevation – Courtyard West (333)1509-GWP-XX-00-DR-A-(PA)-0018  
 Elevation – Courtyard South (333)1509-GWP-XX-00-DR-A-(PA)-0017  
 Elevation – Courtyard North (333)1509-GWP-XX-00-DR-A-(PA)-0015  
 Elevation – Courtyard East (333)1509-GWP-XX-00-DR-A-(PA)-0016  
 Elevation – Bonsall Street (333)1509-GWP-XX-00-DR-A-(PA)-0013  
 Elevation – Birchall Way (333)1509-GWP-XX-00-DR-A-(PA)-0014  
 6<sup>th</sup> – 10<sup>th</sup> Floor Plan (333)1509-GWP-XX-00-DR-A-(PA)-0008  
 2<sup>nd</sup> – 5<sup>th</sup> Floor Plan (333)1509-GWP-XX-00-DR-A-(PA)-0007  
 1<sup>st</sup> Floor Plan (333)1509-GWP-XX-00-DR-A-(PA)-0006  
 11<sup>th</sup> – 15<sup>th</sup> Floor Plan (333)1509-GWP-XX-00-DR-A-(PA)-0009

Application form and certificates prepared by Deloitte Real Estate  
 Red Line Boundary Plan prepared by GWP Architects  
 Existing Site Plan prepared by GWP Architects  
 Plans Sections and Elevations prepared by GWP Architects  
 Planning and Tall Building Statement prepared by Deloitte Real Estate  
 Statement of Community Engagement prepared by Deloitte Real Estate  
 Blue and Green Infrastructure Statement prepared by Deloitte  
 Design and Access Statement prepared by GWP Architects  
 Sunlight, Daylight and Overshadowing Assessment prepared by Gray Scanlan Hill  
 Desk Based Wind Assessment prepared by WSP  
 Operational Management and Maintenance Strategy prepared by Manchester Metropolitan University  
 Energy Statement prepared by BDP  
 Ventilation Strategy prepared by Couch Perry Wilkes  
 Environmental Standards Statement prepared by BDP  
 Ecological Assessment prepared by WYG  
 Noise Assessment prepared by Auditive Limited  
 Crime Impact Statement prepared by Greater Manchester Police Design for Security  
 Phase 1 and Phase 2 Ground Conditions Survey prepared by Curtins  
 Archaeological Desk Based Assessment prepared by CFA Archaeology

Transport Assessment prepared by Curtins  
 Travel Plan prepared by Curtins  
 Tree Survey and Arboricultural Method Statement prepared by James  
 Royston Arboriculture Consultant  
 Outline Construction Management Plan prepared by Manchester Metropolitan  
 University  
 Site Waste Management Strategy prepared by Manchester Metropolitan  
 University (included in Design & Access Statement)  
 TV Reception Survey prepared by Astbury  
 Flood Risk and Drainage Strategy prepared by Curtins  
 Air Quality Assessment prepared by Redmore Environmental

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. Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority.  
Thereafter the development shall be carried out in accordance with those details.

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.

4. The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

5. The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Very Good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the building hereby approved is first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies EN4, EN5, EN6 and EN7 of the City of Manchester Core Strategy, and the principles contained within The Guide to Development in Manchester 2 SPD.



6. No drainage shall be installed until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

7. No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- a. Verification report providing photographic evidence of construction as per design drawings;
  - b. As built construction drawings if different from design construction drawings;
  - c. 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.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

8. All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

9. In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
  - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

10. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

11. Notwithstanding the details of the hard and soft landscaping treatment scheme as set out within the approved drawing references: External Works Plan - Soft Landscaping (333)1509-GWP-XX-00-DR-A-(PA)-0024 External Works Plan (333)1509-GWP-XX-00-DR-A-(PA)-0023, a further plan indicating biodiversity enhancement to be made shall be submitted within one month of the grant of consent. Landscaping and biodiversity enhancements shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

12. Notwithstanding the details included on the plans submitted further details increasing the amount of bicycle parking available shall be submitted in writing to the local planning authority for approval. These details shall be implemented in full and made available for use prior to first occupation of the

development hereby approved. The approved scheme shall remain available for use whilst the development is occupied.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

13. Prior to the occupation of the development, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of 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:

- The provision of an on street disabled car parking space (this space shall be retained and permanently reserved for use by disabled persons);
- Removal of the dedicated left-hand turning lane at the Bonsall Street/ Birchall Way junction; and
- Sufficient clearance for the turning of refuse vehicles.

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved 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)

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

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

15. The development shall not commence unless and until an operational management strategy has been submitted to and agreed in writing by the City

Council as local planning authority. Operational management shall thereafter take place in accordance with the approved strategy.

Reason - In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM 1 of the Core Strategy for the City of Manchester.

16. The development shall not commence unless and until an access strategy relating to students moving in and out of accommodation, which shall include details of loading and unloading arrangements at the site, has been submitted to and agreed in writing by the City Council as local planning authority. Access for students moving in and out of accommodation shall take place thereafter in accordance with the approved strategy.

Reason - In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM 1 of the Core Strategy for the City of Manchester.

17. 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:  
Further details in relation to noise and vibration.

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.

18. Prior to development commencing a local labour agreement, relating to the construction phase of development, shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.

Reason - To safeguard local employment opportunities, pursuant to policies EC1 of the Core Strategy for Manchester.

19. External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage, which, in the opinion of the City Council as local planning authority, causes detriment to adjoining and nearby residential properties, within fourteen 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.

20. Above-ground construction works shall not commence until a scheme for acoustically insulating the residential accommodation against noise from Princess Road; shall be submitted to and approved in writing by the City Council as local planning authority. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in noise from Princess Road; in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

21. Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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

22. Prior to the occupation of the development hereby approved a scheme for the storage and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

23. 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.

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

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

25. Assess the impact of the development on television signal reception within the potential impact area identified in the Pre-Construction Signal Reception Impact Survey within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. 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 ensure that the development at least maintains the existing level and quality of television signal reception, pursuant to Policy DM1 of the Core Strategy for the City of Manchester

26. No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs.  
Reason - In the interest of visual amenity, pursuant to policy DM1 of the Core Strategy.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 120896/FO/2018 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  
Neighbourhood Team Leader (Arboriculture)  
Corporate Property  
MCC Flood Risk Management  
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.**

**Relevant Contact Officer :** Jennifer Connor  
**Telephone number :** 0161 234 4545  
**Email :** j.connor3@manchester.gov.uk



 Application site boundary  Neighbour notification  
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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
118045/FO/2017	7 <sup>th</sup> Jun 2018	18 <sup>th</sup> October 2018	Hulme Ward

**Proposal** Erection of a 10 storey residential building (Use Class C3a) together ground floor commercial units (Use Classes A1, A2, B1, D1 and D2) (379 sqm) and the erection of 35 storey residential building (Use Class C3a), following demolition of existing buildings, together with the change of use of the former Department of Transport Building to form a mixed use residential and commercial building (Use Classes C3a, A1, A2, B1, D1 and D2), forming 386 residential apartments in total with associated amenity space, car and cycle parking, access, landscaping and other associated works

**Location** Land Bounded By Worsley Street, Arundel Street, Ellesmere Street And Egerton Street, Manchester, M15 4JZ

**Applicant** Logik Developments (Arundel Street) Ltd, C/o Agent,

**Agent** Mr John Cooper, Deloitte LLP, 2 Hardman Street, Spinningfields, Manchester, M3 3HF

## **Background**

The Planning and Highways Committee resolved that they were minded to refuse the application at its meeting on 20 September 2018 and Members requested that a report be brought back which addresses concerns and which presented potential reasons for refusal that could be substantiated on the grounds that the proposal would have unacceptable impact on the setting of the Castlefield Conservation Area and the Grade II\* Listed St George's Church.

The site is within Hulme Ward. However, within the approved core strategy for planning and regeneration policy purposes, it is within the city centre and it is those planning policies that must form the basis of decision making by the local planning authority and these are very clearly set out in the main body of the report. The area is part of a ribbon of land that links different parts of the regional centre including Salford quays and Trafford and the regeneration and renewal of this area has been a priority for over 20 years. The character of the area is very different from more traditional areas of Hulme which is dominated by lower rise housing along with some tower point blocks. The development area is within the City Centre boundaries and not within Hulme's. This area contains much larger city blocks defined by the larger buildings that once occupied the area but more recently has been defined by post industrial blight.

The character of this part of the Castlefield conservation area is defined by the rivers, canals rail and tram infrastructure that dominate the area. There are a number of large robust buildings including the Grade II\* listed church and some former mills. However, there are also a significant number of vacant sites that erode and detract from the character of the conservation area and it is also damaged by the presence of

the ring road. There has been a significant amount of modern development in the area, the majority of which is high density and some of which, particularly around the edges is of a larger scale and height. This has made an overwhelmingly positive contribution to the area and has enhanced the conservation area and the setting of its historic structures significantly. The development of this site would produce similar positive benefits, and this is a view supported by Historic England, and these are set out in the report.

The ring road has had a major impact on the functionality of the city. However, it has also created some issues of severance for the local community and has caused a physical scar. This severance does need to be addressed in order to ensure that different components of the city are fully integrated. Developments on the ring road do assist in this respect. There is also a need to announce major entry points to the city centre and the ring road is a location where this can be achieved. There have been other large developments in similar locations to this, such as Isis, Sarah Points and Angel Gardens on Great Ancoats Street and the Renekar scheme at the Harry Ramsdans site. These have all enhanced the cityscape and their local environment significantly and this proposal would deliver similar benefits.

The scheme is wholly consistent with National Legislation and government Guidance and with the Core Strategy. A full analysis of all the relevant issues is presented in the report. On this basis, we do not believe that there are any policy based reasons for refusal and the recommendation remains that the application should be approved. This reflects the position of both Historic England and the Design Review Panel (Places Matter) who have raised no objections to the application, the former having a specific heritage remit.

Should members resolve to refuse the application, contrary to advice, they may wish to consider the following

*“The erection of a 35 storey tower and 10 storey building would, by virtue of its siting, scale and appearance, result in a form of development that would be overly dominant and would harm the form, character and setting of the Castlefield Conservation Area and the setting of the adjacent Grade II\* listed former St George’s Church”*

## **Description**

The site measures 0.5 hectares and is bounded by Arundel Street, Ellesmere Street, Worsley Street and the Inner Ring Road (IRR). It includes the 4 storey DOT building fronting Ellesmere Street and a single storey gym and fire place on Arundel Street. It is divided into two distinct plots by Balmforth Street, an un-adopted highway. An area of green space at the top of Balmforth Street contains trees and the land rises, providing a buffer to the IRR. The site is within the St George’s area but it also has a prominent position on the IRR.

The surrounding area is largely residential with some ancillary commercial and leisure uses. The 6 storey Box Works apartment building is to the north with the 7 storey Moho and 8 storey Base building to the west fronting Ellesmere Street and Arundel Street. Buildings within St George’s Island on the opposite side of the Bridgewater Canal are between 9 and 15 storeys in height. St George’s Church, a grade II\* listed building to the south has been converted into apartments. The church

is surrounded by a substantial former graveyard area and its gates and gate post are grade II listed.

The site is within the Castlefield Conservation Area and the following listed buildings are nearby: Church of St George (Grade II\*); Churchyard walls, gate, piers and gates at Church of St George (Grade II); Former Canal Flour Mills (Grade II); Hulme Lock Branch Canal (Grade II); Castlefield railway Viaduct Manchester Central to Dawson Street (Grade II); Rochdale Canal lock number 92 and Castle Street Bridge (Grade II); Merchants warehouse (Grade II); Middle Warehouse at former Castlefield goods yard (Grade II); Bridgewater canal offices (Grade II); 215-219 Chester Road (Grade II); Former Campfield Market Hall (Grade II); Former LNWR goods transfer shed (Grade II); and Former Liverpool Road station goods warehouse (Grade II).

The area has excellent links to public transport and pedestrian and cycle links to a wide range of shops, amenities and leisure facilities. The Bridgewater Canal towpath is immediately to the north and Deansgate/Castlefield transport interchange and the Cornbrook tram stop are within walking distance.

### **The Proposal**

The development proposes the construction of two residential buildings of 35 and 10 storeys and the conversion of the former DOT building to provide 386 apartments and 379 sqm of commercial floor space.

Building one would be a 10 storey 'U' shaped street block bounded by Arundel Street, Worsley Street and the Mancunian Way. It would contain 215 apartments including 72 one-bed and 143 two-bed, plus 222 sqm of commercial space on the ground floor. Building two would be 35 storeys located at the corner of Ellesmere Street and the Mancunian Way. It would contain 159 apartments including 33 one-bed, 124 two-bed and 2 three-bed. The retained and refurbished DOT building would contain 3 one-bed and 9 two-bed apartments and 157 sqm of commercial space.

72% of the apartments would have two or three bedrooms and would be suitable to families and those wishing to share. 28% would be one bedroom, the majority of which would be large enough for 2 people.

The commercial accommodation could contain uses within use classes A1, A2, B1, D1 and D2. These commercial uses would create active frontages to Arundel Street and Ellesmere Street.

The scale of the buildings have been designed to respond appropriately to their context. Building one has been informed by the scale of the surrounding residential buildings and to respect the historic environment. The position of building two, against the backdrop of the Mancunian Way, provides an opportunity to respond to this prominent location with a building of greater scale.

A large landscaped roof terrace would be located on level 10 of building 1. In addition, allotment gardens have been incorporated to the east side of the building.

The principal entrance to buildings one and two would be on Arundel Street and Worsley Street. There would be 40 on site car parking spaces in the courtyard of building one, 4 of which would be designated for disabled people. Electric car charging points would be provided within the parking area. 204 secure cycle spaces would be provided within building one and 184 in building two. There would be a further 24 spaces under a covered area in the courtyard of building one, with 12 reserved for occupants of the DOT building and 12 for visitors. There would also be access to the car club services with bays provided on Ellesmere Street and at St Georges Island.

Each building would contain storage areas for residential and commercial refuse and would reflect current Council standards, with a clear commitment to segregate and recycle waste. There is space within each apartment for residents to store their waste before it is transferred to the bin storage areas. Residents would have access to all waste streams in order to maximise recycling. The facilities team would ensure that waste is transferred to a new loading bay on Arundel Street and Ellesmere Street on collection days.

### **The planning submission**

Together with the submission of the Environmental Statement, this planning application has been supported by the following information:

- Supporting planning and tall buildings statement;
- Design and access statement;
- Statement of consultation;
- Residential management strategy;
- Crime Impact Statement;
- Transport statement;
- Travel Plan;
- Flood risk and drainage strategy;
- Waste management strategy;
- Environmental standards statement;
- Energy Statement;
- Ventilation strategy;
- Ecology survey;
- Tree survey
- Archaeology assessment;
- Ground conditions report; and
- TV reception study.

### **Consultations**

#### **Local residents/public opinion**

The proposal has been advertised as a major development and of being of public interest together with being an EIA development, affecting the setting of a conservation area and a listed building. Site notices were displayed at various locations around the application site. In addition, notification letters have been sent to an extensive area, local residents and businesses.

A petition has been received which contains 638 names (361 of those declared themselves as Manchester residents, 259 lived in the rest of the UK (including Greater Manchester) and 18 lived outside of the UK). It should be noted that this does not include signatures or addresses but region and country of residence. The reason stated for the petition is that this location is an important part of the community and that a suitable design solution should be found together with the developer.

47 individual objections have been received with the comments summarised as follows:

#### *Use*

- The Private Rented Sector (PR) will not harbour community spirit and instead encourage short term lets.
- There is no demand for private rented in this area;
- Affordable housing should be provided aimed at young families.
- The value of properties in the local area will be diminished;
- The proposal will result in the loss of gym building at the site which is a local employment use and community asset/leisure use. The plans for relocation are unclear at this present time resulting in potential jobs losses and community use

#### *Appearance and scale*

- The proposal does not respect local context. The scale and portion of the buildings are out of character to the detriment of the local environment. The majority of the buildings in the vicinity of the proposal are no more than 8 storeys high. The 35 storey tower is out of scale for the site. In fact it is the only tower outside of the inner ring road;
- The 10 storey element should be restricted to 8 storeys only;
- The U shaped building is twice the height and four times the density of the Box Works. The tower element is four times higher than the Box Works;
- The design of the tower is out of keeping with the local area;
- The proposals are denser than other developments;
- The position of the building up to the footpath edges is inappropriate;
- The street scape environment is poor;
- The proposal would result in a significant overdevelopment of the site cramming too many apartments into an already closely developed area;

#### *Loss of light/overlooking*

- The 35 storey building will effect sunlight and natural light in Kelso Place, particularly in the winter. The only windows in the south west elevation of this building overlook the site which will become blocked;
- The light assessment for the Box Works only covers windows of the flats facing closest of the Box Works. The light assessment should be extended to cover the courtyard space as well as the window of the flats on the other side of the building;

- The majority of the windows in the Box Works failed the light assessment. For the vertical light assessment only 9 passed out of around 70 assessed and 8 windows were assessed to have 100% loss of light. Of the remainder, the majority of the windows were shown to have in excess of 80% loss of light;
- The buildings position on the edge of the plot means there will be overlooking;
- There will be overlooking from the 35 storey tower on Kelso Place;
- The light assessment of the Box works is inaccurately calculated based on layout assumptions. Many frontage windows link a living room and work space across the entire span with bedrooms towards the rear of the property;
- The light survey is questionable particularly the nominal height mass assessment. Within the Base apartments a total of 5 windows were assessed with none of the windows meeting the BRE criteria for both winter and annual APSH. All of the windows will experience an annual APSH alteration in excess of 40%. The report refers to these windows being in a stairwell. Why have only 5 of the 6 windows been measured and why have windows that have been set into a recess been measured in favour of windows on the main building frontage with full light which will be subject to a greater loss.

### *Heritage*

- The 35 storey block overshadow the spire of the listed church;
- The proposals are not in keeping with the Castlefield Conservation Area;
- The retention and re-use of the DOT is positive;
- The proposed development would destroy the setting of St George's church, overwhelming the church tower and damaging it as a landmark for the area;
- The heritage statement seeks to minimise the domestic nature and scale of the area in order that the intrusion of a 30 storey block is not seen as major;
- Within viewpoint 5 the view of the DOT building will be lost as a result of the development;
- Within viewpoint 3 it is shown that the proposed buildings will completely obscure St George's church. The proposed building would replace a varied skyline with buildings that cut off the skyline completely;
- The assessment of viewpoints 3 and 5 should conclude that the effect of the proposed building would have a high adverse effect;
- The design quality of the proposal does not reduce the diminishing effect such a development will have on the grade II\* listed building;

### *Drainage*

- There is poor drainage at the site which has impacted on footpaths and walkways

### *Highways, traffic and parking*

- The proposed development will cause congestion on all traffic routes around the immediate neighbourhood making it more difficult for emergency services and refuse collections, particularly on Arundel Street.
- The 40 car parking spaces is insufficient for a development of this nature. The proposed development will exacerbate congestion in the area;

- There should be the re-opening of the junction of Arundel Street and Chester Road to alleviate traffic pressure on Ellesmere Street;
- Construction traffic should not be allowed on to Arundel Street between the hours of 8:30 to 10:00 and 16:30 to 18:00;
- The proposal do not consider how the increase in residents will affect pedestrian and cycling routes in the Castlefield basin;
- The proposal will loose the existing parking which is present at the site further exacerbating parking issues in the area;
- There will be cumulative impacts on traffic and parking in the area from other low car parking schemes;
- There should be more disabled parking at the site;
- There is inadequate consideration of the impact on construction traffic on the local area;
- The transport statement is based on false assumptions. No traffic survey has been undertaken;
- The local roads are narrow and already congested;

#### *Amenity space and trees*

- There will be reduction in size of the green space and loss of trees. The replacement facilities will be on top of the U shaped block which will be of no benefit to existing local residents;
- The loss of the green space will exacerbate noise and pollution;
- There will be a loss of wildlife

#### *Noise*

- There is limited information on noise mitigation during the construction works.

Britannia Basin Community Forum support development in their area, with the right kind of development improving the location for local people. They believe this proposal is not suitable and should be rejected. The concerns can be grouped into 6 main areas:

*Design: suitability and scale* – The amount of development is not acceptable for this location. There are too many properties of the size of the site. There is insufficient public realm. There are a small proportion of commercial unit which could become offices rather than amenities for the wider community. These units should be specifically identified as retail. The development does not deliver high quality or inviting streetscape and public realm. The bin store at street level does not enhance the street scene. This will cause smells and more congestion of the road during collections. This should be moved internally and servicing taking place from the courtyard.

The building does not integrate into the current surroundings. Whilst the 'U' shaped building is pleasant and references the mills, this is compromised by the scale of the block which is greedy, overbearing and too bulky. As a result, the site will be overdeveloped. The tower does not attempt to integrate in any way and has been designed to 'stand out'. This is not in keeping with the character and appearance of the conservation and is detrimental to the visual amenity of the area.

The proposal does not improve the external spaces. There is currently an open and spacious feeling to the area. The proposed design is visually heavy and will close the surrounding streets. The ground floor amenities is not adequate for the population increase as a result of the development.

The building is built right up to the pavement thereby limiting opportunities for landscaping and public realm. This site represents one of the last opportunities in the location to create meaningful public realm. The design is a large solid mass and would benefit from a more generous setting.

It is not clear why underground parking cannot be achieved and request that the evidence relating to the ground conditions is provided to the Council.

Most of the tall buildings are on the inner side of the Mancunian Way which this site is not. There are no views looking south towards Trafford and east towards Hulme. The area is made up of low rise residential buildings set within the own landscaped grounds.

Only 2 apartments are designed as 3 bedroom properties. A greater mix should be promoted. The roof terrace is within the rental block. Would this not be better suited to owner occupiers? In addition, this space will only be available for those living in the building. This is to the detriment of green the local area.

*Setting and heritage concerns* – The proposal will have a negative impact on the Church. The development will dwarf the structure. The buildings should be lowered. The tower will have an impact on the canal which is in the conservation area. The tower will also overshadow the DOT building and does not complement it in any way. The quality and colour of the brick work for the U shaped building should be carefully considered.

*Privacy and light* – The height of the proposed structure will overshadow the existing structures which will lead to a reduction in light and privacy for residents. Many of the properties adjacent have only one source of light into their properties which is from the direction of site. This development will make their homes dark.

There are questions about the light survey and the lack of specific detail. The light survey needs to be comprehensive given the proximity of the building and its impact.

The pedestrian environment at street level will also be dark. This should include scaling down the building and setting it into the site to create a lighter and brighter street scape.

*Road, access and parking* – There are access issues with traffic and congestion in this area. The addition of 430 new residents will have a detrimental effect on this situation.

There will be increased number of resident's vehicles, more deliveries, taxis, people moving in and out of the rental block and refuse collection. The developer should consider setting the building back to create some space for delivery drivers to



stop. The access to building ones car park is directly opposite roadside parking on Arundel Street which is close to the junction of Ellesmere Street which is dangerous as cars drive at speed.

*Safety* –There have been recent car accidents in the area resulting in car mounting pavements and hitting buildings. It is inappropriate to have buildings built up to the footpath edge.

There are also fire safety concerns.

*Construction phase* – It is proposed that Mancunian Way be used to limit congestion on Ellesmere Street. This is not feasible. The road is bust at most times of the day together with planned closures. The highways infrastructure is not sufficient to deal with the construction of this development. A holistic view should be taken for planned developments, including construction workers.

Comments have also been received from the Council for British Archaeology who have concerns about the impact of the planning application on the setting of the Listed grade II\* Church of Saint George, the setting of other Listed Grade II buildings in the vicinity and the character and appearance of the Castlefield Conservation Area. The Castlefield's area of Manchester is one of Manchester's largest conservation areas and contains numerous historic former commercial and residential buildings associated with the Bridgewater canal and other transport infrastructure. The adjacent St George Church is Listed Grade II\* constructed in the early 19<sup>th</sup> Century by the architect Frances Goodwin and restored in the late 19<sup>th</sup> Century. The churchyard walls, gate piers and gates are separately listed Grade II. The church tower is a significant features within the surrounding townscape and despite new development in the vicinity, still retains its dominance.

There are a number of points within the heritage statement which there is disagreement. The report states that the proposed development will result in seven instances of low adverse impact and one instance of low beneficial impact in heritage terms. It is strongly believed that the height and massing of the proposed structures will have a high adverse impact on the setting of the listed grade II\* Church and the character and appearance on this part of the conservation area. Viewpoint 5 and 6 illustrate this. The current visual dominance of the church will be substantially impacted through the current proposals.

The report also states that the proposed development will maintain the character and appearance of the conservation area overall and encourage further exploration into the conservation area from the south. This is not a view the Council for British Archaeology share. The proposed development is not appropriately located or contributes positively to place making. The proposal does not enhance or respect character or setting of heritage assets in the area by its height and massing.

The report states that the proposal will amount of less than substantial harm. It is considered that the height and massing of the proposed development will have a high adverse impact on the setting of the listed church and the character and appearance of this part of the conservation area. This amounts to substantial harm and therefore does not meet the tests of the NPPF.

The proposal should be scaled down and deliver a more thoughtful enhancement of the area that better addresses the setting of the church and the character and appearance of the Conservation Area.

**Highway Services** – The site is highly accessible and the traffic impacts are expected to be minimal and could be accommodated within the existing highway network without further intervention. The applicant should liaise with nearby car park operators regarding leasing of parking spaces for residents should there be a demand over and above that provided on site and this should be a condition. A full travel plan and a construction management plan should be progressed as part of the proposals. All highways works are to be agreed by a s278 agreement including amendments/new TROs on Ellesmere Street and Arundel Street, including the provision of the two loading bays, new vehicular access/egress on Arundel Street and footway improvement and reinstatement works.

**Flood Risk Management Team** - Details of a surface water drainage scheme shall be submitted for approval together with a management regime and verification report.

**Environment Agency** – The site appears to have been subject to past industrial activity which poses a high risk of pollution to controlled waters. Consultation should take place with the Councils specialists in this regard

**Environmental Health** - Further information will be required, particularly around site gas monitoring and a remediation strategy. Following completion of the works a verification report should be submitted for consideration. Deliveries should be restricted to 07:30 to 20:00 Monday to Saturday with Sundays 10:00 to 18:00. Details of any fume extraction system(s) should be submitted for approval. Full details of fugitive dust emissions during earthworks and construction would be required.

The operating hours of the commercial premises should be agreed and further information would be required in relation to the acoustic insulation of the commercial and residential accommodation together with the hours of use of any external seating and communal areas. Any condition should include the requirement for post completion verification. Details of plant shall be agreed as part of any planning approval. Further details are required in respect of the waste management element of the proposal. Consideration should be given to the provision of electric car charging points.

**Design for Security at Greater Manchester Police** – The vehicle entrance gates should not be deeply recessed as this could recreate a recessed area which could be subject to criminal activity or anti-social behaviour. The entrance to block B2 should have a secondary secure door to prevent tailgating. The proposed development should meet secure by design standards.

**Greater Manchester Ecology Unit** – There are no objections on ecological grounds. If bats turn up unexpectedly during demolition works all work should cease until it is appropriate to proceed again.

**Manchester Conservation Areas and Historic Buildings Panel** – The panel asked if the former Urban Splash sales and marketing building is to be removed as part of the proposals. The panel expressed concern that if this building remains then the proposal would be too close and would compromise it too much. They stated the glazed end would be hidden. They believe there was no need for a tall tower as church provides that role. The corner where the tower is being located had no real significance in urban design terms and the tower would diminish the listed buildings and the surrounding conservation area. They also felt that it related poorly to the rest of the proposals. They would like to see more amenity space for residents rather than the proposed car park in the courtyard and asked if the podium building could be on a parking plinth to free up the internal courtyard. The panel observed that the out doesn't relate particularly well to the inside. They questioned to what extent the original windows were being reinstated in the DOT building and suggested that a comprehensive survey takes place in order to develop a suitable solution for the windows. The panel advised that there would have originally been iron windows.

**Historic England** – The site includes a former historic warehouse fronting Ellesmere Street and more recent 20<sup>th</sup> Century development. In terms of the historic environment, however, the immediate area is relatively fragmented and lacks integrity within the setting of the church, with the retention of the existing warehouse.

The scale of development proposed could impact on the conservation area and cause some dominance. However, its rather fragmented character, caused by the intrusive highway network, and the loss of many historic buildings on adjacent sites, provides some scope to re-develop this site in a more distinctive way. The removal of the poorer existing 20<sup>th</sup> Century buildings and restoring the spatial character of the adjoining historic streets would enhance the character and appearance of the conservation area in a similar way to other recent development nearby.

The setting of the Church has evolved considerably in recent decades. The development of the road network had a significant impact, and the increasing scale of residential development mean that the urban setting now has a more city centre character. The church has a generous church yard which helps to provide some breathing space that relieves potentially harmful impacts. This is confirmed in the view analysis. There are a number of viewpoints from which the church can currently be seen and these would be largely unaffected, although the development would now form a backdrop. Whilst there would be some inevitable conflict with the church tower in some views, the impact would not be harmful given the surrounding urban context.

The industrial character of the lower blocks is entirely appropriate to this context whereas the tower relates to the edge of the site dominated by the Mancunian Way. A palette of high quality materials which reflects and reinforces those found within the conservation area would be required. The supporting information suggests a potentially acceptable specification with subtle variety and relationship to the conversation area, although this would need to be confirmed through samples. The use of glass for the tower provides a welcome degree of contrast with the listed church. Ideally this element would be detailed to express a residential rather than office use.

Whilst concerns were raised regarding the courtyard parking, it is understood that there are geological constraints in terms of construction of a basement car park. This has also impacted on the extent of active ground floor uses, particularly Worsley Street. Whilst regrettable, it is noted that commercial units and entrance cores are sited to mitigate the potential impact of dead frontages. The importance of high quality materials and details at street level is therefore emphasised. An active commercial use of the historic warehouse on Ellesmere Street, including the ground floor spaces, is most welcome.

Historic England have no objection to this application on heritage grounds.

**Greater Manchester Archaeological Advisory Service (GMAAS)** – The desk based report is comprehensive and identifies the below ground archaeological interest as being related to the potential for remains of mid 19<sup>th</sup> Century workers housing, whilst an extant small late 19<sup>th</sup> Century Brass Foundry and former late 19<sup>th</sup> Century 4 storey cotton mill (later becoming DOT motorcycles building) are also of archaeological interest for the historic fabric and fittings that survive.

GMAAS consider that appropriate mitigation would be to undertake a programme of historic building and excavation to make a record of the archaeology impacted on by the scheme. These works should be secured through a planning condition.

**Aerodrome Safeguarding** – The proposed development has been examined against aerodrome safeguarding measures. It does not conflict with any safeguarding criteria. Accordingly, there are no safeguarding objections to the proposal. It is noted that NATS request conditions to protect their radar system at Manchester Airport.

**NATS Safeguarding** – The proposal will have an impact on the radar located at Manchester Airport. This impact can be mitigated against through the modification of the radar system. Conditions should be imposed on any planning permission in order to deal with this issue.

## Policy

### The Development Plan

The Development Plan consists of:

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

The Core Strategy was adopted in July 2012 and is the key document in the Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved and 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.

The relevant policies within the Core Strategy are as follows:

**SO1. Spatial Principles** - provides a framework within which the sustainable development of the City can contribute to halting climate change. This development would be in a highly accessible location and reduce the need to travel by private car.

**SO2. Economy** - supports further significant improvement of the City's economic performance and seeks to spread the benefits of the growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities. The scheme would provide jobs during construction and would provide housing near to employment opportunities.

**SO3 Housing** - supports a significant increase in high quality housing provision at sustainable locations throughout the City, to both address demographic needs and to support economic growth. Manchester's population grew by 20% between 2001 and 2011 which demonstrates the draw of the city and the power of its economy within the region. The growth of economy requires the provision of well-located housing such as this to provide an attractive place for prospective workers to live in so that they can contribute positively to the economy.

**SO5. Transport** - seeks to improve the physical connectivity of the City, through sustainable transport networks, to enhance its functioning and competitiveness and provide access to jobs, education, services, retail, leisure and recreation. This development would be in a highly accessible location, close to all modes of public transport and would reduce the need to travel by private car and make the most effective use of existing public transport facilities.

**SO6. Environment** - the development would be consistent with the aim of seeking to protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources in order to:

- mitigate and adapt to climate change;
- support biodiversity and wildlife;
- improve air, water and land quality; and
- improve recreational opportunities;
- and ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

**Policy SP1 'Spatial Principles'** - one of the key spatial principles is the emphasis on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The proposal would contribute 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 promoting a high quality design and new public realm and linkages.

**Policy EC3 'The Regional Centre'** states that housing would be appropriate within the Regional Centre and should complement mixed use employment areas and higher density development is appropriate. The proposal would provide a dense residential development thus contributing towards the City housing growth.

**Policy CC3 'Housing'** states that residential development in the City Centre will comprise apartment schemes. The Council will encourage accommodation of a high standard which offers accommodation which is large enough to suit a range of occupants, in terms of both the number of rooms and their size. This proposal offers a mixture of property types with the predominant offer being larger accommodation suitable for families and in line with adopted space standards.

**Policy CC5 'Transport'** states that proposals will be supported that improve pedestrian safety, improve air quality and increase the scope for accessible public realm improvements. The policy also seeks to ensure that developments have adequate car and cycle provision. This proposal seeks to provide footway improvements at the site. Cycle provision has been maximised along with a package of measures to improve access to alternative forms of transport.

**CC6 'City Centre high density development'** states that City Centre development will generally be high-density. It is a location where land should be used to maximise its efficiency. The appropriate scale, massing and height of development in the City Centre will significantly exceed what is appropriate elsewhere in the City. The proposal is a significant development in terms of its density and scale and would involve an efficient use of land.

**Policy CC9 'Design and Heritage'** states that design of new buildings will need to be of the highest standard in terms of appearance and function. Development in Manchester should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments. The Council will support high density and mixed use development, but developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. The proposal is considered to be of high design quality and provide a significant opportunity to regenerate this part of Manchester.

**Policy CC10 'Place for everyone'** states the City Centre will develop as a location which appeals to a wide range of residents and visitors

**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. The proposal 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’** This proposal would be in a highly sustainable location, close to all forms of public transport and would have a minimal impact on the local highway network and encourage the use of other forms of transport.

**Policy EN1 ‘Design principles and strategic character areas’** The proposal’s considered to be a high quality scheme in terms of its design and appearance that would enhance the regeneration of the area.

**Policy EN2 ‘Tall Buildings’** must be of excellent design quality, appropriately located, contribute sustainability and place making and bring regeneration benefits. They must complement the City’s built assets and make a positive contribution to the evolution of a unique, attractive and distinctive City, including to its skyline and approach views. Suitable locations would include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes. The proposal is considered to be a high quality development that will have a positive impact on views into the City and the regeneration of the area.

**Policy EN3 ‘Heritage’** proposals for development that complements and takes advantage of the distinct historic and heritage features of the City Centre are encouraged. They must preserve or enhance 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.

Consideration has been given to heritage assets and this is clearly set out below.

**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 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.

The development will 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 will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The accommodation is generous in size with a large number of the properties being 2 and 3 bedroom accommodation.

**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 on site and will provide for sale accommodation as part of diversifying the area and offering housing choice. The viability of the scheme

has been considered and is deliverable in its current form. Further details will be provided in the main body of the report in this regard.

**EN4 'Reducing CO2 emissions by enabling low and zero carbon**

**development'** the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies

**Policy EN5 'Strategic areas for low and zero carbon decentralised energy**

**infrastructure'** the regional centre has a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies.

**Policy EN6 'Target framework for CO 2 reductions from low or zero carbon**

**energy supplies'** states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

Consideration has been given to how the buildings functions would reduce overall energy demands and the building fabric is considered to be high quality and would allow energy costs to remain low.

**Policy EN9 'Green Infrastructure'** states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. There is limited green infrastructure at the site and that which is present is of limited quality. There will, however, be opportunities to improve green infrastructure as part of the development proposals in the form of landscaping.

**Policy EN14 'Flood Risk'** development should minimise surface water runoff, and a Flood Risk Assessment (FRA) is required for proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water runoff and a scheme will be agreed which minimises the impact from surface water runoff.

**Policy EN15, 'Biodiversity and Geological Conservation'**, requires developers 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. .

**Policy EN16 'Air Quality'** The proposal would not compromise air quality and would incorporate measures to minimise dust from the construction process and car usage during the operational phases.

**Policy EN17 'Water Quality'** Consideration has been given to minimising the impact on the surrounding water courses including those which may be under ground.



**Policy EN18, 'Contaminated Land'**, The applicant has provided provisional details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine if any mitigation is required.

**EN19 'Waste'** states proposals must be consistent with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). The applicant has a clear waste management strategy for the site which will ensure that residents adhered to recycling principles. Compliance with this strategy will form part of the conditions of the planning approval.

**PA1 'Developer Contributions'** states that where needs arise as a result of development, the Council will seek to secure planning obligations. Through such obligations, the Council may seek contributions for a number of benefits, including affordable housing, with priorities assessed on a site by site basis. This is discussed later in relation to the submitted Financial Viability Assessment.

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

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise;
- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

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

**Policy DM2 'Aerodrome Safeguarding'** states that development that would affect the operational integrity or safety of Manchester Airport or Manchester Radar will not be permitted. The proposal does not conflict with any safeguarding policies provided suitable mitigation is put in place with regards to the radar.

For the reasons given, and within the below analysis, 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:

**Saved 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.

**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:
- i. the relationship of new structures to neighbouring buildings and spaces;
  - ii. the effect of major changes to the appearance of existing buildings;
  - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
  - iv. the effect of signs and advertisements;
  - v. 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 enhance the conservations with a high quality building.

**Saved policy DC19 ‘Listed Buildings’** - 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. This is discussed in detail below.

**Saved policy DC20 Archaeology** states the Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments and sites of archaeological interests, to ensure their preservation in place. This is discussed in detail below.

**Saved policy DC26, Development and Noise<sub>1</sub>**, 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.

### **National Planning Policy Framework (2018)**

The revised NPPF was adopted in July 2018. The document states that the *'purpose of the planning system is to contribute to the achievement of sustainable development'*. The document clarifies that the *'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'* (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 *'Delivering a sufficient supply of new homes'* states that in order to support the Government's objective of significantly boosting the supply of homes, *'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'* (paragraph 59).

With regards to affordable housing, paragraph 64 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 *'Promoting Healthy and Safe Communities'* states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (paragraph 91).

Section 9 *'Promoting Sustainable Transport'* states that *'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'* (paragraph 103).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

Within this context, applications for development should:

- a. give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b. address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c. create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d. allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e. be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 110).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 111).

Section 11 '*Making effective use of land*' states that '*planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*' (paragraph 117).

Decisions should support development that makes efficient use of land, taking into account:

- a. the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b. local market conditions and viability;
- c. the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d. the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e. the importance of securing well-designed, attractive and healthy places. (paragraph 122)

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

Paragraph 123 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Section 12 '*Achieving Well Designed Places*' states that '*the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this*' (paragraph 124).

Planning decisions should ensure that developments:

- a. 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;
- b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 130).

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (paragraph 131).

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

Section 15 '*Conserving and Enhancing the natural environment*' states that planning decision should contribute and enhance the natural and local environment by

protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

Section 16 '*Conserving and enhancing the historic environment*' 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 (paragraph 189).

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

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness. (Paragraph 192)

In considering the impacts of proposals, paragraph 193 states that the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use (paragraph 195).

Paragraph 196 states that 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, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

Paragraphs 10, 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.

### **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.

### **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”.

The report recognises ‘Corridor Manchester’ as a unique area of the City, and the most economically important in Greater Manchester.

The plan identified that there has been strong population growth over the last 20 years and demand for city centre living is rapidly increasing. It also reflects on the scale of development in the ‘Corridor Manchester’ area which include the delivery of initial phases of the University of Manchester Campus Masterplan, new facilities for Manchester Metropolitan University and new City labs which are bespoke built biomedical facilities.

The strategy identified the continuing development of the University of Manchester and Manchester Metropolitan campus masterplans to create high quality learning environments that enhance the student experience.

### **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.

The strategy identifies the importance of the Universities in the City (and region) and recognises their established reputation in the science, research and development sector. This attracts and retains students in the City. The strategy also recognises the importance of education, particularly to degree level and the importance of apprenticeships. It seeks to ensure all children have access to high quality education and seeks to retain and grow the high quality Universities.

Amongst other matters, the vision includes:

- Have a competitive, dynamic and sustainable economy that draws on our distinctive strengths in science, advance manufacturing, culture and creative and digital business – cultivating and encouraging new ideas;
- Possess highly skilled, enterprising and industrious people;
- Be a place where residents from all backgrounds feel safe, can aspire, succeed and live well;
- Be clean, attractive, culturally rich, outward looking and welcoming.

### **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.

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Section 17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

### **Castlefield Conservation Area Declaration**

Designated in October 1979, the conservation area's boundary follows the River Irwell, New Quay Street, Quay Street, Lower Byrom Street, Culvercliff Walk, Camp Street, Deansgate, Bridgewater Viaduct, Chester Road, Arundel Street, Ellesmere Street, Egerton Street, Dawson Street and Regent Road. The area was extended in June 1985 by the addition of land bounded by Ellesmere Street, Hulme Hall Road and the River Irwell.

The Castlefield area has evolved over many years and the elevated railway viaducts, canals and rivers create a multi-level environment. It has a mixture of buildings from small scale houses to large warehouses and modern buildings. There are a variety of building materials, which tend to be urban and industrial in character.

Further development can take place that respects the character of the area, and there is room for more commercial property. Ideally, new development should incorporate a mix of uses. The height and scale, the colour, form, massing and materials of new buildings should relate to the existing high-quality structures and complement them. This approach leaves scope for innovation, provided that new proposals enhance the area. The diversity of form and style found in existing structures in Castlefield offers flexibility to designers.

### **Environmental Impact Assessment**

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and has considered the following topic areas:

- Consideration of alternatives;
- Construction methodology and programme;
- Historic Environment;
- Townscape and visual impact;
- Noise and vibration;
- Sunlight and daylight;
- Wind and micro climate;
- Air quality.

The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. The Site covers an area of approximately 0.5 hectares and is above the indicative applicable threshold of 150 residential units. It has therefore been identified that an EIA should be carried out in relation to the topic areas where there is the potential for there to be a significant effect on the environment as a result of the Development.

The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects.

In accordance with the EIA Regulations, this ES sets out the following information:

- A description of the proposal comprising information about its nature, size and scale;
- The data necessary to identify and assess the main effects that the proposal is likely to have on the environment;
- A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, water, air, climate, cultural heritage, townscape and the interaction between any of the foregoing material assets;
- Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects; and
- Summary, in non-technical language, of the information specified above.

It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation.

**Interest** - Members of the Committee are advised that the City Council has an interest in this application site as landowner. However, the Committee must disregard these interests and exercise its duty as Local Planning Authority only.

### **Principle of the proposal and the schemes contribution to regeneration**

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the City Region and is crucial to its longer term economic

success. There is a crucial link between economic growth, regeneration and the provision of new homes and, as the City moves into its next phase of economic growth, further housing must be provided to support and complement it.

In principle, the proposed new homes and commercial uses would complement and be consistent with the ongoing regeneration activity within St George's. Active ground floor uses, re-use of the DOT building and the provision of high quality architecture would improve this site and the overall area and help to establish a strong sense of place. The 386 new homes would include one, two and three-bed apartments with many being suitable and attractive to families. The sizes would be consistent with the City's adopted space standards.

Manchester is the fastest growing city in the UK, having increased its population by 19% since 2001, with the city centre increasing its population from a few thousand in the late 1990s to circa 24,000 by 2011. The population is expected to increase considerably by 2030, and this, together with trends and changes in household formation, requires additional housing. Around 3,000 new homes are required per each year and the proposal would contribute to this need. Providing the right quality and diversity of new housing for the increasing population would be critical to maintaining continued growth and success.

The proposed responds to this demand by providing 386 new homes, contributing to the target of 2,500 new homes per annum set out in the 2016 Housing Strategy for Manchester. The offer of a high density residential development along with commercial space, making efficient use of the land, can help to meet both the housing and employment needs of the land constrained city centre.

This development will make a direct contribution to creating jobs, helping to accommodate a skilled workforce and supporting aspirations for a low carbon city by reducing the commuter distance providing homes close to the main employment bases.

The development's construction will deliver a temporary economic uplift across the period of construction, supporting a potential 1,467 construction job years directly, and a further 2,214 job years as indirect and induced benefits. Together, this employment will create GVA totalling almost £268m.

The development will create 379 sqm of commercial space to be allocated to uses A1, A2, B1, D1 and D2, dependant on final occupier demand. The scale of economic benefits is dependent on the final uses accommodated but up to 32.7 full time equivalent (FTE) posts could be accommodated, making an important employment and GVA contribution.

The proposed residents of the proposed development would generate tax income and support jobs and local businesses. The household spend Council Tax income generated by residents is estimated to be in the region of £5.84m every ten years. An estimated 831 residents could be housed by the development, generating household spend of approximately £10.1m each year, which could support an additional 84 jobs. A significant proportion of the household spend likely to be spent in the local

institutions such as food outlets, cafes, bars and restaurants providing a boost and adding vitality to the local neighbourhood.

The residential element of this proposal is therefore consistent with growth priorities and as part of meeting the objectives of policies H1 and H5 of the Core Strategy. These homes would meet the demands of a growing economy and population on a well-connected brownfield site. The proposal would remove an element of blight.

The development of this prominent site on the IRR could help to integrate the areas to the south of the Mancunian Way into the City Centre. The scale and mass of development is a key part of this and the scheme has much to commend it in this respect. The 'barrier' effect of the Mancunian Way has an adverse effect on this integration and a high quality development at this point would help to negate and overcome this.

The development would deliver significant economic and social benefits including the creation of construction jobs and employment associated with the operations of the buildings and the commercial units. A local labour agreement will be agreed with the applicant.

It is considered that the development would be consistent with the regeneration frameworks for this area including the City Centre Strategic Plan and would complement and build upon the City Council's current and planned regeneration initiatives. The proposal is therefore considered to be consistent with the National Planning Policy Framework, and Core Strategy policies H1, H5, SP1, EC3, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1. As such, it is necessary to consider the potential impact of the development.

### **Consideration of alternatives**

A statutory requirement when considering EIA developments is the need to consider alternatives in the development of a proposal. In this instance, no alternatives have been considered for the proposed development due to the development of the application being fully supported within the various strategic frameworks for this site.

### **Affordable Housing**

Policy H8 establishes that new development will contribute to the City-wide target for 20% of new housing provision to be affordable and that developers are expected to use the 20% target as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership, or provide an equivalent financial contribution.

The required amount of affordable housing within a particular development will reflect the type and size of the development as a whole and will take into account a number of factors such as an assessment of a particular local need, any requirement to diversify housing mix and the need to deliver other key outcomes particularly a specific regeneration objective.

An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, where a financial viability assessment is conducted which demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The application proposes 386 new homes, with 171 for sale and 215 for rent through a PRS model. The delivery of new homes and the regeneration of the St George's area is a priority for the council. The proposal would develop a brownfield site that makes little contribution to the area and create active street frontages. It would be a high quality scheme in terms of its appearance and would comply with the Residential Quality Guidance. All these matters have an impact on the scheme's overall viability.

The applicant has provided a viability report which states that the development cannot support the full level of affordable housing contribution. The viability report has been tested by the Council and it has been agreed that it would not be possible for the development to make the full financial contribution towards offsite affordable housing without undermining viability.

The conclusions of the viability report (as agreed with the Council) demonstrate that the development would support a financial contribution equivalent to the provision of around 5% affordable housing.

This represents what is viable in order to ensure that the scheme is not only delivered but is done so to the highest standard. The contribution will be secured via a legal agreement which will include a provision for a reconciliation once 90% percentage of the apartments have been sold, which will require a further contribution to be paid if values change at this point.

### **Tall Building Assessment including impact on townscape**

One of the main issues to consider is whether the scale of the development is appropriate. At 35 and 10 storeys, these are tall buildings and as such it has been assessed against Core Strategy Policies that relate to Tall Buildings and the criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABI. Historic England's Advice Note 4, 2015 updated the CABI and English Heritage Guidance published in 2007, responding to the National Planning Policy Framework and the increase in proposals for new tall buildings. The Advice Note identifies a series of steps that should be undertaken at pre-application for tall buildings which are addressed in the information submitted in support of the application.

A Townscape and Visual Impact Assessment has examined the impact that the proposal would have on its context. It explores the effect there would be on the established Townscape Character Zones, significant Heritage Assets and views using established methodologies and practices. The impact of the proposed scheme

is considered in isolation and in conjunction with committed development in a Cumulative Assessment.

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A computer modelling process has provided an accurate series of images which illustrate the impact of the proposal on the townscape from a series of agreed views on a 360 degree basis. This allows the full impact of the scheme to be understood.

The proposal would also have a significant effect on views and the people who live, work in and visit Manchester. A Visual Impact Assessment (VIA) has assessed where the proposal could be visible from, its potential visual impact on the streetscape of the conservation area and the setting of designated listed buildings i.e.; the designated heritage assets. The assessment utilises the guidance and evaluation criteria set out in Historic England's "*Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*" (2015) and adapts the methodology outlined in their document, "*Seeing the History in the View: A Method for Assessing Heritage Significance within Views*" (May 2011).

Key viewpoints have been identified as part of the wider Townscape Visual Impact Assessment. A total of 19 views were assessed following agreement with Historic England. These are as follows:

- View point 1 – Chester Road/Mancunian Way;
- View point 2 – Ellesmere Street;
- View point 3 – Mancunian Way (north);
- View point 4 – Chester Road (east);
- View point 5 – Chester Road (north);
- View point 6 – Mancunian Way (east);
- View point 7 – Castlefield Basin;
- View point 8 – Lower Byrom Street;
- View point 9 – Trinity Way;
- View point 10 – Ordsall Lane (west);

- View point 11 – Chester Road/Malt Street;
- View point 12 – Chorlton Road;
- View point 13 – St Georges Park;
- View point 14 – Hulme Park;
- View point 15 – Lower Mosley Street;
- View point 16 – Whitworth St bridge;
- View point 17 – Castlefield basin bridge;
- View point 18 – Ellesmere Street;
- View point 19 – Worsley Street.

The Assessment provides a comparison of the impact of the scheme against the current situation, including conservation areas and the setting of listed buildings, to evaluate the overall impact.

It should also be noted that the scheme has been presented to Places Matter! Design Review.

A zone of visual impact has identified which considers in details view points 1 -8 and assesses the level of impact of the development on these sensitive view points. This is considered in detail below:

**View point 1** looks into the Castlefield Conservation Area with the Grade II\* listed St George's church dominating the view. There are also a number of modern apartment blocks in this view and the Mancunian Way is a dominant feature which demonstrates the erosion of the setting of the listed church.

The proposal would introduce a major new feature with the 35 storey glass tower being highly visible and significantly taller than the church tower. The proposal and the church tower would have two distinctive characters in terms of their scale and architectural form and would not therefore be in competition. The use of modern materials, together with the relative distances involved to the church yard, would provide a contrasting and distinctive feature to the listed building.

In terms of cumulative impacts, the proposal would be viewed alongside two other confirmed developments at Bentinck Street which are currently occupied by low rise buildings. These schemes fall outside of the Conservation Area but do form part of its setting. The two consented schemes represent a reinstatement of building of similar scale to the other residential blocks in this area and be consistent with the density of the area.

Overall the proposal would result in a low level of harm to the heritage asset in this view and would have a low beneficial cumulative impact when viewed with existing and other proposed developments.





**View point 2** provides a view looking north east along Ellesmere Street. The character of the Conservation Area is fully appreciated with the street edges defined by built form with both modern and older buildings. There is little in the form of heritage assets in this view with the exception of the DOT building which contributes positively to the Conservation Area but is not listed.

The proposal would be viewed from behind the DOT building but would not impact negatively on any other heritage assets or the conservation area. The retention of the DOT building is considered to be a beneficial feature. Overall the proposal has a low beneficial impact on this view point.



**View point 3** is taken from within the Conservation Area looking south-east along the Mancunian Way. It is dominated by the Mancunian Way together with new apartment blocks and little of the character of the Conservation Area is visible. The grade II listed Canal Flour Warehouse is glimpsed together with the DOT building and listed Church at the rear of the view. It is clear that these heritage assets are severely compromised by the Mancunian Way creating a medium to low view in terms of sensitivity.

The proposal would be a major new feature and would be highly visible. The limited views of the church and DOT building would be lost but the impact is considered to be low adverse.



**View point 4** is experienced from the south side of Chester Road looking west away from the City Centre. The view is dominated by the road infrastructure with the Conservation Area being positioned on the right hand side. It provides a clear view of the listed church but its setting is compromised by the road network.

The proposed would be a major feature in the view. As outlined for view point 1, the high quality contrasting materials would provide a form of architecture that is distinctive from the listed church and one which is considered to outweigh any degree of harm. The proposal and the church tower would have two distinctive characters in terms of their scale and architectural form and would not therefore be in competition.

In terms of any cumulative impacts, the consented schemes along Bentinck Street are evident but it is clear from the viewpoint that this would complement the already established density in this part of the city.

Overall it is not considered that there are any unduly harmful impacts on the townscape, heritage assets or cumulative impacts from this view point with there be only minor impacts on the setting of the church and conservation area.



**View point 5** looks across Chester Road into the Conservation Area and includes the listed church and DOT building. The road network has a major impact on the heritage assets and diminishes the sensitivity of the view.

The 35 storey tower would clearly be evident behind the listed church building. However, this would have only a low adverse impact due to the quality of the architectural form of the development and the fact it forms a distinctive setting to the church. The retention of the DOT building in this view is also considered to be positive.

There would be low levels of beneficial cumulative impacts with the nearby consented Bentick Street schemes which would complement the established densities in this area of the City.



**View point 6** is from the Mancunian Way looking north-west towards the Conservation Area. It is dominated by the Mancunian way motorway although the listed church is evident in the background. The characteristics of the conservation area are not evident within this view due to the dominance of the road network. The heritage value of this view is therefore considered to be low.

The proposal would be highly visible, particularly the tower. When viewed alongside the listed church, the high quality materials of the elevations contrast successfully with the church. The impacts on the heritage assets are considered to be low. However, the impact on the townscape are considered to be beneficial and would provide a landmark building along the Mancunian Way.

The cumulative impacts from this view point are considered to be low beneficial as they would help reflect the established scale and density in this area with other consented and built schemes.



### **View point 7**

This view is experienced from Castle Street within the Conservation Area basin at the historic core of the conservation area looking south westwards back towards the application site.

A number of grade II listed buildings are evident in this view point along with other historic features. The scale of the proposal would be taller than any other feature within this view point resulting in a low adverse impact. The impact on the conservation area and listed buildings is minimised as a result of the key characteristics of the heritage assets being still fully appreciated from within the conservation area with the proposed development only being evident in the background.



**View point 8** is taken from Lower Byron Street towards the north eastern edge of the conservation area. The view looks south westwards and includes a number of grade II listed buildings. The cluster of heritage assets in this view means it is considered to be of medium to high value.

Whilst the proposal would be evident from this view point, only a small element is legible. The setting of the conservation area and listed buildings is not considered to be compromised resulting in a low adverse impact. In addition, there are considered to be some low level beneficial cumulative impacts.



The development would form a large and significant development within the eight most sensitive views that would transform the area. The tallest element at 35 storeys is situated close to the listed church and the Mancunian Way. The assessment has shown, the tower element, 10 storey elements and the retention of the DOT building has some beneficial impacts on the townscape without unduly harming any heritage assets or sensitive views.

It is therefore considered that the impact of the height and scale of the development has been tested properly through the townscape and visual impact study and would not create unduly harmful impacts. Indeed, in the majority of instances the study has revealed the impacts to be positive on the local area and on the city townscape. The use of a high quality materials, and the creation of a distinctive development, would result in an acceptable scheme.

The development would be seen from a number of sites across the city which includes heritage assets. However, this would not be unduly harmful and in some instance would be beneficial. Where the development would clearly be seen in the same context as heritage assets, the significance and setting of these buildings is clearly still evident and any harm that does arise is considered to be modest and outweighed by the substantial regeneration benefits that the development of such a high quality scheme will bring to this area.

### **Impact of the historic environment and cultural heritage**

The application site is located within the Castlefield Conservation Area and contains the former DOT building which contributes positively to its character. The application site does not contain any listed buildings, but does affect the setting of a number of listed buildings. These are: Church of St George (Grade II\*); Churchyard walls, gate,



piers and gates at Church of St George (Grade II); Former Canal Flour Mills (Grade II); Hulme Lock Branch Canal (Grade II); Castlefield railway Viaduct Manchester Central to Dawson Street (Grade II); Rochdale Canal lock number 92 and Castle Street Bridge (Grade II); Merchants warehouse (Grade II); Middle Warehouse at former Castlefield goods yard (Grade II); Bridgewater canal offices (Grade II); 215-219 Chester Road (Grade II); Former Campfield Market Hall (Grade II); Former LNWR goods transfer shed (Grade II); and Former Liverpool Road station goods warehouse (Grade II).

Legislation and planning policy seek to preserve and enhance the character, appearance, and historic interest which heritage assets possess. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“P(LBCA)A 1990”) require that ‘special regard’ be paid in taking decisions affecting listed buildings and their settings and conservation areas.

A heritage assessment has considered the impact of the proposal on the historic environment as required by paragraph 189 of the NPPF. The setting of the heritage assets and any impact on any key views has been addressed to allow the impact of the proposal to be understood and evaluated. Whilst a number of listed buildings have been identified, the key listed and heritage assets affected by the proposal are Grade II\* former St George’s Church together with the separately listed railings, gates and gate posts which are grade II listed. The other listed building identified above, form part of the wider character and view of the proposal have been considered within the townscape and visual impact assessment.

The Castlefield Conservation Area is one of the largest conservation areas in Manchester. The main focus of the Conservation Area is the Castlefield Basin/Potato Wharf and Liverpool Road. These areas contain a large number of the listed buildings identified above and they represent the development of the railways and industry in this part of the City.

The numerous viaducts and bridges constructed as part of the development of the railways dominates the character of this area, creating a unique environment of both canals and warehouses. These structures were a direct consequence of the growing rail network in and out of Manchester during the second half of the 19<sup>th</sup> Century. Different rail companies constructed their own lines into the City resulting in new lines passing through Castlefield having to be operated at high level to prevent obstruction to the canal network below. In recent years, redevelopment proposals have seen residential, commercial and recreational uses within this area.

St George’s Church was constructed in 1826-8 by Frances Goodwin. It is constructed of sandstone with slate roofs in a Gothick perpendicular style. There is a nave within the west tower. The building has been converted into apartments. The immediate setting of the church is largely preserved with its churchyard and perimeter gates remaining. However, more modern developments in the form of the construction of Chester Road and the Mancunian Way have created a hostile setting to the Church. The grid iron pattern in the immediate area of the church is also retained albeit the majority of the historical warehouses which once dominated this part of the conservation area have been lost.

The application site currently has a neutral impact on the setting of the Conservation Area and the nearby listed buildings. The only building present at the site which does have any interest is the non-designated heritage asset of the former DOT building. The building is four storeys and constructed in solid red brick with a double pitched slate roof. This is considered to make a positive contribution to the conservation area as it represents a typical warehouse building which would have once dominated this area.

The Environmental Statement and heritage assessment provides a detailed consideration of the impact on the historic environment particularly where they are seen within key views. The scale of the impact, together with the impact on the significance of the heritage asset, has been judged to be either low beneficial, negligible or neutral in most cases together with there being instances where the proposed development improves the visual amenity of the area thus being beneficial.

As detailed above, these heritage assets have been considered within the 19 key viewpoints though the visual impact assessment. The conclusions and impacts on each view point can be summarised as follows:

**View point 1** – A low level of harm on the listed church and listed boundary treatment. Although highly visible from this view point, resulting in a low adverse impact, the quality of the development, together with its contrasting and distinctive style and materiality outweighs and impact on the heritage asset.

**View point 2** – The benefits to the conservation area as a result of the retention of the DOT building are clearly evident there by having a beneficial impact on the conservation area.

**View point 3** – Although there will be an obscuring of the listed church, the impact on the listed building is considered to be a low level adverse impact due to the hostile environment already created by the extensive road infrastructure.

**Viewpoints 4, 5, 6** - A low level of harm on the listed church and listed boundary treatment. Although highly visible from these viewpoints, resulting in a low adverse impact, the quality of the development, together with its contrasting and distinctive style and materiality outweighs and impact on the heritage asset.

**Viewpoints 7 and 8** – Numerous listed structures will be seen within these viewpoints, thereby contributing to a low level of adverse harm. However, the heritage assets and characteristics of the conservation area will remain clearly evident.

There are a number of instances where the development would be seen in views which contain heritage assets but the impact would not be unduly harmful. Where the development would be seen in the same context as heritage assets, the significance and setting of these buildings is clearly still evident and any harm that does arise is considered to be modest and outweighed by the substantial regeneration benefits that the development of such a high quality scheme will bring to this area.

As such, the impacts of the development amount to less than substantial harm as defined by paragraph 196 of the NPPF and can be suitably mitigated by the high quality and distinctive architecture that the buildings would bring together with the regeneration benefits in respect of improved connectivity in the area and high quality public realm. It is considered that this mitigate provides the public benefits required by the paragraph 196 of the NPPF which outweighs any harm which arises. These public benefits will be considered in detail below.

### **Impact Assessment**

The proposal would result in some instances of adverse impact in relation to changes to the setting of a number of listed buildings, conservation areas and non-designated heritage assets. These impacts are considered to result in less than substantial harm. In these circumstances, it is necessary to assess whether the impact of the development suitably conserves the significance of the heritage assets, with greater weight being attached with the greater significance of the asset (paragraph 193 NPPF). In doing so, any level of harm should be outweighed by the public benefits that would be delivered, including whether it would secure the optimum viable use in accordance with the guidance provided in paragraph 196 of the NPPF.

The proposal would regenerate a key site that currently has a neutral impact on the area, with the exception of the DOT building, which is in a poor state of repair. This proposal would bring a viable and active use in a high quality distinctive building that would take advantage of the close proximity to the heart of the City Centre and public transport. It would provide 386 new homes, many of which would be suitable for families. At 35 and 10 storeys, the buildings would become a landmark feature together with re-using the DOT building. Through careful design, scale, massing and materiality, the block is considered to respond positively into the surrounding historic context.

Historic England consider that whilst a development of this scale has the potential to cause some dominance to the conservation area, the character of the conservation area in this location is fragmented due to the highway network. The removal of the poorer 20<sup>th</sup> Century building provides, in their opinion, an opportunity to re-develop this site in a more distinctive manner through a re-instatement of the spatial character of the conservation area in the way other recent development have. They consider that the viewpoints within the heritage report clearly demonstrates that the grade II\* listed church has 'breathing space' as a result of its churchyard which would minimise any harmful impacts of the development. Whilst the proposal would form the backdrop to the church and inevitably conflict with the church tower, the impacts would not be harmful in this urban context. They consider that the scale of the lower blocks are appropriate whilst the 35 storey tower relates to the edge of the site and the Mancunian Way. They welcome the use of glass on the tower which would contrast well with the sandstone of the church.

The visual assessment undertaken demonstrates that 7 out of the 8 views would result in low adverse harm together with one instance of low level beneficial harm. Five of these instance of low adverse are a direct result of the proximity to the listed church and boundary treatment. Whilst there are also some wider impacts on

other listed buildings within the conservation area, particularly within viewpoints 7 and 8, the characteristics of this listed building will still readily be evident within the conservation area.

Mitigation and public benefits are derived from the quality of the architecture, the regeneration benefits which will come from delivering 356 new homes at the site and the improvements to the local context. There will be also beneficial impacts to the conservation area as a result of the retention of the DOT building.

Whilst there would be some heritage impacts, this would be less than substantial with there being significant public benefits.

The proposal has the potential to continue the regeneration of one of the City's key regeneration areas and would fully utilise a series of under-utilised sites. There are significant benefits to the City's skyline through the addition of a high quality landmark building in an area where there are already high quality tall buildings.

The proposal would introduce a distinctive building of an urban scale and would therefore make a positive contribution to the wider townscape.

It is considered, therefore, that, 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, and paragraph 193 of the NPPF, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraph 196 of the NPPF.

### **Layout, scale, external appearance and visual amenity**

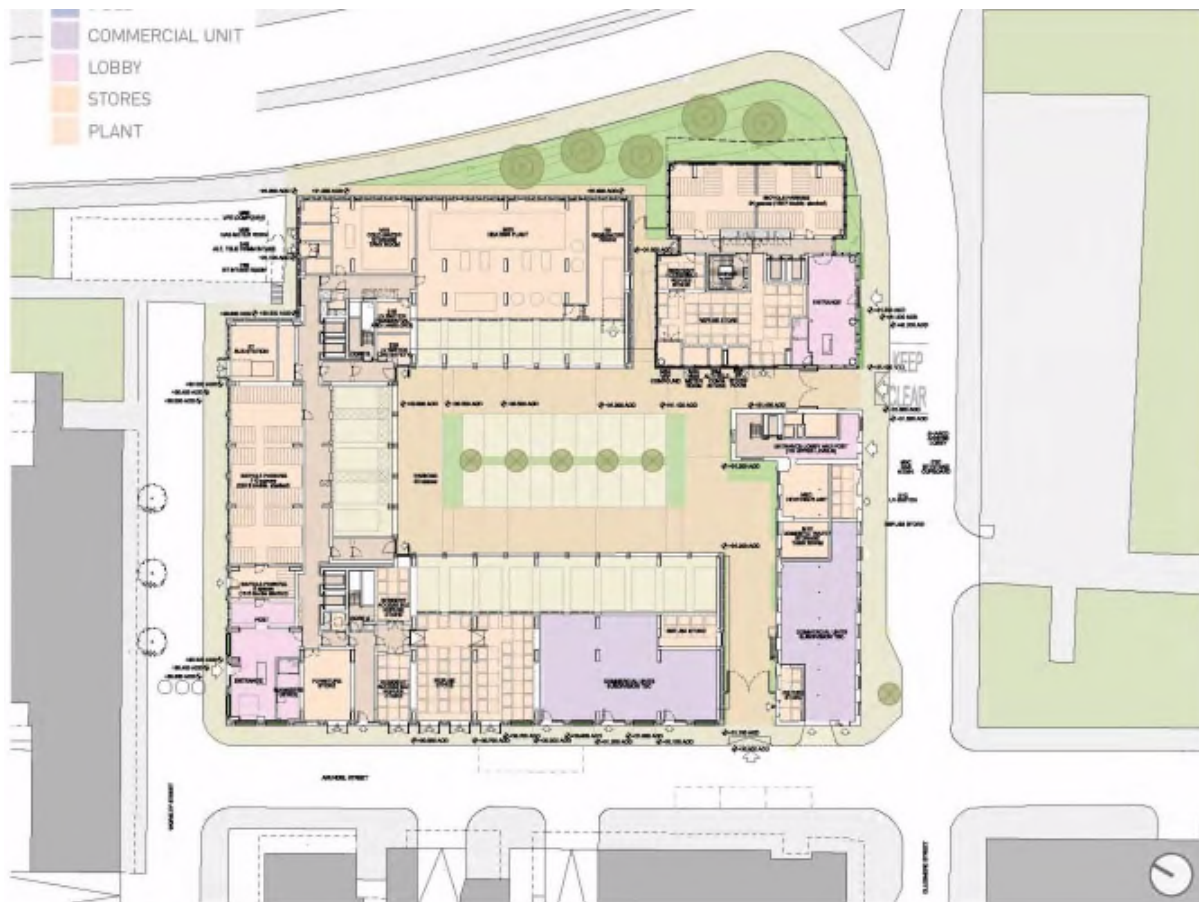
The site is a square perimeter block with the boundaries of the City Centre, but within Hulme ward, and occupies a strategic position along the Mancunian Way. The proposal comprises three distinct components:

- Building 1- A 'U' shaped street block — A 10 storey mixed use block bounded by Arundel Street, Worsley Street and the Mancunian Way;
- Building 2 - A tall gateway corner building –A 35 storey residential block located on the corner of Ellesmere Street and the Mancunian Way; and
- Building 3 - Re use of the former four storey DOT building –to form a residential block.

The layout aims to respond positively, to its differing context. At a local level, it would develop to back of pavement line which is consistent with the character of the Castlefield Conservation area and other buildings elsewhere in St George's. It would also provide some active ground floor units that would benefit the local area.

The entrance to building 1 would be on the corner of Worsley Street and Arundel Street with commercial premises on the ground floor fronting Arundel Street. The entrance to the refuse store and cycle stores would also be located on these streets and incorporate screens, architectural features and lighting to ensure a positive impact on visual amenity.

A further commercial unit would be created on the ground floor of the retained DOT building and would create activity on the corner of Arundel Street and Ellesmere Street. The main entrances to buildings 2 and 3 would be off Ellesmere Street.



The three buildings would each have a distinct identity. Building 1, at 10 storeys, reflects historic industrial architecture found throughout the conservation area. It would re-introduces development to the street edges of Arundel Street and Worsley Street. Its scale creates a transition between the tower DOT building 3 and the local area. The 9<sup>th</sup> and 10<sup>th</sup> floors would be set back to reduce the apparent scale of the building and respond to the scale of buildings in the street scene.

Building 1 would be taller than other nearby new buildings, the separation created by the surrounding road network would minimise the impacts of its scale. The width of Arundel Street would provide a 12.2 metres gap to Base/ Moho apartments and a 9.8 metres to the Box Works.

The façade treatment of building 1 responds to the industrial mill and warehouse buildings of the conservation area particularly in terms of materials and the way in which facades are divided. The elevations to Arundel Street and Worsley Street have a wide brick grid defining the width of each room. Within the framing of the brick grid is a combination of metal cladding, metal framed glass and fine metal balustrades reflect the rooms function. The elevation to the Mancunian Way adopts a tighter brick pier grid reflecting the need to screen the dwellings from the road network. The vertical façade expression is emphasised and includes the use of

stone buttresses and full height outline of the windows. The grass verge which will be retained in a reduced form, would be accessible to residents.

The recessed 9<sup>th</sup> floor has a combination of transparent full height glazing and back painted glass in front of solid panels. Vertical metal fins, vertical metal balustrade, metal framing and metal roof detailing area of a dark bronze colour which would complement the brick tone of the building. The access cores to the roof terrace are fully glass clad with concealed fixing. The treatment of the 9<sup>th</sup> floor and the roof terrace also has the effect of further minimising the scale of building 1.

At street level, the façade has a combination of bronze coloured vertical metal fins, metal cladding panels, metal framed glass, planting and integrated concealed façade lighting to create an animation at the street level. The brick detailing around the whole of the ground floor is based on a pattern of intermittently projecting and recessed bricks which will bring further visual interest and texture to the street scene.



Arundel Street and Worsley Street - top levels





Mancunian Way - top levels





Building 2 would be 35 storeys. Its location on and visibility along the Mancunian Way frontage means that a building of this scale could be acceptable in a wider strategic sense. The Mancunian Way is a major route into and around the City Centre and the quality of the environment around it can have a major impact on people's perception of Manchester. For many years, this experience has been a poor one as the quality of the environment and the buildings around it have been poor. However, this has changed over the past 10 years as the scale and quality of development has improved considerably with academic and residential schemes introducing some very high quality buildings. This taller element would continue this process. A slender appearance has been generated by the provision of four storey high off set boxes towards the east and a recess in the plan form towards the north and south of the building. This creates two slender vertical volumes. The two volumes are accentuated at roof level where glazing screens terminate at contrasting levels and angles. The resulting effect would be a distinctive addition to the Manchester skyline.

There has been local concern about the scale of this part of the proposal in comparison to other buildings in the area. This component of the scheme would appear as a very tall element but it has been designed to respond to the Mancunian Way frontage. In that context it is acceptable so long as the impacts on the amenity of local residents are within acceptable levels within St Georges. It also represents an efficient use of land, maximising densities, with a high quality piece of architecture.

Glass is the predominant material for building 2 which would provide a distinct contrast to the architecture of the surrounding area and have an acceptable impact



on the setting of the adjacent listed building. A combination of reflective, transparent, translucent and matted surfaces would be used to provide any interesting treatment to the building.

The east facing winter gardens are arranged in a set of angled offset volumes across every 4<sup>th</sup> floor contributing positively to the visual expression of the building.

The glazing would have a minimal colour with a degree of reflectivity to lend light back to the surrounding. Solid façade panels are finished with back painted glass. The matted surfaces would be composed of a fritted pattern which is to be applied to part of a few of the transparent glass panels and to some of the back painted glass solid panels.

Rapid vents and services connections to the façade are concealed behind perforated stainless cladding panels. In addition, vertical fin louvres and recessed sliding glass doors would provide further variation to the overall appearance of the envelope dependant on whether they are open or closed.



Mancunian Way - four storey off set volume





Building 3, the DOT building, will be sensitively refurbished using appropriate techniques on its external façade together with alteration to window etc.

Overall the design is considered to be high quality with each of the blocks offering an individual and distinctive architectural response. The scale of the blocks and responding materials pallet offers a different design response for each building which not only contributes positively to the local area but creates a distinctive tower to the city scape. Conditions of the planning approval will ensure that both the materials for the new blocks together with the external refurbishment of the DOT building, are devised and undertaken to the highest standard.

### **Credibility of the Design**

Proposals of this nature are expensive to build so it is important to ensure that the standard of design and architectural quality are maintained through the process of procurement, detailed design and construction. The design team recognises the high profile nature of the proposed use.

The applicants acknowledge that the market is competitive and the quality of the development is paramount. A significant amount of time has been spent developing and carefully costing the design to ensure that the scheme as submitted can be delivered. The applicant is keen to commence work on site as soon as possible.

As part of the design process, the proposal has been subject to a Places Matter! review. The review was able to provide constructive feedback on the proposal and allow the design and architecture of the scheme to be independently tested.

The applicants design team are highly experienced and have designed a development that is informed by its context as well as drawing upon their experience and best practice.

The design is considered to be of sufficient quality due to:

- Well considered design detailing and choice of materials;
- High quality materials and construction technology;
- Spacious layouts with good quality natural light, ventilation and acoustics;
- Active ground floor facades, public realm and welcoming spaces; and
- A variety of amenity spaces including an expansive roof garden.

The quality of the design would ensure an uplift in quality in this part of the city centre which will provide a catalysis and benchmark for future development in this part of the city.

### **Existing tree coverage**

A tree survey has been undertaken in respect of this planning application. A total of 13 trees have been identified together with two groups of trees and one hedge. Ten of the individual trees were classified as category B trees 'trees of moderate or value' with the remainder of the trees, group trees and hedge been classified as category C 'trees of low quality'.

Although the trees at the site are considered to be in a good condition, a total of 11 trees will need to be removed at the application site to facilitate the proposals. Suitable mitigation will be sought through the planting of 15 new trees within the development (within the courtyard area and on the site perimeter including the provision of street trees where possible). This suitably mitigates against the loss of planting at the site. In addition, there will also be soft landscaping which forms part of the roof terrace area which will also add to the green infrastructure at the application site.

### **Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment**

A landscaped strategy would ensure that a high quality setting is developed for the buildings together with creating usable/inviting social and recreational spaces for the proposed residents.

Whilst the DOT building and the proposed buildings dominate the plot, some of the existing grass bank and semi mature trees would be retained. This would help provide a visual buffer between the site and the Mancunian Way. The remainder of the development is built to back of footpath in a similar manner to other developments in the area which would reinstate a key characteristic of the

Conservation Area. Where opportunities arise, street trees would be planted to help to green the streets. Footways would be improved around the perimeter of the site.



The ground floor courtyard would provide a secure car parking area. Textured hard landscaping, mature trees and raised planters containing soft landscaping would ensure that this space is pleasant and inviting. Level access would be maintained within this space to ensure it is fully accessible.

A 'U' shaped roof terrace would provide a landscaped recreational space for residents, with communal facilities and views across the City. There are a combination of larger and more intimate sheltered spaces to provide a choice for users. Allotment gardens have been incorporated to the east side of the building providing an opportunity for residents to grow food and plants.



Winter gardens will be provided within the building 2, the tower providing residents within this block well sized private amenity space.

### **Impact on Archaeology**

An archaeological assessment notes that there is potential for below ground archaeology related to mid-19<sup>th</sup> Century workers housing, late 19<sup>th</sup> Century Brass Foundry and cotton mill (the DOT building).

GMAAS consider that it would appropriate to undertake a programme of works on any remains and ground excavations to record the archaeology which will be affected by the development.

Following completion of the works, and depending on the quality of the archaeological investigations, there should be some form of commemoration of the remains.

A condition should be imposed on the planning permission to this affect in order to satisfy the requirements of policy EN3 of the Core Strategy and saved policy DC20 of the UDP.

### **Impact on Ecology**

An ecological appraisal, including a bat inspection, concludes that the development would not result in any significant or unduly harmful impacts to local ecology including bats, and Greater Manchester Ecology Unit concur with the findings. It has been requested that an informative of the planning approval highlights that should bats be found during the works that works ceased under the site has been inspected by suitably qualified individual.

The proposals provide an opportunity for biodiversity enhancements with the inclusion of the landscaped roof garden and allotments which would contribute to green infrastructure and biodiversity of the application site in line with policy EN9 of the Core Strategy.

### **Effects on the Local Environment/ Amenity**

#### **(a) Sunlight, daylight, overshadowing and overlooking**

An assessment has been undertaken to establish the likely significant effects of the proposal on the amount of daylight and sun light received by properties which surround the site. Consideration has also been given to any instances of overlooking which would result in a loss of privacy. To assess the surrounding existing properties, the BRE guidelines have been used to provide a method for assessing daylight – Vertical Sky Component (VSC) and No sky Line (NSL) methods. For the assessment of sunlight, the approach considers the Annual Probable Sunlight Hours (APSH) for a reference point on a window (i.e. if a window point can receive at least 25% APSH , then the room should still receive enough sunlight).

The properties which were assessed are as follows: Box works; Timberwharf; Moho; Base apartments; Roof gardens; St George's Church; City Gate; and Worsley Mill.

In addition, the following amenity areas have been assessed within sun hours: St George's church amenity space; Timberwharf amenity space; Moho amenity space; City Green amenity space.

In determining the impact of the development on available daylight and sunlight, consideration should be given to paragraph 123 (c) of section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

A summary of the impacts is detailed below:

### *Daylight*

*Box works* – 65 windows, servicing 45 rooms, were assessed. For VSC, 9 (14%) of the 65 windows met the BRE criteria. Two will experience alterations between 30-40% with the remaining windows experiencing an alteration in excess of 40%. However, it should be noted that 51 of these windows already have existing VSC levels below the 27% recommended by the guidelines. For NSL, 18 (40%) of the 45 rooms assessed meet BRE criteria. There will be 27 rooms which will experience an alteration in excess of 40%. It should be noted that 12 of these rooms are bedrooms which have a lesser requirement for daylight.

Whilst it is clear that the proposed development, particularly building 1, will have an impact on existing conditions, consideration should be given to the surrounding context which is one dominated by buildings that occupy the full extent of their plots in a tight urban environment. As such, these result would not be dissimilar to the effects of the existing blocks further down Worsley Street and along Burton Place.

The nominal average height mass, for the area is 28 metres or approximately 7.5 storeys, and fills the entire plot. When assessing the scheme against this as opposed to the current conditions, 65 (100%) of the 65 windows in the Box Works would meet the BRE criteria for VSC. For NSL, 45 (100%) of the rooms assessed would meet the BRE criteria. Using this more flexible method of assessment, as required by the NPPF, the overall impacts on the Box Works are not uncommon for an urban context such as this.

*Timberwharf* – 87 windows serving 76 rooms were assessed For VSC, 72 (83%) meet the BRE criteria, 8 would experience an alteration between 20-30%, four would experience alterations between 30-40%. This is considered a high level of compliance for an urban context such as this.

For NSL, 73 (96%) met the BRE criteria. One of the affected rooms would experience an alteration in between 20-30%, one room will experience an alteration in between 30-40% with the remaining one window in excess of 40%. Overall the results which are considered reasonable for this urban context.

*Base apartments* – 57 windows servicing 56 rooms were assessed. For VSC, 5 (9%) met the criteria, two would experience alterations between 30-40% and the remaining 50 would experience alterations in excess of 40%. It should, however, be noted that 38 of these windows have an existing VSC level below the 27% recommended within the BRE guidelines.

As with the Box Work, the Base apartments occupy the full extent of their plot with habitable rooms facing directly on to the application site. As such, the results above are not uncharacteristic for a context such as this where the development plots are tightly grouped together.

For NSL, 7 (13%) of the rooms assessed would meet the BRE criteria, one would experience an alteration in between 20-30%, two would experience an alteration in between 30-40% and the remaining 46 would experience an alteration in excess of 40%.

Using the nominal height mass, 26 (46%) windows would meet the BRE criteria, 7 would experience alterations between 20-30%, 17 would experience an alteration in between 30-40% and the remaining 7 window would experience an alteration in excess of 40%.

For NSL, the nominal average height mass indicates that 26 (46%) would meet the BRE criteria. Of these, 12 would experience alteration between 20-30%, 7 would experience an alteration in between 30-40% and the remaining 11 would experience alterations in excess of 40%.

The assessment demonstrates that the development would impact on the Base apartments. However, these are considered to be unusual given the characteristics of this area.

*Moho* – 126 windows serving 108 rooms were assessed. For VSC, 59 (47%) met the BRE criteria, 1 would experience an alteration between 20-30%, 3 rooms between 30-40% and the remaining 53 windows in excess of 40%. However, it should be noted that these windows have existing VSC levels below the 27% recommended with the BRE guidelines. In fact only 6 windows to *Moho* meet the VSC target currently.

Using the nominal average height mass, 103 (82%) would meet the BRE criteria, with 11 windows an alteration between 20-30%, 3 between 30-40% and 9 in excess of 40%.

For NSL, 63 (58%) would meet the BRE criteria with 6 experiencing an alteration in between 30-40%. The remaining 33 rooms would experience alterations in excess of 40%. It should be noted that 18 of these rooms are bedrooms which have a lesser requirements for daylight.

When applying the nominal average height mass, 100 (93%) would meet the BRE criteria. As such, the impacts are considered to be acceptable. The existing windows to *Moho* are recessed underneath overhanging balconies.

*Roof gardens* – 125 windows serving 83 rooms were assessed. For VSC, 103 (82%) met the BRE criteria with 18 windows experiencing an alteration between 20-30% and one having an alteration between 30-40%. The remaining 3 rooms would experience an alteration in excess of 40%. This is considered to be a high level of compliance given the urban context.

For NSL, 77 (93%) would meet the BRE criteria, with 3 experiencing an alteration between 20-30%, one between 30-40% and the remaining 2 in excess of 40%.

The impacts are considered to be acceptable in this context.



*St George's Church* – 65 windows, serving 31 rooms were assessed. For VSC, 42 (65%) met the BRE criteria. 23 windows would experience an alteration between 20-30%. The impact is predominately on the lower ground floor and ground floor windows with the building overall continuing to receive an average of 35% VSC. This is a very high level of VSC daylight for an urban context given the maximum is 40%.

For NSL, 26 (84%) of the rooms will meet the BRE criteria. There will be 5 rooms which will experience an alteration between 20-30%, again these are the lower ground floor windows.

It is considered that the impacts on St George's church are low with the property continuing to receive a high level of daylight for its context.

*City Gate* 150 windows were assessed. For VSC, 114 (76%) would meet the BRE criteria. There will be 24 where there will be an alteration between 20-30% with a further 12 windows with an alteration between 30-40%. Overall the building would continue to receive an average of 25.5% VSC which is a high level of compliance for this context.

For NSL, 104 (99%) of the rooms will meet the BRE criteria. There will be one affected room which will experience an alteration in between 20-30%.

Overall, the level of harm as a result of the development on this property is considered to be of a minor level of harm.

*Worsley Mill* – 64 windows were assessed which serve 26 rooms. For VSC, 55 (86%) would meet the BRE criteria with 5 experiencing an alteration of 20-30% with the remaining 4 windows an alteration in excess of 40%.

For NSL, 26 (100%) would meet the BRE criteria. As such, the impacts on the development of this property are considered to be negligible.

### *Sunlight*

A total of 33 windows were assessed for sunlight across the 8 buildings above. The impacts can be summarised as follows:

*Box Works* – 45 windows were assessed of which 15 (23%) will meet the BRE guidelines for both winter and annual APSH. Two of the affected windows will experience alteration in annual APSH between 20-30%, with a further 28 experiencing an alteration in annual APSH in excess of 40%. 30 windows will also experience alterations in winter APSH in excess of 40%.

It is noted that the building currently has a very open aspect, particularly when compared to other properties. The results above, would not be dissimilar to the current levels of sunlight received at Timberwharf and along Burton Place.

When the nominal average height mass is used, all of the windows in this development meet the BRE criteria. Taking the above into account, whilst there will be a degree of harm to the levels of sunlight at the Box Works, the level of harm is

considered to be commensurate with its context and the arrangement of the Box Works with its built form built up the footpath edge.

*Timberwharf* – 80 windows were assessed with 63 (79%) meeting the BRE criteria. One of the affected windows will experience an alteration in annual APSH between 20-30%, 6 windows and alteration in annual APSH between 30-40% and 10 windows an alteration in annual APSH in excess of 40%. This is considered to be a high rate of compliance for an urban context and the result are comparable with windows on the western elevation of this building.

*Base apartments* – A total of 5 windows were assessed with none of the windows meeting the BRE criteria for both winter and annual APSH. All of the windows will experience an annual APSH alteration in excess of 40%. Putting these results into context, it should be noted that these windows are located within the stairwell recess to the elevation overlooking the development site. When applying the nominal height mass, all of the windows meet the BRE criteria.

*Moho* – 18 windows were assessed with 15 (83%) meeting the BRE criteria for both winter and annual APSH. One of the affected windows will experience an alteration in annual APSH between 20-30% and two windows will experience alteration in annual APSH between 30-40%.

The effects are considered to be negligible in this context and therefore not considered to be unduly harmful.

*Roof gardens* – 8 windows were assessed with all of them meeting the BRE criteria for annual and winter APSH.

*St Georges Church* – 18 windows were assessed with all of them meeting the BRE criteria for annual and winter APSH.

*City Gate* – 95 windows were assessed with 94 (92%) meeting The BRE criteria for both winter and annual APSH. One of the affected windows will experience an alteration in annual APSH between 20-30% and one of the affected windows will experience an alteration in winter APSH between 20-30%. Notwithstanding this, it is considered that this is a high level of compliance and therefore a low level of harm in this context.

#### *Overlooking/privacy*

There will be the following privacy distance between the development and surrounding properties:

- Box Works – 9.8 metres;
- Base and Moho – 12.2 metres;
- St Georges Church – 12.6 metres.

Such distances are standard across the area. However, taking account of the context and the need to minimise any incidents of overlooking, the internal layouts of

the apartment have been designed so as to minimise the amount of living spaces facing onto the streets facing existing residential buildings.

The living spaces within building 1 are limited per floor to two facing towards opposite buildings on Worsley Street and six facing towards buildings on Arundel Street. In addition, the windows in building 1 are set into a deeper façade expression to reduce the impact on privacy as a result of overlooking.

The roof garden on the top of building 1 contains a 2 metre set back from the building line which further mitigates the potential for overlooking onto neighbouring building (thereby increasing the distances listed above).

Bedrooms are located along the predominant part of the façade facing Ellesmere Street and most parts of the living room spaces in building 2 are set into the plan behind the external private amenity winter gardens thereby minimising any instances of overlooking to surrounding buildings.

#### (b) Wind Environment

A microclimate assessment concludes that there would be no adverse impacts on the pedestrian activities in and around the site. Although this would be a large structure in the local area, its affects would be mitigated by incorporating measures such as landscaping within the passages between the buildings and across the communal roof terrace.

The conditions in and around the application site are therefore expected to be safe for all users of the development and pedestrians in the local area.

#### (c) TV reception

A TV reception survey has concluded that there will be no interface with terrestrial digital television services. In addition, the survey states that there is unlikely to be any interference of digital satellite television services. A condition would require of a post completion survey to be undertaken to verify that this is the case and that no additional mitigation is required.

#### (d) Air Quality

The application is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of emissions from roads. An air quality report explains that there would be some inevitable impacts on air quality during the construction phases from dust from earth works/construction and vehicle emissions. The applicant is committed to good practices to minimise the impacts on air quality conditions and these practises should remain in place for the duration of the works and be included in the list of planning conditions.

The main impacts during the operational phases would be from vehicle movements and servicing requirements. The applicant has taken a balanced approach to onsite parking given the close proximity to public transport. There will be 424 cycle

spaces together (which exceeds 100% provision) together with 4 on site electric car charging points.

A mechanical ventilation system would be installed to ensure that air intake to the apartments would be fresh and free from pollutants.

Environmental Health concur with the conclusions and recommendations within the air quality report. In light of the mitigation measures proposed above, which will be secured by planning condition, 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.

### **Noise and vibration**

A noise assessment identifies the main sources of noise being from: noise from plant and construction activities; plant; acoustic specification to limit noise ingress from external noise, particularly from nearby roads and the tram.

Noise levels from the construction would be acceptable provided that the strict operating and delivery hours are adhered to along with the provision of a perimeter site the hoarding with acoustic properties, equipment silencers and regular communication with nearby residents. These details should be secured by a planning condition along with details of any plant required. .

The main sources of noise to the apartments would be from nearby traffic. There could be noise from the commercial space within the ground floor of the residential block. A mechanical ventilation system and appropriate glazing would ensure that noise levels within the apartments are acceptable. The hours of the commercial units should be restricted to protect amenity within the apartments. The operating hours of the roof terrace is agreed in order to minimise impacts on residential amenity.

Provided that construction activities are carefully controlled and the plant equipment and residential and commercial accommodation are appropriately insulated the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

### **Waste management**

Each apartment would have waste storage within the kitchen areas that could accommodate separate storage of refuse, recyclable and compostable materials. Residents would take waste to the designated waste stores.

The residential refuse store will be located on the ground floor of all three buildings. The refuse stores have been designed to meet Council standards and will contain all receptacles in order to promote recycling. The two commercial units will buildings 1 and 3 will have separate refuse stores and will have one 1000 litre Eurobin type for each waste stream again to ensure recycling takes place.

Servicing and refuse collection would take place on Ellesmere Street and Arundel Street via the creation of two new dedicated on street loading bays which will be delivered by the applicant.

### **Fume extraction**

Fume extraction would be required for the commercial units if they are to be occupied by a food and drink use. It is considered that a suitable scheme can be put in place and integrated into the scheme. In this regard, it is recommended that a condition of the planning approval is that the fume extraction details are agreed.

### **Accessibility**

All primary entrances to the commercial and residential entrances would be and would use no slip materials. All upper floors are accessible by lifts and internal corridors would be a minimum of 1500mm. All apartments have been designed to space standards allow adequate circulation space.

There will be provision within the courtyard for disabled parking.

### **Flood Risk/surface drainage**

The site is located in flood zone 1 'low probability of flooding'.

The site is within a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. These areas are sensitive to an increase in the rate of surface water run off and/or volume from new developments which may exasperate local flooding problems.

The Flood Risk Management Team have agreed the drainage scheme and a verification and maintenance report submitted would be submitted post implementation via a planning condition.

In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that the drainage plan forms part of the conditions of the planning approval.

### **Impact on the highway network/car/cycle parking and servicing**

A transport statement notes that the site is accessible to a range of transport modes and is close to a range of amenities and services. Deansgate train and Metrolink stations together with Cornbrook Metrolink station are all within 10-minute walk.

The transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

40 car parking spaces are proposed within a courtyard area of building one 4 of which would be designated as bays for disabled people. Highway Services have no objection to the level of parking provision in light of the highly sustainable location. In

addition, this low level of car parking is entirely in accordance with the guidance within the Core Strategy and the Residential Quality Guidance which states that the constraints of the development site and the close proximity of public transport should be a key consideration when considering the level of onsite provision.

The ground conditions at the application preclude the formation of any sort of basement or undercroft parking area. Whilst it is considered that the level of parking available at the application site, coupled with the travel planning and sustainability of the location, in line with the comments of Highway Services the applicant should consider how residents would access offsite parking if it is needed. This should therefore form part of the conditions of the any approval.

The majority of the 424 secure cycle parking spaces would be within dedicated secure cycle stores.

A travel plan would be prepared and its full implementation should form part of the conditions of any planning approval.

The residential properties would be serviced from dedicated loading bays on Arundel Street and Ellesmere Street.

Alterations to the highway will be necessary to facilitate the development together with Traffic Regulation Orders introducing and amending to ensure the highway network remains safe. These measures will include:

- Amendments/new traffic regulation orders (TROs) on Ellesmere Street and Arundel Street (including the provision of the two loading bays);
- New vehicular access/egress on Arundel Street;
- Footway improvements and reinstatement works.

These measures would all be secured by planning condition.

The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

### **Designing out crime**

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition of the planning approval is that the CIS is implemented in full as part of the development in order to achieve Secured by Design Accreditation.

### **Ground conditions**

A ground conditions report has been provided which provides details on the existing conditions at the application site. Further gas monitoring is required to be undertaken which will inform the final remediation strategy for the site. .

The implementation of the remediation strategy should be confirmed through a verification report to verify that all the agreed remediation has been carried out. This

approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

### **Public opinion**

The principal concerns arising from the notification process relate to parking and traffic issues, the appropriateness of the scale and density of the development, construction traffic, community offer and adequacy of the daylight and sunlight assessment.

The transport assessment submitted with the applicant has been assessed by Highway Services to be robust and demonstrates that there will be no unacceptable impacts on the local highway network once the development becomes operational. The applicant has considered the manner in which the development is serviced during the construction period, with measures agreed that access will be taken off the Mancunian Way rather than through the St George's area. This will minimise disruption to local residents.

Levels of onsite car parking area are considered appropriate for the location. A travel plan will be produced for the site together with a high level of cycle parking, access to car club cars and mechanisms to explore whether off site provision is required once the development becomes operational. These measures will be secured by planning condition.

It is noted that the proposals involve a development on an ambitious scale. It is acknowledged that the proposal will see big buildings developed at the site which are taller than surrounding buildings. The scale and magnitude of the buildings reflect the sites position on the Mancunian Way whilst being responsive to the lower rise apartment buildings of St Georges and the wider conservation area. The design of the development has evolved in order to be responsive to this context with the tower element sited towards the Mancunian Way and the lower elements characteristics of warehouse buildings will deep window reveals and recessing of the upper floor to reduce the overall massing of the building.

In response to the desire by local residents to have some form of community offer at the application site, the applicant has confirmed that they intend to the use of some part of one of the commercial units to be used as 'community space'.

The daylight and sunlight report is considered to be robust and has assessed the impact of the development on the most sensitive windows of nearby building. A detailed account of the associated impacts on the adjacent residential apartment buildings is considered elsewhere within this report concluding that there will be some localised impacts on daylight and sunlight. However, such impacts are not considered to be unduly harmful given the context of the application site with windows in all the developments performing well with regards to daylight and sunlight given the tight urban grain of the local area.

With regards to the number of windows within the Base apartment building which were surveyed for their impact on sunlight, it is confirmed that in line with BRE guidelines, it was only necessary to consider 5 out of the 6 bedroom windows within

the recess area due to their orientation. The reason why the windows on the main elevation facing Arundel Street were not surveyed is because they do not face within 90 degrees of due south thereby not requiring assessment. The 5 window that were surveyed within the recess do face 90 degrees and therefore required assessment.

### **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.

For the residential units that will be for sale on the open market, 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.

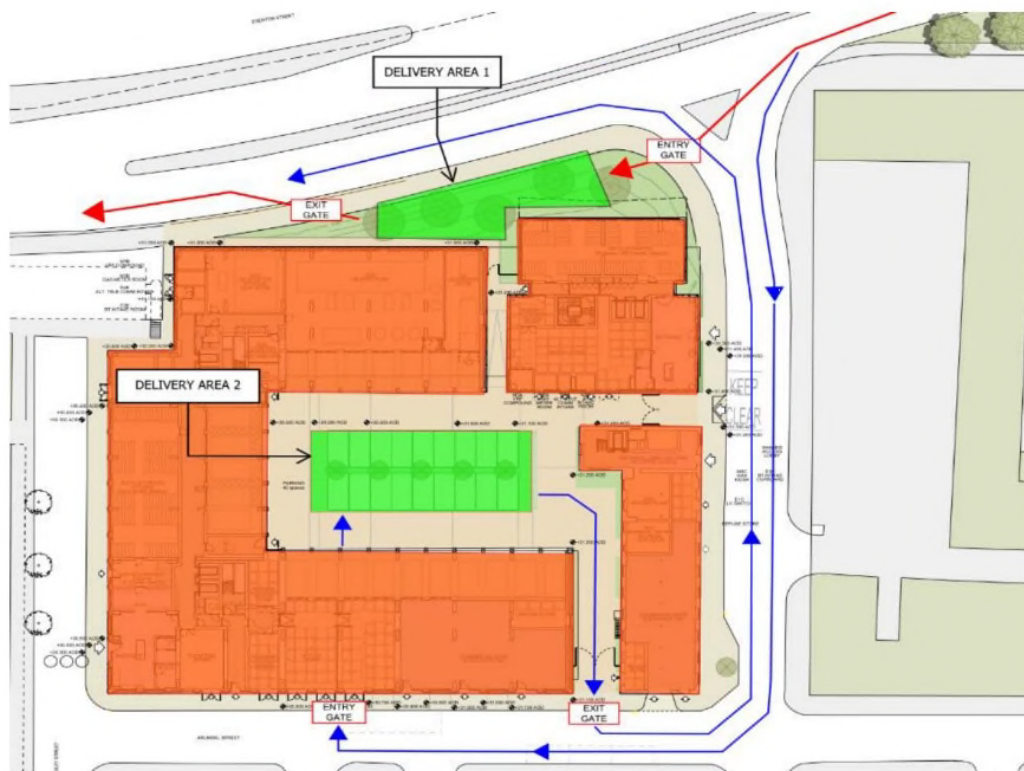
For the residential properties which will be available on a PRS basis, the applicant has provided a draft residential management strategy. This details how properties will be managed. The development of this strategy should form part of the conditions of the planning approval.

### **Construction management**

Measures would be put in place to help minimise the impact of the development on local residents such as dust suppression, minimising stock piling and use of screenings to cover materials. Plant would also be turned off when not needed and waste or other material would not be burned on site. It would not be possible to site the compound/welfare facilities within the site boundaries due to the restricted size and this would need to be created locally.

The applicant has prepared a construction methodology and programme in support of their planning application. This details that the applicant intends to use the slip road off the A56 and A57 interchange which links directly to Ellesmere Street. This will be adopted as the main delivery route. By implementing a main designated exit and entry route from the A57, the construction traffic congestion in the surrounding residential area will be minimised.





### *Access point and delivery areas*

There will be two separate delivery areas within the boundary of the application site. This will again reduce traffic congestion building up in the area and on local roads as this will allow all loading and unloading to take place within the site boundary.

In the event that multiple deliveries are required to the site, an area in Trafford Park will be leased for the duration of the works for vehicles to be held. Once delivery slots become available the vehicles can proceed to the site in line with the above strategy.

With regards to staff parking during the construction period, all employees working on the development will be encouraged to use alternative modes of transport to travel to the site. Some spaces will be made available within the site boundary for employees who need a van to carry out their duties. Parking of vehicles outside, and in the immediate vicinity of the application site, will not be permitted.

Provided appropriate measures are put in place the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

### **Cumulative impacts**

A cumulative impact assessment has been undertaken within the Environmental Statement. This has considered whether there are any significant major, moderate, minor or negligible impacts on the environment during the construction and operational phases of development.

For the construction stages, the assessment has concluded that there will be some moderate to minor impacts from the construction process of neighbouring residential properties with the effects being minor to negligible.

In terms of the impact on the highway network, the effects have been thoroughly tested. Whilst there will be some minor adverse effects in local streets and key roads, these are considered to be of local significance only.

As detailed elsewhere within the report the cumulative impacts with regards to the designated and non-designated heritage assets are considered to be at best minor with there being no cumulative impacts with other development.

With regards to views, visual setting and townscape all the impacts are considered to be negligible to minor adverse with the main effects being on views and setting of the church and views within the conservation area.

There will be moderate impacts on water resources, moderate to beneficial impacts on the local population (due to employment and footfall into the area) and negligible impacts on human health.

It is considered that there will be no unduly harmful cumulative impacts as a result of this development. The impacts relating to the construction phase are temporary and predictable.

For the operational phases of the development, the cumulative effects in the nearby residential properties are not considered to be unduly harmful. The assessment demonstrate that there will be some minor adverse harm on the effects on daylight and sunlight and minor beneficial impacts with regards to socio-economic facts, and health and wellbeing. There will be some moderate impacts on the wind environment which can be suitably mitigated through the design features of the scheme.

Highways, traffic, heritage, visual, water and air quality, are all likely to give rise to minor to negligible cumulative effects. The interaction between the various elements is likely to be complex and varied and will depend on a number of factors. Various mitigation measures are outlined elsewhere within this report to mitigate against any harm that will arise and this measures are secured by planning condition.

### **Sustainability**

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.

### **Aerodrome safeguarding**

Given the scale of the development, the proposal has been considered with regards to any potential impacts on aerodrome safeguarding. Aerodrome safeguarding have found no conflict with any safeguarding criteria. However, it is noted that NATS Safeguarding, who are responsible for the radar system at Manchester Airport, have indicated that there will be an impact on the radar system as a result of the scale of the development. A series of conditions have been recommended which should be included as part of planning approval.

### **Legal Agreement**

The proposal shall be subject to a legal agreement under section 106 of the Planning Act to secure money for the provision of offsite affordable housing in the City as explained in the paragraph with heading "Affordable housing".

### **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 frontages together with high quality façade will make a positive contribution to the city scape.

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 are worthy of a building of landmark status.

The current condition of the application site has at best a neutral impact on the area in terms of wider townscape quality. There is the clearly capacity for change which could enhance the setting of adjacent heritage assets and wider townscape. The retention of the DOT building is also considered to be a welcomed addition as part of the proposals and the conservation area.

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 the Manchester skyline.

The proposal will result in some localised impacts on existing residential buildings in the area together with view in and out of the conservation area and the adjacent St George's listed church. These effects have been minimised through the careful design of the buildings which sites the tallest elements of the proposal away from sensitive receptors. The massing of the lower block, together with window designs and internal layouts, also reduces incidents of overlooking and loss of light.

The construction impacts, together with any cumulative impacts, will be minimised through a robust management plan which will see access and servicing taken from

the Mancunian Way, an off-site waiting area for servicing vehicles in Trafford Park and on site designated storage areas. The local community will also benefit from having an onsite community provision within one of the designated commercial units.

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 paragraph 193 and 196 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 policies of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation**      **MINDED TO APPROVE** subject to the signing of a section 106 agreement in respect of financial contribution for off-site affordable housing.

### **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, particularly in respect of the appearance of the building along with other 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

10090 A G100 XP 010, 10090 A G200 P 099, 10090 A G200 P 101, 10090 A G200 P 102, 10090 A G200 P 103, 10090 A G200 P 104, 10090 A G200 P 105, 10090 A G200 P 107, 10090 A G200 P 109, 10090 A G200 P 110, 10090 A G200 P 111, 10090 A G200 P 115, 10090 A G200 P 123, 10090 A G200 P 133, 10090 A G200 P 134, 10090 A G200 P 135, 10090 A G200 P 140, 10090 A G200 P 161, 10090 A G200 P 162, 10090 A G200 P 163, 10090 A G200 E 101, 10090 A G200 E 102, 10090 A G200 E 103, 10090 A G200 E 104, 10090 A G200 E 150, 10090 A G200 S 101, 10090 A G200 S 102, 10090 A G200 S 103, 10090 A G200 S 111, 10090 A G200 S112, 10090 A G251 D 181, 10090 A G251 D 182, 10090 A G251 D 183, 10090 A JC20 P 100, 10090 A JC20 P 120, 10090 A JC20 P 150, 10090 A JC20 P 151 and 10090 A JC20 E 150 all stamped as received by the City Council, as Local Planning Authority, on the 30 May 2018

10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018

#### Supporting Information

Environmental statement (including construction, historic environment, townscape and visual impact, noise and vibration, sunlight and daylight, wind and microclimate and air quality) stamped as received by the City Council, as Local Planning Authority, on the 30 May 2018

Design and access statement stamped as received by the City Council, as Local Planning Authority, on the 30 May 2018

Planning and Tall buildings statement, Statement of consultation, residential management strategy prepared by GC consulting, Crime Impact Statement (version B) prepared by Greater Manchester Police, Transport Statement prepared by Curtins, Travel Plan Framework prepared by Curtins, Flood Risk Assessment prepared by Curtins, Site waste management strategy prepared by Curtins, Environmental Standards statement prepared by Hoare Lea, Energy statement prepared by Hoare Lea, ventilation strategy prepared by Hoare Lea, phase 1 ecological survey prepared by ERAO, tree survey and management strategy prepared by Godwins tree consultants, archaeological desktop assessment prepared by Salford Archaeology, ground conditions statement prepared by Ian Farmer Associates and TV reception survey prepared by G-Tech stamped as received by the City Council, as Local Planning Authority, on the 1 November 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) (a) Prior to the commencement of a phase of the development until 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. The approved document shall be implemented as part of the construction and occupation phases of the development. (b) Within six months of the first occupation a phase 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).

4) No development shall take place for a phase of development until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI), prepared by the appointed archaeological contractor. The WSI should be submitted to and approved in writing by the local planning authority. A phase of development shall not be occupied until the site investigation has been completed in accordance with the approved WSI. The WSI shall cover the following:

- a. A phased programme and methodology of investigation and recording to include:
  - i. A historic building survey (Historic England Level 3)
  - ii. Archaeological evaluation through trial trenching
  - iii. informed by the above, more detailed targeted excavation and historic research (subject of a new WSI)
- b. A programme for post investigation assessment to include:
  - i. analysis of the site investigation records and finds
  - ii. production of a final report on the significance of the archaeological and historical
  - iii. interest represented.
- c. Dissemination of the results commensurate with their significance, including
  - i. provision for interpretation panels and a booklet.
- d. Provision for archive deposition of the report and records of the site investigation.
- e. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

5) The surface water drainage system shall be carried out and implemented in accordance with the following information:

- drawing 063365-503 'Overland flow routes Rev B' stamped as received by the City Council, as Local Planning Authority, on the 8 August 2018;
- Email from Joanne Burnett and drawings 063365-510 and 063365-511 'Drainage details' stamped as received by the City Council, as Local Planning Authority, on the 26 July 2018;
- Flood risk and drainage strategy prepared by Curtins stamped as received by the City Council, as Local Planning Authority, on the 1 November 2017.

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).

6) Notwithstanding the Preliminary risk assessment (ref. 42028v2) October 2017 and ground investigation report (ref. 42028v2) October 2017 both prepared by Ian Farmer Associates stamped as received by the City Council, as Local Planning Authority, on the 1 November 2017, (a) before a phase of development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Submission of results of additional gas monitoring;
- Submission of a remediation strategy;

The development shall then be carried out in accordance with the approved details.

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason – There is evidence of site contamination at the application site which requires further consideration and examination. 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).

7) 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.

Each phase of development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

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

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

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

9) Prior to the first occupation of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include:

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

Reason – To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).



10) No development shall commence until a radar mitigation scheme (RMS) (including a timetable for its implementation during construction) has been agreed with the City Council, as Local Planning Authority. The approved scheme shall then be implemented in accordance with the revised timetable.

Reason – In the interest of aircraft safety ad operations pursuant to policy DM2 of the Manchester Core Strategy (2012).

11) There shall be no construction work carried out above 30 m AGL unless and until the approved radar mitigation scheme required by condition 11 has been implemented fully in accordance with the approved scheme.

Reason – In the interest of aircraft safety ad operations pursuant to policy DM2 of the Manchester Core Strategy (2012).

12) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

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

13) (a) Notwithstanding landscaping strategy included within the design and access statement stamped as received by the City Council, as Local Planning Authority, on the 30 May 2018 prior to the first occupation of the residential element of this development, details of hard and soft landscaping treatments (including tree planting, street tree planting and boundary treatments) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

14) The development hereby approved shall be carried out in accordance with the Environmental Standards and energy statement prepared by Hoare Lea statement stamped as received by the City Council, as Local Planning Authority, on the 1 November 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.

15) Notwithstanding the noise and vibration section of the ES stamped as received by the City Council, as Local Planning Authority, on the 30 May 2018, prior to the (a) first occupation of the residential element and (b) first use of each commercial units, 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 residential element and each commercial unit 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).

16) Notwithstanding the noise and vibration section of the ES stamped as received by the City Council, as Local Planning Authority, on the 30 May 2018, (a) prior to the first use of each commercial unit as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved scheme shall then be implemented and a post completion survey submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of each of the commercial units. The measures implemented shall be retained and maintained for as long as the development remains in use.

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

17) The acoustic insulation of the residential accommodation hereby approved shall be carried out in accordance with the attenuation measures set out in in the noise and vibration section of the ES stamped as received by the City Council, as Local Planning Authority, on the 30 May 2018.

Prior to the first occupation of the residential accommodation within each phase. The measures implemented shall be retained and maintained for as long as the development remains in use.

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

18) Prior to the first occupation of the residential accommodation details of the refuse arrangements and waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

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

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

19) Prior to the first use of the commercial units hereby approved, as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018, the refuse arrangements and waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented prior to the first use of the each commercial unit and thereafter be retained and maintained in situ for as long as the development remains in use.

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

20) Prior to the first use of each of commercial units, as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018, 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 within each phase 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).

21) Prior to the first use of each of the commercial units as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018, 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 each 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).

22) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme for each phase 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 for each phase shall be implemented in full prior to the first use of the residential element within each phase of 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.

23) 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.

24) When the development is firstly occupied, 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).

25) Prior to the first use of each commercial unit, as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for each respective unit and shall thereafter be retained and maintained.

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.

26) Prior to the first use of the communal roof terraces, the opening hours for the terraces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The roof terraces shall then operate in accordance with the approved hours.

Reason – In the interest of residential amenity 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).

27) The commercial units as shown on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018, 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.

28) The commercial units, as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018 can be occupied as A1, A2, B1, D1 (with the exception of a place of worship) and D2. The first use of the each commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

29) Notwithstanding the residential management strategy stamped as received by the City Council, as Local Planning Authority, on the 1 November 2017, prior to the first use of the residential element building 1 of the development hereby approved, a robust management plan for the letting of the residential accommodation shall be submitted for approval in writing to the City Council, as Local Planning Authority. The approved management plan shall be implemented from the first occupation and be retained in place for as long as the development remains in use.

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.

30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of building 2 and 3 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 2010, 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.

31) The development of each phase 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 1 November 2018. 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.

32) 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 1 November 2017.

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

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

Within six months of the first occupation of the building within each phase, 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).

33) Prior to the first occupation of the residential building element, the provision of 424 cycle spaces, as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018 shall be implemented prior to the first occupation of the residential element of each

phase of the development hereby approved 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 and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

34) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018 shall be laid out, demarcated and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

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

35) Prior to the first use of the residential element within the first phase of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to 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:

- Amendments/new TROs on Ellesmere Street and Arundel Street (including the provision of 2 loading bays);
- New vehicular access/egress on Arundel Street; and
- Footway improvement and reinstatement works around the perimeter of the application site.

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved 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).

36) Notwithstanding the TV reception survey prepared by G-tech, stamped as received by the City Council, as Local Planning Authority, on the 1 November 2017, within one month of the practical completion of each phase of the development or before the residential element of 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.

37) Within 6 months of the residential element of the development hereby approved being first occupied, details of a car parking review detailing the demands/uptake of car parking at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This review shall set out the demands for car parking at the development including a strategy for the provision of further off site car parking should this been deemed necessary.

In the event of a strategy is approved for the implementation of additional off site car parking, this strategy shall be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason – To ensure an adequate supply of car parking at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

38) Prior to the first occupation of the residential element of the development hereby approved, details of the provision to promote car hire scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of each phase of the residential element of the scheme and thereafter retained and maintained in situ.

Reason – to promote sustainable travel options and choice at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

39) Prior to the first use of any commercial unit within the development as indicated on drawing 10090 A G200 P 100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018, a signage strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of each phase of the development.

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

40) Prior to the first occupation of the residential element hereby approved, the 4 electric car charging points. As indicated in the email from Joanne Burnett dated 14 August 2018, shall be implemented, made available and thereafter retained for as long as the development is in place.

Reason – In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).



41) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

#### Informatives

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- Radar mitigation scheme means a detailed scheme to be agreed with NATS which sets out the measures to be taken to avoid at all times the impact of the development the M10 Primary and secondary surveillance radar and air traffic management operations of NATS
- Bats can, and do, turn up in unexpected places. If bats are found at any time during the course of demolition works then works must cease and advice sought for a suitably qualified person about how best to proceed. All bats and their resting places are legally protected.

#### **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: 118045/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:**

Castlefield Forum  
 Trafford Council  
 Strategic Development Team  
 Highway Services  
 Environmental Health  
 Neighbourhood Team Leader (Arboriculture)  
 MCC Flood Risk Management  
 Greater Manchester Police  
 Historic England (North West)  
 Environment Agency  
 Transport For Greater Manchester  
 Greater Manchester Pedestrians Society  
 Greater Manchester Archaeological Advisory Service  
 National Amenity Societies  
 Greater Manchester Ecology Unit

Manchester Airport Safeguarding Officer  
National Planning Casework 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:**

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



 Application site boundary  Neighbour notification  
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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
117470/FO/2017	15th Nov 2017	18th Oct 2018	Piccadilly Ward

**Proposal** Erection of 6 storey building comprising a restaurant (Class A3) and retail unit (Class A1) at ground floor level and fourteen apartments above, together with basement parking.

**Location** 39 Mason Street, Manchester, M4 5FX

**Applicant** Mr H Rowlinson, Linson Construction Pension Fund, Abbeywood, Abbey Lane, Delamere, CW8 2HW

**Agent** Matthew Gilbert, The Planning Consultancy, Bridge Farm, Sarn, Malpas, SY14 7LN

### **Description**

The application site relates to a rectangular shaped area of land situated at the corner of Mason Street and Marshall Street and is presently used as a surface level, pay and display car park.



**View of application site when viewed from the corner of Mason St and Marshall St**

The site which was formerly occupied by the Hat and Feathers public house is immediately bounded to the south by a 5 storey office building (including basement and roof-space) known as the John Swift building and a 6 storey, light industrial building (including basement and roof-space) to the west, which is currently under consideration for conversion into 14 apartments.

The application site is located on the north eastern fringe of the city centre within a regeneration area covered by the New Cross Neighbourhood Development Framework and is situated a short distance from the busy inner relief ring road and the main north/south route of Rochdale Road to the west.

The immediate area comprises buildings built on a strong grid pattern and includes various uses consisting of a number of low level warehouses of a traditional red brick character and more recent style office buildings, interspersed with a series of surface level car parks. Just to the north west of the site is a 20 storey residential building known as Skyline Central.

The area has recently begun to undergo significant development activity, including residential conversions, new build apartment blocks and hotels to be built as part of the regeneration strategy for the area which aims to create a high quality, residential led neighbourhood.

The New Cross area is also home to a number of historic buildings both listed and non-listed heritage assets which contribute significantly to the character of the area.

In the case of this application, planning permission is sought for the erection of a 6 storey, contemporary building, comprising a restaurant (Class A3), retail unit (Class A1) and bin storage at ground floor level, with fourteen, two bedroom apartments above. At basement level, a parking area to accommodate 8 cars is proposed, together with cycle storage.

Pedestrian access to the building is served by three separate entrances serving each of the three uses from Mason Street, with vehicular access to the basement car park served off Marshall Street via a car lift.

The application relates to a revised proposal to that originally submitted. During the course of the application changes were requested to the elevational design detail, minor changes to the building footprint and an increased set back of the top floor apartment from the adjoining John Swift building.

The application follows the granting of planning permission in 2010 for a 7 storey building to form 15 student apartments involving the creation of 80 bedrooms and a ground floor retail unit (Ref: 087073/FO/2008/N1). Shortly after permission was granted, the public house previously situated on the site was demolished in anticipation of development, but due to economic conditions, the permission was never implemented. The permission has since lapsed and the site used as a car park since.

## **Consultations**

Local Residents/Occupiers – 1 objection has been received from a neighbouring business occupier. Comments are summarised below:

- Notwithstanding the revisions, the proposed development will result in a severe visual intrusion for occupiers of the neighbouring top suite which would undermine the amenity of the occupants. The building in such close proximity

to the neighbouring building will cause overshadowing and loss of daylight to the 5 roof-lights to the north eastern pitch of the neighbouring mansard roof and will prejudice daylighting for the occupiers of the top floor office, particularly in the early hours of the day.

- It is considered that the submitted daylight study should not be relied upon as a robust assessment.
- Given the proposed basement for underground parking, there is concern about the impact upon neighbouring foundations and the structural integrity of the neighbouring buildings.
- As the proposed structure abuts the neighbouring building, there is concern about how the neighbouring building and in particular the roof, will be maintained.

Environmental Health – No objection. Conditions are advised in relation to ground conditions, hours of opening, servicing hours, fume/odours, acoustic insulation, waste management, air quality and construction management.

Highway Services – It is noted that the site is situated in an accessible, sustainable location in close proximity to a range of public transport facilities.

It is anticipated that the proposal is unlikely to generate a significant increase in the level of vehicular trips and therefore there are no network capacity concerns.

The proposed access points and waste management arrangements are considered acceptable, as is the level of cycle parking provision.

In terms of car parking, the 8 parking spaces represents 0.57 spaces per apartment and is considered consistent with similar city centre developments. Additional parking demands generated by the retail unit and restaurant can be accommodated by the network of on-street parking bays and adjacent car parks.

The development is situated within the New Cross area of the city which is subject to a public realm strategy. The developer will be required to demonstrate whether a contribution can be achieved toward public realm and infrastructure improvements.

If planning permission is granted, it is recommended that a condition is included which will require the submission and approval of a construction management plan.

MCC Flood Risk Management – Further to the submitted drainage strategy, further information is requested in relation to overland flow routes. A condition is requested in this regard.

Greater Manchester Police – The proposed development should be designed and constructed in accordance with the submitted Crime Impact Statement and a planning condition should be added to reflect the physical security specification listed within the statement.

Greater Manchester Archaeological Advisory Service – There is little heritage interest and no further archaeological mitigation is required.

Greater Manchester Ecology Unit – The site appears to have no ecological interest. In addition, the adjacent buildings are unlikely to support bats.

United Utilities – No objection. Conditions are recommended in relation to foul and surface water drainage.

## **Other matters**

### **Consultation & Publicity**

The proposal, by virtue its site area 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. A site notice was also displayed at the application site and notification letters have been sent to neighbouring occupiers

## **Policy**

### **Local Development Framework**

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and



appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy CC1 (Primary Economic and Economic Growth in Manchester) – refers to key areas of economic growth and states that within the city centre and fringe, a variety of high quality accommodation types, sizes and foot-plates will be encouraged to boost investment by local, national and international businesses. The city centre and fringe will be considered a suitable location for the consideration of high density buildings and commercially led mixed use schemes.

Policy H1 states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester.

The policy goes on to state that 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 sites 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.

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 will comply with the densities identified within this policy and bring about significant regeneration in an area identified for change.

Policy EC1 (Employment and Economic Growth in Manchester) looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy EC3 (Regional Centre) – states that within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged.

Policy T2 (Accessible Areas of Opportunity and Need) 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, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

Policy EN1 'Design principles and strategic character areas' The proposal's considered to be a high quality scheme in terms of its design and appearance that would enhance the regeneration of the area.

Policy EN3 – states that 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

Policy EN4 (Reducing CO<sub>2</sub> Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO<sub>2</sub> emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues states that all new development should minimise surface water run-off, including through

Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester’s principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN18 (Contaminated Land and Ground Stability) - The Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment.

Policy 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.

PA1 ‘Developer Contributions’ states that where needs arise as a result of development, the Council will seek to secure planning obligations. Through such obligations, the Council may seek contributions for a number of benefits, including affordable housing, with priorities assessed on a site by site basis. This is discussed later in relation to the submitted Financial Viability Assessment.

In addition to the above, a number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy.

#### Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

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.

Policy DC26 (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.

#### The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability. This guidance is relevant not only to permanent development, but also to temporary uses such as that proposed in this application.

#### New Cross Neighbourhood Development Framework (July 2015)

The New Cross Development Framework was adopted by the City Council's Executive in July 2015. This document has been prepared to guide development in the New Cross area to ensure a quality of new development that will result in a safe, accessible, vibrant, distinctive and sustainable residential led neighbourhood where people want to live.

The framework in particular seeks to build upon New Cross's location adjacent to the City Centre, Northern Quarter and other key regeneration areas along with close proximity to sustainable transport hubs.

The application site falls within 'Zone A' where an illustrative masterplan has been prepared which demonstrates how the development principles identified within the neighbourhood framework could be delivered. Zone A is particularly identified as having a distinctive historic grid pattern, along with some key Listed Buildings, which help reinforce a sense of place and character to the area.

The framework states that 'Zone A' "*will accommodate 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*". Such residential developments should respond to the grid pattern for the area along with ensuring active frontages. There should also be amenity space provided as balconies and roof spaces. The document goes on to state that night time uses beyond 11pm will not be supported in order to reflect the residential neighbourhood feel to the area.

### New Cross Public Realm Strategy (2018)

The New Cross Public Realm Strategy provides a co-ordinated approach to public realm delivery and a series of mechanisms for maximising developer contributions, with the intention of supporting the provision of appropriate public realm and core neighbourhood infrastructure.

### 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.

The plan identified that there has been strong population growth over the last 20 years and demand for city centre living is rapidly increasing. It should also be noted that the strategic plan 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.

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*”

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.

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.

#### Greater Manchester Spatial Framework (GMSF)

The Association of Greater Manchester Authorities (AGMA) is preparing a sub-regional spatial framework in order to prepare a vision for a better, more productive and successful Greater Manchester.

The draft plan is at early stage of preparation, but it sets out a number of key strategic approaches and issues and objectives that a successful Greater Manchester needs to address in the coming years.

#### National Planning Policy Framework (2018)

The central theme to the revised 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.

The Framework underlines 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.

Relevant to this application, Section 6 provide guidance in relation to ‘Building a Strong Economy’, Section 11 underlines the need to ‘Make Effective Use of Land and Section 12 provides design guidance – ‘Achieving Well-Designed Places’.

### National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

*Noise* - 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.

*Air Quality* – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;

- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

### Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

### **Issues**

#### Principle

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

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 latter of 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.

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. This approach is supported by the Regional Centre policy within the Core Strategy, policy EC3, which states that high density housing will be appropriate in the Regional Centre, particularly where it complements employment generating uses. This high density approach for the Regional Centre is also reiterated within policy H4 which seeks to achieve 30% of new residential development (approximately 18,280 new homes) in East Manchester.

Policies SP1 and H1 also seek to encourage development on previously developed land including the renewal of areas characterised by poor quality housing, whilst the NPPF advocates a presumption of sustainable development particularly where existing resources can be utilised and shared.

The proposal is situated within the regional centre and within the extended city centre boundary as defined by the City Centre Strategic Plan 2015-2018 (March 2016).



The application site is also identified within the New Cross Development Framework area which advises that the site should be developed for residential led development as part of supporting the ongoing redevelopment and renewal of the area and creating a sustainable community

The proposal will therefore assist in delivering upon the City's growth objectives for residential, commercial and population growth.

The City Centre plan particularly underlines the role that New Cross and adjoining areas can play in terms of delivering residential growth and providing a higher quality residential offer in line with the regeneration framework. This 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.

Given the above, the proposal is considered to accord with the policy framework set out within the report, though consideration should also be given to specific planning issues and the impact of the proposal upon its surroundings and adjoining occupiers. These issues are explored in more detail below.

#### Site Layout

In this case, the proposed layout maximises the potential of the site with the proposed development occupying the entire site up to the back of pavement to maintain the continuity of the street-scene and street edge and to reflect the layout and form of adjoining buildings and the highly urbanised context of the immediate area. The resultant development creates an urban block which envelopes the adjoining buildings to the south and west.

The development will provide active frontages to Mason Street and Marshall Street, whilst the residential accommodation on the upper floors will be separated from activity at street level.

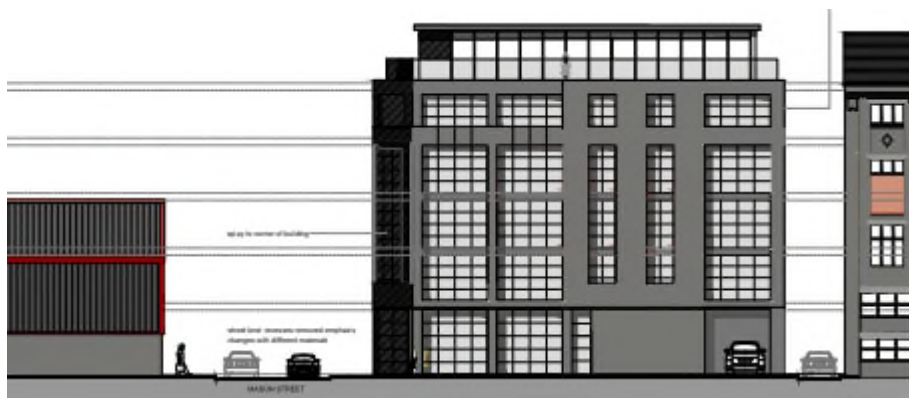
Once inside the development, access to each of the apartments is achieved from a single pedestrian entrance off Mason Street and via an internal staircase and lift to the upper floors. The same arrangement allows access to the waste store on the ground floor and the basement car parking area.

The residential accommodation is arranged with 3 apartments to each of the 1<sup>st</sup> to 4<sup>th</sup> floors and two further penthouse apartments situated on the fifth floor.

In terms of the commercial accommodation, access to the retail unit is achieved from a separate entrance on Mason Street, with access to the restaurant to be gained from an entrance situated at the splayed corner of Mason Street and Marshall Street. Access to the basement car park is achieved via an access point serving a car lift on Marshall Street.

On balance, it is considered that the proposed arrangement maximises the main street frontages that the development addresses, reinforces the historic grid iron





View of proposed building (centre) looking from Marshall Street

The scale and density of new development within the Framework area needs to be informed by the critical requirement to retain and reinforce the strong street grid pattern that exists in the area and for which it is considered that the proposed development responds.

It is maintained that the urban block to which the site relates can, given the adjoining context, comfortably accommodate a 6 storey building and the juxtaposition between the neighbouring buildings would not result in an awkward or uncomfortable relationship, nor would it would have any significant undue impact upon amenity.

In terms of appearance, the applicant has adopted a contemporary approach, influenced by the local context and which reflects the strong vertical emphasis to respond to neighbouring buildings and notably the neighbouring John Swift building which is of strong visual and historic interest and one of the few buildings in the immediate area that is most likely to survive the regeneration of the area. It is therefore relevant and important that the proposed development responds to this building more than any other, to allow for an integrated approach within the street-scene.

With regard to materials, the exact specification is to be agreed by way of a planning condition. Indicative details indicate the use of contemporary materials, comprising a combination of grey facing brick, cladding and large sections of glazing to give a lightweight feel.

The materials are to be selected to compliment the neighbouring building, with changes to materials proposed to reflect the strong eaves line with the neighbouring Johns Swift building and the use of facing brick with deep reveals to mirror the punctuation and rhythm of the neighbouring façade.

In addition to the above, a key design detail needs to take into account the relationship between the proposed building and that of neighbouring structures, particularly the neighbouring building on the corner of Marshall Street and Hatter Street.

The rear (western) elevation is bisected by a narrow backstreet between the application site and a neighbouring light industrial building further along Marshall Street and has been designed with a blank elevation containing no windows to

prevent any overlooking and so not to prejudice any potential future development of the neighbouring building.

The neighbouring building at the corner of Marshall Street and Hatter Street is also under consideration for its conversion into 14 apartments (Ref: 117058/FU/2017) with both proposals having been designed to take account of each other so to prevent any awkward, future relationship in terms of overlooking or loss of daylight.

On balance, it is considered that the proposed development will make a substantial addition to the street-scene and will provide a high quality façade to both Mason Street and Marshall Street frontages and will assimilate appropriately into the street-scene.

#### Visual amenity

The proposed development will regenerate a previously developed site within the heart of the New Cross area, along a key frontage.

The site which is presently used for surface parking in an area that has a large amount of similar parking provision, albeit on a predominantly temporary basis, presently makes a negative impact on the visual character and appearance of the area. The proposed development will contribute to the evolution of the regeneration of the New Cross Framework area to provide high quality development and the opportunity to allow improvements to the appearance of the area to the benefit of visual amenity.

#### Density/Balance of Accommodation

The proposal will provide 14 residential units within the development comprising 14 x 2 bedroom apartments. The plot occupies a site measuring 0.04 hectares in area. This represents a development of 350 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. This is reiterated within the Residential Quality Guidance which outlines space standards for new accommodation across the city.

Internally, the development comprises a variety of apartment sizes, ranging from 78.2 sqm to 96.5 sqm which adhere to the spirit of the guidance and are acceptable.

#### Commercial development

The proposal will provide two small commercial units at ground floor level, involving a retail unit (Class A1) comprising 75 sqm of floorspace and a café/restaurant (Class A3) measuring 62.3 sqm.

It is anticipated that the proposed ground floor will be occupied by the applicant's own company which presently operates gardens, a hotel and wedding function venue at Abbeywood, Cheshire and will enable them to extend aspects of their operations and business model into the city centre.

It is considered that given the city centre location of the site following the expansion of the city centre boundary and the aspirations highlighted within the New Cross Neighbourhood Development Framework which seeks to create a residential led neighbourhood of choice, the proposed commercial uses are believed to be acceptable in this location by providing local amenities, creating local job opportunities and by creating an active frontage to Mason Street and Marshall Street. The proposal will create a positive catalyst for the wider regeneration on the area and allow increased connectivity to the traditional city centre to support the aspirations of the development framework.

### Residential Amenity

Given the site's city centre fringe location, the former use of the site as public house and its current use as a surface car park, together with the mixed use nature of the area which contains a variety of nearby residential, light industrial and office uses, a hotel and surface car parks, a further residential use and two small commercial units in the area are unlikely to have any significant, detrimental impact upon the nearest residential occupiers, due to existing background noise levels and levels of activity in the area.

The proposed site is situated within an emerging and expanding residential neighbourhood and developments such as that being proposed are typical of the city fringe. It is not uncommon for developments of a higher density and sited in such close proximity to each other, with reduced levels of light and sense of openness being substantially less than suburban areas. On that basis, the impact upon the residential amenity is considered satisfactory.

Due to the semi industrial nature of the surroundings in this area, it is however important to protect future occupiers from any undue noise and disturbance and whilst the surrounding uses are typically low key, daytime operations, conditions are recommended that the building and external equipment are appropriately acoustically insulated. A further condition is required to control any fumes/odours that may arise from the proposed ground floor restaurant.

Similarly, the proposed hours of operation for the commercial units will be no later than 11pm, in line with the New Cross Neighbourhood Development Framework, in order to maintain the amenity of the area.

### Economic Impact

In this case, the proposal is expected to enable the creation of 3 full time and 6 part time jobs. Further employment will be created on a temporary basis during construction.

### Effect on Neighbouring Occupiers

A representation has been received by a neighbouring building owner objecting to the proposal on the basis of loss of sunlight, daylight, overshadowing and visual intrusion, due to the proximity of the proposed development to the roof slope of the adjoining John Swift building. This building is used as an office and neighbours the site to the south. Whilst there are no windows on the main side elevation facing the proposed building, the facing mansard roof slope contains a series of 5 skylights (see photograph on first page).

It is contended that the proposed building would be intrusive and cause a loss of daylight and sunlight which would prejudice the conditions of daylighting for occupiers of the top floor office suite, particularly in the early hours of the day.

In response to this, the applicant has set back the top two floors of the proposed building from the neighbouring building, with the top floor set back 3.7 metres and the floor below set back 2.4 metre. The external terrace area is to also be enclosed by 2 metre high opaque screen in front of adjoining window to prevent any unlikely overlooking, whilst no terrace faces onto the roof-lights. A condition to ensure the inclusion of the opaque screen has been included. It is considered that such measures will go some way to negating the impact upon neighbouring occupiers.

In addition, the applicant has commissioned an External Daylight Study using industry standard methodology as prescribed by the Building Research Establishment (BRE) and British Standard guidance.

The main criteria used in such analysis includes the Vertical Sky Component (VSC) which measures the general amount of light available on the outside plan of a window as a ratio (%) of the amount of total unobstructed sky viewable following the introduction of visible barriers such as buildings.

The relevant BRE recommendations for daylight and sunlight are for VSC, measured at the centre of a window and should be no less than 80% of its former value, where the windows(s) do not meet this criteria. If the VSC at the centre of the window is more than 27% of available light, then the diffuse daylighting will not be adversely affected.

Analysis also involves Annual Probable Sunlight Hours (APSH) which measures the amount of potential direct sunlight that is available to a given surface. Only windows which face within 90 degrees of due south need to be assessed. BRE guidance states that windows should continue to receive in excess of 80% of their pre-development value or 25% of available hours over a year / 5% of hours in the winter to be considered well lit.

In this case, the neighbouring roof-lights that may be affected all face in a north-easterly direction and are therefore discounted from the assessment.

In terms of the VSC analysis, the assessment adopts a worst case scenario and concludes that all roof-lights on the north-east facing roof slope of the neighbouring building receive more than 27% of available light, with the % of existing daylight

ranging from 53% to 68% of existing levels following the proposed building. It is therefore concluded that the roof-lights will experience a negligible impact in terms of daylight and therefore the diffuse daylighting will not be adversely affected. All windows would still receive in excess of 27% available daylight and therefore satisfy and exceed the industry standard recommended change in daylighting levels as consequence of the proposed development.

Given the above, it is considered that the neighbouring building and its occupants will not be significantly affected by a loss of daylight and the impact of the proposed building is not so severe or unusual to have a serious impact upon living conditions, nor would such impact be materially different to many other urban blocks in the city fringe. Higher density developments generally experience lower daylight and sunlight levels than lower rise buildings in suburban areas. The neighbouring building is commercial in nature and the windows affected are situated upon a roof slope. It is not therefore considered that the same level of amenity should be afforded than if the neighbouring building was used for residential purposes or situated within a less dense location outside of city centre environment.

In terms of any loss of privacy it is considered that due to the relationship of the proposed building to the neighbouring John Swift Building and the angle of adjacent roof slope, together with obscured boundary treatment to the terraced areas, direct overlooking is highly unlikely. The facing walls of each building do not contain any windows and therefore the relationship is considered satisfactory.

Whilst the neighbouring building to the north contains windows, the buildings are separated by a narrow access road and the facing windows relate to a light industrial building where the windows have been covered over. This building is also pending consideration for conversion to residential apartments and has been specifically designed to take account of the application site and to avoid facing residential windows.

#### Impact upon the Highway

A Transport Assessment accompanies the application which sets out existing highway and transport conditions, an assessment of trip generation, highway safety, parking demand and accessibility by non-car modes of transport.

In terms of trip generation and following traffic modelling using the industry standard TRICS database, it is anticipated that the proposed multi uses would generate additional vehicular trips than is currently the case. The numbers involved however are likely to be negligible, particularly at peak times and will therefore have an immaterial impact in terms of network capacity, the operation of the highway and road safety.

In relation to parking, 8 off road parking spaces are to be provided within the basement area, with space for disabled provision if required. This supplemented by 16 cycle parking spaces (1 per unit and 2 for proposed restaurant). A Sheffield cycle stand is to be located on the adjoining pavement to serve visitor of the proposed retail shop.

The 57% proposed parking ratio is consistent with similar city centre developments and considered acceptable by Highway Services. Additional parking demands generated by the commercial units can be satisfactorily accommodated by the network of on-street parking bays or nearby car parks.

The recently adopted Manchester Residential Quality Guidance provides specific guidance on what constitutes a suitable level of car parking for high density apartment schemes in the city centre and states that for city centre developments:

*“There is a need to create a critical mass, mix and diversity of apartment / house types in the city centre and therefore a site by site consideration of appropriate car parking provision based on an assessment against key criteria”*

In this case, the level of off-street parking is considered appropriate. Given that car ownership associated with the development is likely to be low and as the site is located within a short walking distance of city centre, within easy walking distance of shops, services, business and public transport options, prospective residents are well placed to walk to most amenities that they require or to use public transport options to travel further afield.

Government guidance states that amongst core planning principles, there is a need to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable. This will also lessen the impact of vehicular emissions.

On balance, it is believed that the on and off-site parking provision, together with likely low levels of car ownership and the highly sustainable location of the site and the range of non-car modes of transport available will ameliorate any negative effects upon on-street parking and competition for spaces, as result of both the proposed development and the cumulative impact of emerging and future developments. Whilst the proposed development will result in a net loss of parking spaces in the area due to the loss of the car park, it was always envisaged that the site would be brought forward for development and the former public house was only demolished to make way for regeneration of the site. In any event, ample public car parking provision remains in the immediate area.

In light of the above, there are no material concerns relating to the impact upon the local highway network, highway safety or on-street parking. On this basis, the impact of the development from a highways perspective is considered satisfactory.

### Servicing

Servicing to the ground floor commercial units will take place on-street adjacent to the application site, which reflects a typical servicing arrangement for a city centre commercial use. The existing Traffic Regulation Order regime around the site would allow this to occur legally and the local road network is relatively quietly trafficked so that the free flow of traffic is unlikely to be disrupted by infrequent servicing events.



Given the size of the floorspace proposed and the nature of the operations, the frequency of servicing movements is not anticipated to be high or involve large vehicles.

To safeguard the amenity of nearby occupiers, the times that servicing can take place is controlled by an appropriate planning condition.

### Waste Management

A refuse store will be located on the ground floor of the building, with separate areas provided for each of the proposed uses.

The submitted strategy indicates sufficient space for the required number of waste receptacles including 770 litre bins for mixed recycling, pulpable waste and food waste for the proposed restaurant, 2 x 240 litre bins for general waste and pulpable recycling for the retail unit and a series of 240 litre bins for each of the waste stream for the apartments.

Access to the waste store can be achieved internally via coded locks, with waste to be moved to the alleyway at the rear of the building by an appointed management company and collected by a private waste contractor.

This arrangement is considered acceptable by both Environmental Health and Highway Services. A condition has been included to ensure compliance with the submitted strategy.

### Crime and Disorder

The applicant in partnership with Greater Manchester Police (Design for Security) has provided a 'Crime Impact Statement' as part of the application. This enables measures to be incorporated within the scheme, in order to design out crime.

The development is supported by Greater Manchester Police, subject to the measures detailed being implemented. A condition to this effect has been included.

### Public Realm

As part of the New Cross Neighbourhood Development Framework, the Council have also created a Public Realm Strategy which has arisen following the requirements to improve public realm and the highway in the area in order to create environmental improvements and create better linkages with the city centre.

In response to this, the applicant has produced a viability appraisal which comprehensively concludes there is no scope to provide any form of financial contribution without making the proposal unviable. The Assessment has been thoroughly assessed by the Council's surveyors who agree with the calculations and conclusions provided.

It is still necessary however to bring about improvements to the public realm and whilst the appraisal concludes that it is not viable to contribute to the wider public

realm objectives in the area, the applicant has agreed to upgrade the pavements adjoining the building along the Mason Street and Marshall Street frontages. A suitable planning condition has been included to ensure that this is the case.

### 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 development.

Whilst a Desktop Study was submitted as part of the application, this is dated 2008 and relates to a previous planning application. The report is therefore out of date and as such, Environmental Health require the submission and approval of a preliminary risk assessment, site investigation report and any subsequent remediation strategy to ascertain current ground conditions prior to the commencement of development. A relevant condition has been included.

### Flood Risk/Surface Water Drainage

The application site is located in flood zone 1 '*low probability of flooding*'.

In line with the strengthening of Government guidance relating to the provision of sustainable drainage systems (SuDs) for major planning applications, the applicant has prepared a Surface Water Management Statement in support of their planning application.

This statement has been considered by the City Council's Flood Risk Management Team who have requested that further detail is provided with respect to an assessment of overland flow routes. A relevant condition has been included. If these measures are successfully implemented, the surface water drainage arrangement is considered acceptable in principle.

### Air Quality

Policy EN16 of the Core Strategy which is supported by national guidance contained within the NPPF and NPG advises that when Local Planning Authorities are considering the appropriateness of locations for new development, they should consider the impacts on air quality, alongside other plan objectives.

An Air Quality Assessment has been submitted as part of the application to determine baseline conditions, consider site suitability for the proposed end use and assess potential impacts as a result of the scheme.

The Assessment considers the potential effects during the construction phase, including dust emissions and the impact during the operational phase, taking into account exhaust emissions from road traffic generated by the proposal.

Given the existing use of the site as a car park, the reduction of on-site parking spaces, the number of proposed apartments, the upper floor position of the residential accommodation and the similar level of vehicular trips spaces, it is considered that the impact upon air quality would not be significant, particularly given

the sustainable location of the site. It however advised the mechanical ventilation be installed at all points across the first floor of the development to ensure a clean supply of air for future occupants

The submitted assessment anticipates that dust sensitive receptors could experience increased levels of dust and particulate matter before using any mitigation measures. These are predicted to be short term and temporary impacts and throughout this period, any potential impact upon air quality will be managed through site specific mitigation measures detailed within the assessment, resulting in a less than significant impact. Similarly, the effects associated with respect to NO<sub>2</sub> are predicted to be controlled to a satisfactory level if mitigation measures such as mechanical ventilation to first floor areas is installed.

It is considered that if the mitigation measures during the construction and operational phases are adopted, air quality is not considered to be a constraint to development will accord with the relevant local policy and national guidance. To ensure this is the case, conditions have been included which will require the mitigation measures detailed with the accompanying assessment to be implemented, for electric car charging points to be incorporated and for a separate construction management plan to be submitted and agreed.

### 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 sites 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.

Due to the size of the site and the number of units proposed (14), the proposed development falls below the threshold as prescribed by Policy H8.

In this instance, the proposal will consist of properties for private sale or rent and will therefore not include any affordable provision. It is considered that this approach is acceptable, given the relevant policy and as the proposal will result in with it other regenerative benefits.

### Construction Management

To ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part of Ancoats, a condition is included which requires the submission and approval of a construction management plan which details working practices, dust suppression, the parking of construction vehicles and the removal of waste.

### Conclusion

On balance, it is considered that the proposal represents an appropriate and satisfactory form of development that fulfils the criteria laid down in policy and City Council guidance which seeks to provide high quality, residential accommodation of an appropriate density which will contribute to a vibrant and sustainable

neighbourhood with a high level of connectivity to adjoining neighbourhoods, including the city centre as well as nearby public transport. The proposal will involve the regeneration of a brownfield site, whilst contributing to national housing growth objectives and the continued evolution of the aspirations contained within the New Cross Neighbourhood Development Framework.

**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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

### **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 numbered 1268-01 received by the City Council as Local Planning Authority on 2 July 2018, drawings numbered 1268-02/E, 1268-06/D, 1268-07/E received on 2 August 2018 and drawing numbered 1268-07/F received on 19 September 2018.

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) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed materials.

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

4) Prior to the commencement of above ground development, full details of the garage door as shown on drawing numbered 1268-06/D received by the City Council as Local Planning Authority on 2 August 2018 shall be submitted to and approved in writing by the City Council as Local Planning Authority. Details shall include colour, means of operation/opening and material. The garage door shall be implemented in accordance with the agreed details and retained thereafter.

Reason - In the interests of visual amenity and highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) The development hereby approved shall only be implemented in accordance with the submitted Waste Management Strategy received by the City Council as Local Planning Authority on 6 September 2017 and as indicated on drawing numbered 1268-02/E received by the City Council as Local Planning Authority via e-mail dated 2 August 2018. The waste storage areas for each use shall be in situ prior to the each use becoming operational and retained thereafter.

Reason - In the interests of residential amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police (Ref: 2006/1291/CIS/02) received by the City Council as Local Planning Authority on 6 September 2017. The development shall only be carried out in accordance with these approved details. Prior to the occupation of the development the City Council as Local Planning Authority must acknowledge 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.

7) The basement car parking area indicated on drawing numbered 1268-02/E received by the City Council as Local Planning Authority via e-mail dated 2 August 2018, shall be surfaced, demarcated and made available for use prior to any of the

residential units hereby approved being occupied. The parking area shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the apartments are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

8) The bicycle storage area indicated on drawing numbered 1268-02/E received by the City Council as Local Planning Authority via e-mail dated 2 August 2018 shall be implemented in full and made available for use prior to first occupation of the development hereby approved. The approved scheme shall remain available for use whilst the apartments are occupied and retained thereafter.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

9) Prior to the first occupation of the residential development hereby approved, details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented as part of the development and be in place prior to the first occupation of any of the residential units.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

10) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the information contained within the submitted Drainage Strategy, the following additional information shall be submitted to and agreed in writing by the City Council as Local Planning Authority:

-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. 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;

Reason - To prevent the increased risk of flooding, to improve water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 and DM1 of the Core Strategy.

11) 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.

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

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

13) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by Redmore Environmental dated 6 November 2017 (Ref: 1995r1) received by the City Council, as Local Planning Authority on 7 November 2017.

Reason - To minimise the impact upon air quality and In order to minimise the environmental impact of the development, pursuant to policy EN16 of the Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

14) Before first occupation of the apartments hereby approved, the 2 metre high terrace screens to the penthouse (fifth floor) as shown on drawings numbered 1268-06/D and 1268-07/E received by the City Council as Local Planning Authority on 2 August 2018 shall be obscurely treated in accordance with details to be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details and shall remain in situ in perpetuity.

Reason - To protect the amenity of adjoining occupiers from overlooking or perceived overlooking, pursuant to policies SP1 and DM1 of the Core Strategy.

15) Notwithstanding the information contained within the submitted Noise Impact Assessment by Hepworth Acoustics received by the City Council as Local Planning Authority on 6 September 2017, the building hereby approved shall be acoustically insulated and treated to limit the break out and break-in of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

16) Notwithstanding the information contained within the submitted Noise Impact Assessment by Hepworth Acoustics received by the City Council as Local Planning Authority on 6 September 2017, before the ground floor restaurant (Class A3) use commences, the premises shall be acoustically insulated and treated to limit the breakout of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted and approved in writing by the City Council as Local Planning Authority. The scheme should include measures such as acoustic lobbies at access and egress points, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels. The approved scheme shall then be implemented and retained for as long as the development remains in use.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

17) All externally mounted ancillary plant or equipment shall be selected and/or acoustically insulated in accordance with a scheme designed so as to achieve a rating noise level of 5dB (LAeq) below the existing background (LA90) at the nearest noise sensitive location. Following the installation of any external equipment, a post completion report shall be submitted to and approved in writing by the City Council as Local Planning Authority to validate that the plant has been installed as per the required limits. The post completion report shall be submitted within 1 month of first use of the external equipment and the agreed limits shall remain in operation thereafter.

Reason - To safeguard the amenities of existing and future occupiers of nearby residential accommodation, pursuant to saved policies DC10 and DC26 of the



Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

18) Before the ground floor restaurant use (Class A3) hereby approved commences, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to and approved in writing by, the City Council as Local Planning Authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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

- 07.30 to 20.00 hrs Monday to Saturday.
- No deliveries/waste collections on Sundays and Bank Holidays.

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

20) The ground commercial units shall not be open outside the following hours:-

- 08.00 - 23.00 hrs daily.

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

21) Prior to any part of the development hereby approved being occupied, a scheme of highway works and details of footpath reinstatement/resurfacing in relation to the footpaths and for the areas between the pavement and building line 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:

- Details of materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building/public realm

The approved scheme shall be implemented and be in place prior to the first occupation of the flats hereby approved and retained thereafter.

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.

22) Prior to first occupation of the ground floor retail and restaurant units hereby approved, full details of any roller shutters to the shopfronts 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.

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) and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

23) Prior to the commencement of development, a 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;

- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall be carried out in accordance with the approved construction management plan unless otherwise agreed in writing by the Local Planning Authority.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy. Certain elements of the construction phase are not known or fully defined at this stage. More detailed information is needed to prevent potential conflict with nearby residential properties and users of the site during construction works.

24) Prior to the first occupation of the flats hereby approved, a travel plan framework shall be submitted and approved in writing by the City Council as Local Planning Authority.

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

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

Within six months of first occupation 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.

25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the apartments hereby approved 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 2010, 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).

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.

#### **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: 117470/FO/2017 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services  
 Environmental Health  
 Strategic Development Team  
 MCC Flood Risk Management  
 Greater Manchester Police  
 Environment Agency  
 Greater Manchester Archaeological Advisory Service  
 Greater Manchester Ecology Unit

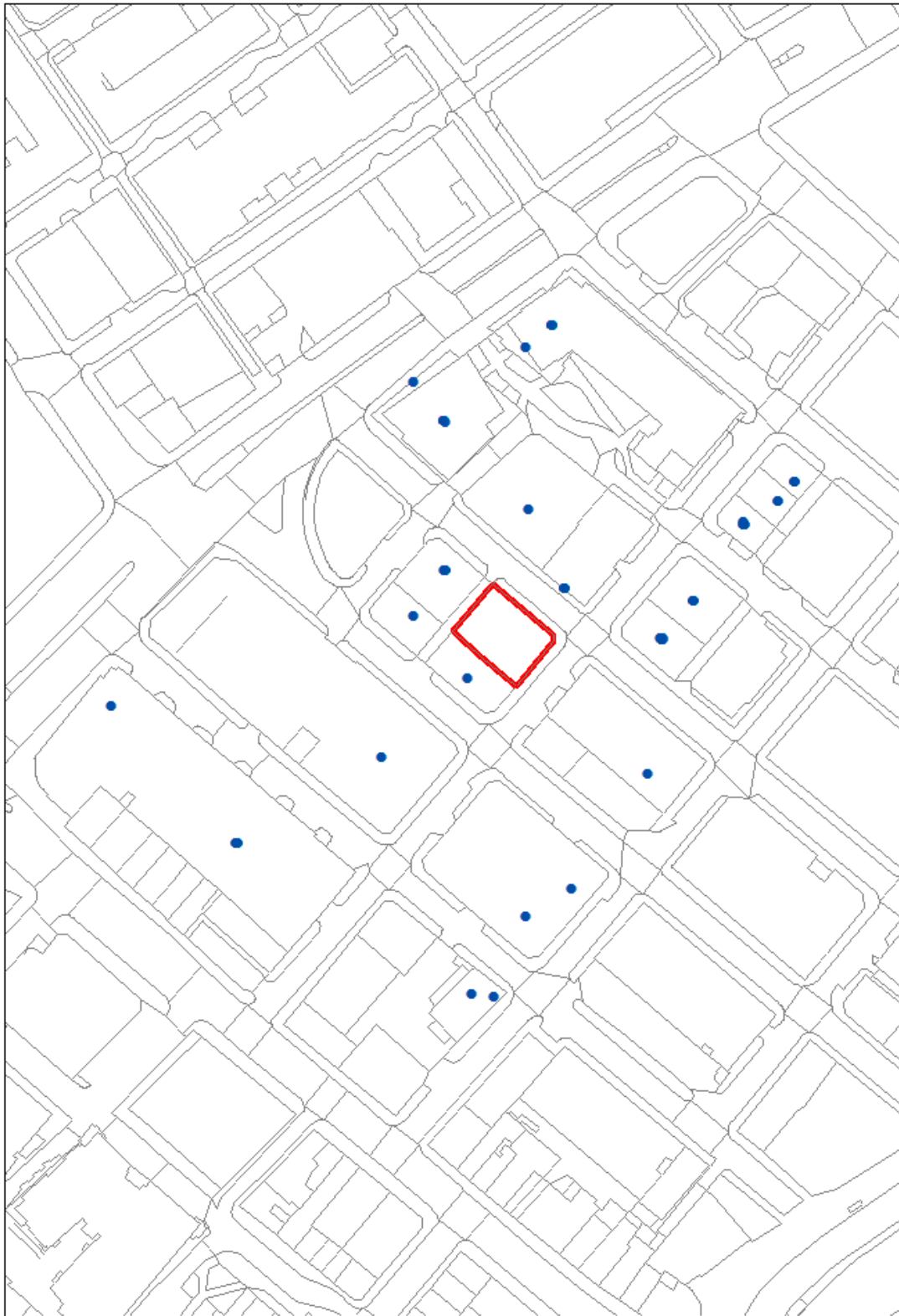
A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Environmental Health  
 MCC Flood Risk Management  
 Greater Manchester Police  
 Greater Manchester Archaeological Advisory Service

Greater Manchester Ecology Unit  
United Utilities  
Highway Services

**Relevant Contact Officer :** Steven McCoombe  
**Telephone number :** 0161 234 4607  
**Email :** s.mccoombe@manchester.gov.uk



 Application site boundary  Neighbour notification  
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