



Planning and Highways Committee

Date: Thursday, 14 February 2019

Time: 2.00 pm

Venue: Council Chamber - Manchester City Council

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, Lyons, Madeleine Monaghan, Watson, White and Wilson.

Agenda

1. Urgent Business

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

1a. Supplementary Information on Planning Applications on this agenda.

The report of the Head of Planning, Building Control and Licencing will follow.

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 17 January 2019.

7 - 18

5. 120302/FO/2018 - Heald Green House Irvin Drive Manchester M22 5LS.

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

Woodhouse Park

19 - 40

6. 121709/FO/2018 - 111 Lapwing Lane Manchester M20 6UR.

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

Didsbury West

41 - 60

7. 121410/JO/2018 - McDonalds 312-316 Barlow Moor Road Manchester M21 8AY.

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

Chorlton Park

61 - 70

8. 121380/FO/2018 - Swan House Swan Street Manchester M4 5DF.

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

Piccadilly

71 - 140

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| <p>9. 120893/FO/2018 - Land Bounded By Bengal Street, Primrose Street, Radium Street And Silk Street Manchester M4 6AQ.
The report of the Head of Planning, Building Control and Licensing is attached.</p> | <p>Ancoats and Beswick
141 - 202</p> |
| <p>10. 121806/JO/2018 - Cotton Field Wharf 4 New Union Street Manchester M4 6FR.
The report of the Head of Planning, Building Control and Licensing is attached.</p> | <p>Ancoats and Beswick
203 - 222</p> |
| <p>11. 121537/FO/2018 - Land Bounded By Pottery Lane, Gorton Lane, Belle Vue Street And Polesworth Close Manchester M12 5JD.
The report of the Head of Planning, Building Control and Licensing is attached.</p> | <p>Gorton and Abbey Hey
223 - 284</p> |

Meeting Procedure

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.

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

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

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

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This agenda was issued on **Wednesday, 6 February 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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Planning and Highways Committee

Minutes of the meeting held on Thursday, 17 January 2019

Present: Councillor Ellison (Chair)

Councillors: Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, Lyons, Madeleine Monaghan, Watson, White and Wilson

Apologies: None

Also present: Councillors: Newman

PH/19/1. Supplementary Information on Planning Applications on this agenda.

To receive the Late Representations.

Decision

To receive and note the Late Representations.

PH/19/2. Minutes

To approve the minutes of the meeting held on 13 December 2018 as a correct record.

Decision

To approve the minutes of the meeting held on 13 December 2018 as a correct record.

PH/19/3. 121647/FO/2018 - 1 - 4 Sagar Street Manchester M8 8EU

The Committee undertook a site visit prior to the meeting.

Councillor S Ali having declared an interest addressed the Committee as a Ward member and withdrew from the meeting whilst the item was discussed and determined)

The application site relates to an existing, two storey, flat roof building which occupies an end terrace position at the corner of Bury New Road and Sagar Street.

The building contrasts to the Victorian design of the host terrace and incorporates a flat roof design, with the front and side elevations clad with 'Cobalt Blue' Trespa cladding panels. Traditional red brickwork forms the rear elevation.

Officers advised the Committee that the construction of the extra storage space would result in an additional 3 delivery trips per day, which was considered

acceptable. In addition, officers advised the Committee that servicing would be managed by way of a condition, and that the waste management and servicing arrangements were considered acceptable. Officers confirmed that there were existing issues with fly tipping but advised that these were outside of the remit of the Committee and were a management issue for the local neighbourhood team.

A representative of a local business spoke in objection to the proposals and said that the main area of concern was deliveries and servicing. He said that the applicant had submitted that the main purpose of the businesses was as a showroom with limited storage, but the resident said that this was contradictory with the stated need for storage as a showroom should not need more storage. He said that the current delivery and service arrangements were dangerous for both pedestrians and other road users, and that even just 3 more trips a day would make this worse.

He also explained that the larger vehicles blocked access for the other businesses at the site, for up to 20 minutes at a time. He also pointed out that there were several empty storage units in the vicinity which should be more economically viable to increase storage.

The applicant spoke to the Committee and said that they have fewer deliveries than the other traders at the site. He also said that another reason for the application is to improve the current flat roof which is difficult to maintain satisfactorily. He added that the other units around his building are all a story higher than his building and the problems with the flat roof are made worse by rainwater run off from the other buildings. In addition to the structural improvements, the proposals would improve the visual amenity of the site and therefore add value to the area.

Councillor S Ali spoke in objection to the proposals and said that while he had sympathy for the applicant, any approval would result in an increase in vehicle movements along a very narrow dead end street. He said that vehicles have to reverse back onto a main arterial route which was very dangerous indeed. He also said that the main road had been designated as the intended route of the B-Line Cycle Route, which would further present danger to other road users.

Officers confirmed that the B-Line Cycle Route proposal was at a very early stage of planning, and that any potential routes would be fully risk assessed before any cycle routes were installed.

Officers confirmed that the service plan that has been lodged as part of Condition 5 does contain a clause requiring that servicing is carried out with vans. As a result, if larger vehicles were used on a regular basis, this condition could be enforced by officers. Officers also agreed to further negotiate specific hours of servicing to ensure that this took place outside of peak times.

Decision

To approve the application subject to the conditions in the report and a further condition which requires servicing to outside of peak hours.

(Councillor S Ali declared a prejudicial interest in this item and took no part in the debate or the decision, and left the room while the decision was made)

PH/19/4. 121401/FO/2018 - Land Adjacent To Bourdon Street Holland Street Manchester M40 7DB

The application site is located within the Miles Platting area of the City. The area has been identified as a key regeneration area within the Manchester Core Strategy and a Private Finance Initiative (PFI) has operated in this area since 2006. The PFI seeks to transform the area with the key objective of improving the supply of residential accommodation, particularly homes for sale, together with undertaking key improvements to infrastructure such as public parks and refurbishment of existing homes.

Neither the applicant or any objectors were present at the meeting.

Officers confirmed that the applicant had submitted revised plans in response to issues raised by Citywide Highway Support and the Canal and rivers trust that incorporate additional safety measure and enhancements to the scheme which are considered acceptable. As a result condition 2 has been revised to reflect these changes.

Officers also recognised the Committee's interest in tree replacement, and advised that 81 trees would be planted to mitigate the loss of trees at the development site, which would be a gain of 55 trees and this needs to be seen in the context of the wider PFI area where the applicant has planted a total of 626 trees which is a gain of 395 trees with 44 existing trees retained.

The Committee welcomed the commitment to the replacement tree planting, and welcomed the development overall.

The Committee questioned why the development was to be exempted from the 20% Affordable Housing policy, and officers confirmed that there is no policy requirement for affordable housing as the proposed development meets the exceptions within Council's adopted policy as there is a signed contract in place prior to December 2007 for development of this site.

In addition the Committee asked for clarification as to whether the proposed footpath closures would result in the development becoming in effect a gated community. Officers confirmed that access to the Canal would be retained, and that the approved layout was subject to appropriate conditions. Officers also confirmed that any request to gate this development would require planning permission in it's own right, and did not form part of these proposals.

Decision

To approve the application subject to the conditions and reasons in the report and the amended condition 2 as detailed in the Late Representation.

PH/19/5. 121721/FO/2018 - Land Bounded By Quay Street And Manchester College To The North, Gartside Street And New Quay Street To The East, Old Granada Studios To The South And The Victoria And Albert Marriot Hotel And Water Street To The West

The site is part of a larger area bounded by Quay Street, Manchester College, Gartside Street and the Victoria and Albert Marriott Hotel and most of its building have now been cleared. Planning permission was granted in December 2016 (Ref no. 109660) to demolish all existing buildings and structures, including Albert Shed and Globe and Simpson to enable the construction of four buildings comprising:

1. Building 1 would be 52 storeys and incorporate 180 hotel bedrooms on 12 floors and 287 apartments on 35 floors. It would include 1, 2 and 3 bed apartments, with some being duplex, and 4 penthouses.
2. Building 2 would be an 8 storey hotel.
3. Building 3 would be 18 storeys with 88 apartments ranging from 1 to 3 bedrooms.
4. Building 4 would provide 12 apartments over 4 floors ranging from 1 to 3 bedrooms.

This application seeks to replace building 2, with a 9 storey office building. Its height would increase by 8m to accommodate an additional floor and because the mechanical, electrical and ventilation requirements are greater for offices. The footprint of the office building would be more regular to provide efficient space and the remainder of the site would be developed out in accordance with the consented scheme.

The applicants agent spoke to the Committee and explained that the revised proposals relate to the operational requirements of a potential office tenant for Building 2, with a view to it becoming a hub of operations for any business looking to locate within Enterprise City in St Johns. The building has been designed to be fully occupied by a tenant and addresses their specific operational requirements.

St John's is intended to be a design, technology and creative hub, and accommodating this tenant would provide a significant number of jobs, training and development opportunities. In addition, robust testing has indicated that the proposal was consistent with regeneration priorities for St. John's. The proposal would bring the site back into a long-term, viable and active use. It would bring jobs to the area and support the construction sector.

The Committee asked for clarification of the heritage impact of the development, and officers confirmed that the Heritage Assessment related to the previous proposals, which included a 54 storey tower, which this new development would not.

The Committee concluded that the proposal is in accordance with, and positively contributes to, the aims of planning policy at national and local levels, including the National Planning Policy Framework and the adopted Manchester Core Strategy.

Decision

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

PH/19/6. 121014/FO/2018 & 121015/LO/2018 - 12 - 16 Piccadilly Manchester M1 3AN

The site measures 0.07 hectares and is bounded by Piccadilly, Gore Street and Chatham Street with the Waldorf Public House (Roby Street) and Indemnity House (no.7 Chatham St) immediately to the rear. It is occupied by the vacant Grade II Listed former Union Bank building at 12 Piccadilly and an adjacent surface level car park (14 -16 Piccadilly). It forms part of a wider island site bounded by Piccadilly, Gore Street, Roby Street and Chatham Street.

The Listed building was built in 1911 and designed by Thomas Worthington and Son. It is constructed of Portland Stone and has a rectangular plan form with a chamfered corner that articulates the main ground floor former bank entrance. The tripartite elevations have channelled rustications to the ground floor, rusticated quoins to all angles of the upper floors and pedimented attic windows articulate the roof. The door at the junction of Chatham Street and Piccadilly is not original and has been replaced. The round-headed doorway on Piccadilly does have its original doors which provided access into office spaces on the upper floors.

The applications propose the erection of a 23 storey building (121m), plus a plant level, and the conversion of the listed building to create a 356 bed hotel comprising 116 single, 44 twin, 175 double, 6 deluxe double rooms and 15 accessible rooms (11 in listed building and 4 in the new building). There would be bedrooms on the first, second, third and fourth floors of the refurbished Listed Building. The hotel entrance would be on Gore Street where a ground floor lobby would link via stairs and a lift to a breakfast area, within the former banking hall of the Listed Building. Ancillary facilities comprising offices, plant space, cycle parking and a laundry would be in the basement of the Listed Building.

The current proposal is an amendment to this most recently submitted scheme and would retain more of the internal fabric of the listed building including stairwell that would previously been removed. The height of the new build element has increased from 22 to 23 storeys as a consequence.

The applicant's agent spoke to the Committee and explained the scope and background to the proposed development. This would be the first UK hotel for this operator, who have recently opened a UK headquarters in Manchester. The proposals have also been designed to retain as much as possible of the internal structure and architecture of the Listed Building, which has been vacant since 2006. After discussion with Historic England, more of the internal fabric and structures will be retained than was planned under the previous permissions, both of which have now expired. He said that Historic England have also described the current proposals as a significant improvement on the previous schemes.

The proposals will support a £90 million investment into the Manchester economy, and will support the creation of 175 jobs in the construction phase, and 58 permanent jobs when operational.

The Committee asked for clarification regarding the retention of heritage assets and the Green infrastructure, and requested clarification of whether planting 3 street trees was sufficient, given the level of pollution in the City Centre. The Committee also asked for further information as to whether the development would have a “Green Roof” as suggested in the report. The Committee also expressed some concern that the scale of the building would lead to overshadowing of neighbouring buildings, including the Listed Building.

Officers advised the Committee that due to the constraints of the site, 3 street trees appeared to be the maximum amount that could fit on the site frontages. Officers agreed that they would take this matter away and seek to negotiate an additional condition to explore the potential for further planting of street trees should this be possible, and reminded the Committee that the development should not contribute to pollution as it was intended to be car free.

Officers also confirmed that the Green Roof will be provided and is included as part of the plans submitted by the applicant.

With regard to overshadowing, officers advised the Committee that an assessment of daylight, sunlight and overshadowing has been undertaken, using specialist software to measure the amount of daylight and sunlight that is available to windows in a number of neighbouring buildings. The assessment made reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011). The guidance does not have ‘set’ targets and is intended to be interpreted flexibly. It acknowledges that there is a need to take account of locational circumstances, such as a site being within a town or city centre where higher density development is expected and obstruction of natural light to buildings is sometimes inevitable.

The Committee asked for clarification as to the construction materials to be used, and whether they would merge with the materials of the Listed Building, and officers confirmed that while as much of a match as possible would be made, it was inevitable that there would be a visual difference between Portland Stone aggregate which the development would be constructed with, and 100 year old Portland Stone which the Listed Building was constructed from.

The Committee also asked if the 4% accessible rooms in the proposed Hotel was comparable to other hotels of this size, and expressed some concern that there was no disabled parking provision included in the proposal. Officers confirmed that there is no specific percentage figure that could be applied to this or any other development, but that the level of number of rooms was comparable with other hotels of this size. Officers added that 2 on-street disabled parking bays would be provided as part of the scheme.

The Committee concluded that the proposals would be consistent with a number of the GM Strategy's key growth priorities. There is an important link between economic

growth, regeneration and the provision of new employment opportunities and there is an acknowledged need to provide additional hotel accommodation in the city centre in order to support the sustainable growth of the region's economy.

Decision

To approve the application subject to the conditions and reasons in the report and the late Representations and the further condition regarding street trees.

PH/19/7. 121380/FO/2018 - Swan House Swan Street Manchester M4 5DF

This item was withdrawn from the agenda prior to the meeting, and will be considered at a later date.

PH/19/8. 121142/FO/2018 - Allen Hall 281 Wilmslow Road Manchester M14 6HT

This application relates to a broadly rectangular site of 0.58 hectares, bounded by Wilmslow Road to the west and Cromwell Range to the south. Across Wilmslow Road to the west is the Manchester High School for Girls campus, to the south across Cromwell Grove is the Hollins Building (the Toast Rack) currently being renovated. Abutting the site to the east and fronting Cromwell Grove is the side elevation of Weston Court a three storey building with accommodation in the roof providing two, three and four bedroom flats for students. To the north of the site is Thorne House, a private flat development separated from the application site by a private access road shared by Thorne House and the Allen Hall Site. Thorne House comprises 72 flats with access, both pedestrian and vehicular from the private road which is a cul de sac off Wilmslow Road.

Officers advised that there had been some minor alterations to the proposals that had resulted in changes to conditions 4 and 14, and a typographic error in condition 2. The revised conditions were included in the Late Representations. Officers also proposed an additional condition regarding cycle storage and the number of cycles that could be parked in the garage at the rear of the site.

The applicant's agent spoke to the Committee and explained the background to the proposals. He also explained that the proposals had been subject to detailed discussions with officers since the development was initially proposed. He added that the principle of using Allen hall as student accommodation was well established, and that the premises had been used for this purpose previously. This application was for a change of use of parts of the building to create additional, modern accommodation that would significantly improve the quality of the accommodation on offer.

The Committee asked for clarification as to the size of the rooms to be offered, and whether they would be smaller than currently on offer. The Committee also asked about the proposed travel plan, and whether parking limitations could be put on the private road that is used to access the site.

Officers confirmed that the additional rooms would utilise the space available more effectively, including roof voids, than the current layout, which will easily allow the increased number of bedspaces. Officers also said that it would not be possible to put parking limitations on the private road.

The Committee asked for clarification as to whether there would be an on site Bar selling alcohol, and officers confirmed that the amenity space would not be a licensed premises and there was a condition that this must be ancillary to the accommodation only.

Officers also confirmed that the adjoining school had not made any representations regarding the proposals.

The Committee concluded that those elements of the proposed development which require planning permission accord with the City Councils policies and that the development will bring back into use a series of vacant buildings which if left vacant will continue to detract from the visual and residential amenity of the area.

Decision

To approve the application subject to the conditions and reasons in the report and the late Representations, and an additional condition regarding cycle storage and the number of cycles that could be parked in the garage at the rear of the site.

PH/19/9. 121302/FO/2018 - Alleyway Between 34 Whiteholme Avenue, 70 Merseybank Avenue And 17-19 And 21 Brandwood Avenue Manchester M21 7PH

This application relates to the footpath which runs north to south between Whiteholme Avenue and Brandwood Avenue on the Merseybank estate. The footpath is located adjacent to no.'s 32 and 34 Whiteholme Avenue and 70 Merseybank Avenue, running through adjacent to no.'s 17, 19 and 21 Brandwood Avenue. Permission is sought to install fencing to the pedestrian alleyway and change the use of the alleyway to form private gardens.

Decision

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

(Councillors Clay and Wilson declared prejudicial interests in this item and took no part in the decision and left the room while the decision was made)

PH/19/10. 120302/FO/2018 - Heald Green House, Irvin Drive, Manchester, M22 5LS

The site measuring 0.9 hectares is currently occupied by a two storey residential apartment block known as Heald Green House. Consent is sought for the creation of a 743 space off-airport car park with access road off Styal Road, installation of 2.4m high weld mesh fencing and gates, 45 4.7m high galvanised steel lighting columns

and office cabin with associated landscaping. The car park would be open 24 hours 7 days a week. 16 members of staff would be employed on site.

The application would involve the demolition of Heald Green House which currently accommodates 13 residential units.

The applicant's agent spoke to the Committee and said that the proposed car park would operate on a Park and Ride principle, with passengers being transported to the Airport by mini bus. He said that the principal of the proposed use had been well established, with several other Airport parking facilities in the vicinity. He also explained that the existing entrance to the site on Irvin Drive would be closed, and a new entrance from Styal Road created as part of the development. He added that there was an anticipated increase in demand for Airport parking, and that this development would provide a much needed facility.

The applicant's agent also advised the Committee that there would be comprehensive landscaping undertaken as part of the development, and emphasised the benefits of the creation of jobs and development opportunities.

Councillor Newman spoke in objection to the proposals. He conceded that applications for car parking on this site had been approved in the past, but that these had been for much smaller schemes. He added that past approvals were 13 and 15 years ago, and that it would not be reasonable to consider that these were still extant. Since those proposals were improved, there has been a considerable amount of residential development adjacent to the site, and that consideration of these residents and their amenity must be considered carefully. He added that some properties were just 11 metres away from the site of the proposed car park, and given that the proposals were for hours of operation 24 hours a day and 7 days a week, the associated vehicle movements, floodlights and noise would be unacceptable. He said that the demolition of Heald Green House and the loss of the associated accommodation was unacceptable when there was such a high demand for affordable accommodation across the City.

He said that none of the proposed mitigation measures or conditions were sufficient to address the loss of amenity to residents, and the associated noise, light and air pollution that would result if the development was approved, and questioned the assertion in the report that approval would be in the public interest.

The Committee expressed considerable concerns about the additional vehicle movements, noise and air pollution that would impact on the local community, particularly during the night time hours. The Committee also expressed significant concern about the loss of accommodation to be replaced by car parking, and were of the opinion that this scheme would represent an overdevelopment of car parking in this part of the City.

Officers told the Committee that they did have sympathy with the concerns raised, but that the application had to be considered on the basis of the previous permissions, the extant consent, on its own merits and according to local and national policies. For this reason officers had concluded that the proposals should be approved. Officers added that the principle of the use in this case has already been

approved, at issue is the increase in the number of cars capable of being parked, i.e. from 500 spaces to 743 spaces. On the basis of the scheme as amended to include appropriate landscaping and tree planting, subject to appropriate conditions, officers considered that on balance the proposal would be acceptable.

The Committee considered that concerns regarding the loss of residential amenity, loss of reasonably priced housing and associated vehicle movements, air and light pollution meant it should be supported at this time. The scheme would not make a positive contribution.

Decision

Minded to refuse due to the loss of residential amenity, loss of reasonably priced housing and associated vehicle movements, air and light pollution.

PH/19/11. 122025/FO/2018 - 17 Northen Grove Manchester M20 2NL

(Councillor N Ali in the Chair)

The application site is a 2-storey, 5-bedroom semi-detached, double-fronted Victorian house situated on the eastern side of Northen Grove in the Didsbury West ward. The property has accommodation over 4 floors including 3 large cellar chambers, living room, dining room, kitchen and utility room at ground floor, 3 bedrooms and a bathroom at first floor and 2 bedrooms with a further bathroom at second floor. There are modest sized gardens at the front and rear and a tarmac driveway along the northern side of the property. The property is bounded at the front by its original brick dwarf wall with stone copers and original gate posts, and both brick and timber panel fencing at the rear. Within the rear garden there are both an original brick outhouse and a brick garage.

The application proposes the change of use of a dwelling house (Class C3a) to a house in multiple occupation (Class C4). No elevational alterations are proposed; the application is accompanied by a copy of a letting advertisement (which advertises the property as 4-bedroom).

A local resident spoke in objection to the proposals, and said that the existing parking problems would be greatly exacerbated should the permission be granted. She explained that the road was so narrow, an ambulance that had been called to a resident had to park in the middle of the road, completely blocking the road. In addition, the current parking situation made the street dangerous for pedestrians, with pavements regularly blocked by both vehicles and bins, and an HMO would just make this worse.

Officers reminded the Committee that the application had been recommended for refusal, and reiterated the reasons for refusal that had been submitted.

Decision

To refuse the application for the following reasons.

1. The proposed change of use would lead to the loss of a family dwelling which would undermine the aim of achieving an appropriate balance of housing provision in the locality and the objective of achieving a sustainable and cohesive housing offer. The proposal is therefore contrary to the provisions of policies H6, H11, SP1 and DM1 of the Manchester Core Strategy, the Guide to Development in Manchester SPD and to the Manchester Residential Quality Guidance document.
2. The proposed change of use of the property into a House in Multiple Occupation, would lead to an overly intensive use of the site which would be detrimental to the amenities of neighbouring residents leading to increased levels of noise and activity from the general comings and goings which would be detrimental to the amenity of neighbouring occupiers contrary to policies SP1 and DM1 of the Manchester Core Strategy and saved UDP policy DC26.1.
3. The proposed change of use does not include sufficient arrangements for the parking of vehicles within the curtilage of the site and it is considered that the potential requirement for car parking generated by the proposed use would result in on-street parking in the locality which would exacerbate existing car parking difficulties and traffic congestion. This in turn would be detrimental to highway safety and the amenity of nearby residential occupiers, contrary to policies T2, SP1 and DM1 of the Manchester Core Strategy.

(Councillor Ellison declared a prejudicial interest in this item and took no part in the debate or the decision and left the room while the decision was made)

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Application Number	Date of Appln	Committee Date	Ward
120302/FO/2018	28th Jun 2018	14th Feb 2019	Woodhouse Park Ward

Proposal Creation of a 743 space off-airport car park with access road off Styal Road, installation of 2.4 metre high weld mesh fencing and gates, 45 lighting columns and office cabin with associated landscaping

Location Heald Green House, Irvin Drive, Manchester, M22 5LS

Applicant Ensco 1174 Limited, C/o Agent

Agent Mr Chris Sinton, CBRE, 10th Floor, One St Peters Square, Manchester, M2 3DE

Background

This application was reported to the Committee on 17th January 2019. As Members resolved that they were 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:

- Loss of visual amenity for local residents and loss of amenity relating to traffic and noise
- Loss of residential units
- Air quality – cumulative impact
- Pressure on the road network
- Sustainable Transport

Loss of Residential Units

Officers are sympathetic with the concerns relating to the loss of apartments on the application site. However, the site has extant consent for the implementation of airport car parking schemes that entailed the loss of Heald Green House on the site. These schemes have been kept live by the applicant and can therefore be implemented at any time. On this basis it is not considered a reason for refusal based on the loss of residential units could therefore be sustained in this instance.

Air Quality – Cumulative Impact

The scheme submitted was accompanied by an Air Quality Assessment that has been assessed by Environmental Health. The assessment was considered to be acceptable and there would be no technical reason to warrant refusal of planning permission on this basis.

Pressure on the road network

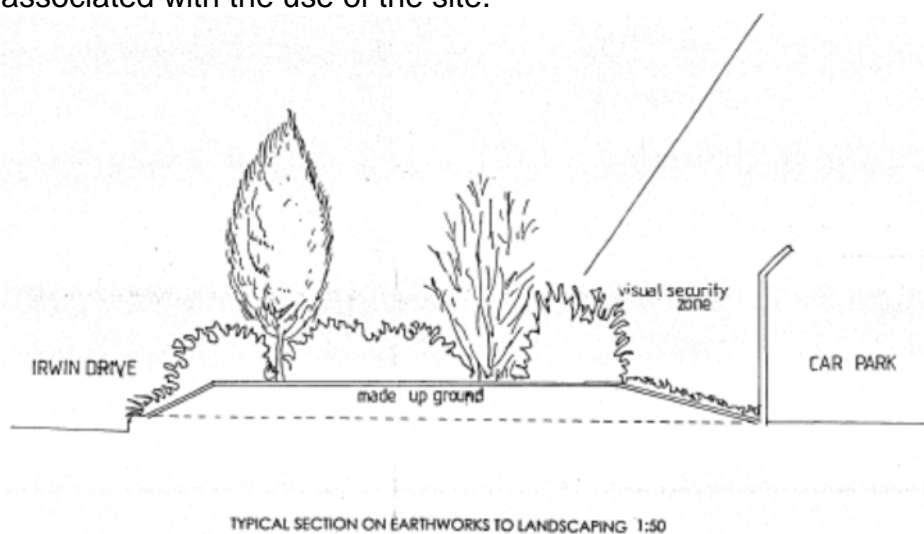
The scheme submitted was accompanied by a Transport Statement that has been assessed by Highways. Highways Services have reviewed this data and have confirmed that the proposed access and the existing local highway network within the vicinity of the application site can accommodate the proposal. In the absence of any evidence to the contrary it is not considered that a reason for refusal based on the impact upon the road network could be sustained in this instance.

Sustainable Transport

Sustainable methods of transport to Manchester Airport must be encouraged, however, in this instance the precedent has already been set by extant and historic consents for the principal of airport car parking in this location.

Loss of visual amenity for local residents and loss of amenity relating to traffic and noise

It is considered that whilst the scheme proposed does offer a level of landscaping which numerically would see an increase in the number of trees to the site over the previously consented schemes, landscaping previously approved for the site did involve landscaping bunds that raised the level of the land to provide a buffer to Irwin Drive both with regards to visual amenity and with regards to noise disturbance associated with the use of the site.



An approval without this landscaped bund would present a long strip of airport car parking to the west side of Irwin Drive, when viewed in connection with the existing airport car parking use to the north of Irwin Drive, which could be said to impact detrimentally upon the visual amenity of residents to the east.

The denser heightened bund would have also served to reduce noise disturbance associated with the car movements within the site for the previously approved use on the site for 500 car parking spaces. This scheme includes a further 243 spaces.

If Members consider that the proposals would exacerbate already difficult circumstances, adding to miscellaneous, unaccustomed and irregular noise disturbance which would cause nuisance to residents particularly at sensitive times of

the day without satisfactory mitigation (noise disturbance relating to vehicle movements outside the site, increased operation of the car park, manoeuvring of vehicles during the period of storage, car alarms, shutting of car doors etc), the following reasons for refusal are suggested below:

The development proposals would result in a large expanse of surface level car parking that would be visible from outside of the site to the detriment of the character of the area thereby causing harm to the visual amenity of neighbouring property, contrary to policy DM1 of the Core Strategy and the National Planning Policy Framework.

The increase in comings and goings of vehicles and increase in the numbers of vehicles within the application site will lead to noise disturbance that would cause harm to the residential amenities of surrounding property, contrary to policy DM1 of the Core Strategy, saved policy DC26 of the Unitary Development Plan and the National Planning Policy Framework.

Description

The site measuring 0.9 hectares is currently occupied by a two storey residential apartment block known as Heald Green House.

The site sits to the south of a surface level airport car park consented under reference 072290/FO/2004/S2 for 640 long stay car parking spaces with associated landscaping and boundary treatment, access from Irvin Drive and 5 metre high lighting columns, operated by Peter Ashley.

To the east there is Ashbrook Office Park and residential accommodation located on Longstone Road and Sheen Gardens. To the immediate south sits the Flying Horse public house. To the south west on the other side of Styal Road sits a 9,000 space car park operated by Manchester Airport (consent reference 102834/FO/2013/S2). The site is located within the Public Safety Zone for Manchester Airport.

Consent is sought for the creation of a 743 space off-airport car park with access road off Styal Road, installation of 2.4m high weld mesh fencing and gates, 45 4.7m high galvanised steel lighting columns and office cabin with associated landscaping. The car park would be open 24 hours 7 days a week. 16 members of staff would be employed on site.

The application would involve the demolition of Heald Green House which currently accommodates 13 residential units.

The operation of the car park would be based on a 'park and ride' principle. Customers would enter the site via Styal Road and will park in a holding area, vehicles are then parked by the on site drivers and a mini-bus transfers the customer to the airport.



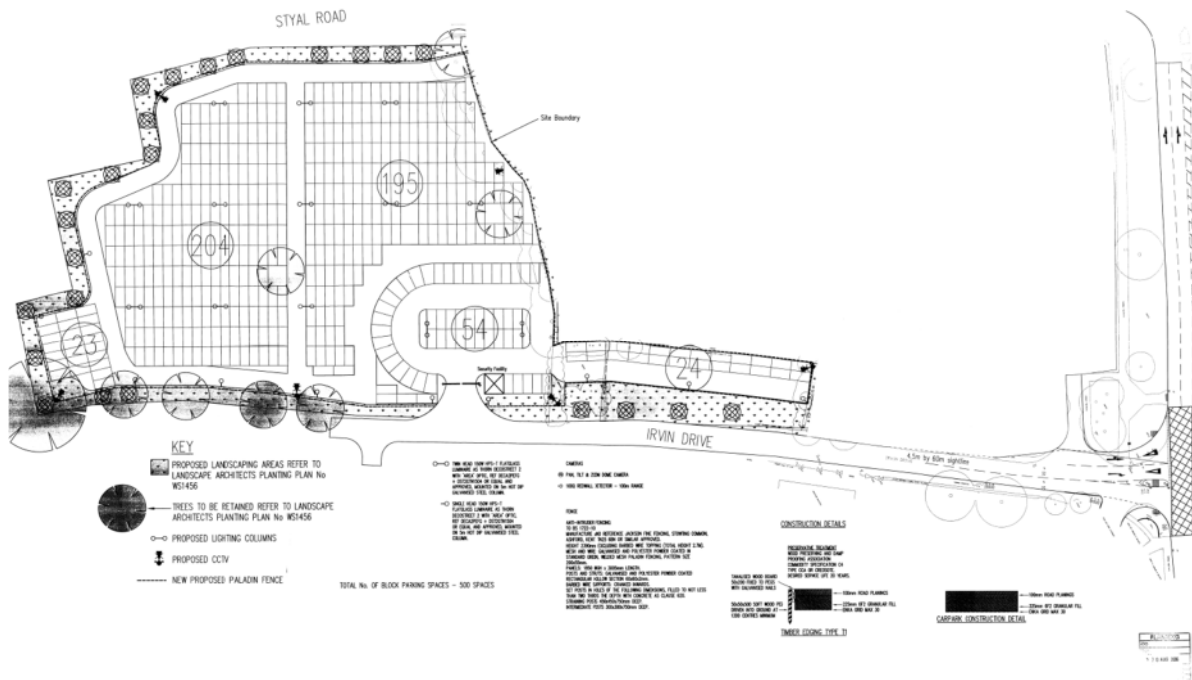
Proposed plans

History

The application site has had consent granted for the following:

080376/FO/2006/S2 - Change of Use of land to form proposed 'block park' car park to be used for off airport car parking with associated landscaping and boundary treatments following demolition of Heald Green House

This scheme accommodated 500 block parked long stay car parking spaces, accessed from Irvin Drive, it included a temporary building to provide office accommodation, paladin fencing and 27 5 metre high lighting columns and CCTV cameras. The approved plan is included below for reference.



When this application was submitted the case was made that this consent had been protected by a start on site, however, pre-commencement conditions were not discharged, consent 080376/FO/2006/S2 is therefore not a fallback consent, however, it is a material consideration in the determination of the application submitted.

Application 080376/FO/2006/S2 followed consent granted via appeal on the 29th April 2004 to create a 220 space self-park long stay “off airport” car park and a 292 space self-park long stay “off airport” car park on this site, references 066690/FO/SOUTH2/02 and 070072/FO/2003/S2 respectively. These consents are extant and can be fully implemented, the scheme for 292 spaces involves the loss of Heald Green House.

Since permission 080376/FO/2006/S2 was granted an application was submitted in 2017 (117992/FO/2017) for the creation of a vehicular access from Styal Road, rather than from Irvin Drive.

The access from Styal Road was approved subject to a condition requiring a detailed landscaping scheme to include tree planting within the site edged blue as the development resulted in the loss of five street trees in the verge.

The application was precipitated from the submission of an application and resubmission application 114349/FO/2016 for the development of the adjacent site on Irvin Drive operated by Peter Ashley for the erection of a 4 storey multi-storey car park to provide off-airport car parking facilities for 2,244 cars with associated landscaping (resubmission of planning application 112323/FO/2016/S2, reduction in spaces by 145 spaces, relocation of access to Styal Road, footprint reduction, modelling, elevational alterations and landscaping). This application was refused and dismissed at appeal for the following reasons:

1. The scale and massing of the development proposed would cause harm to residential amenity by virtue of providing an overbearing structure, contrary to policy DM1 of the Core Strategy and the National Planning Policy Framework.
2. The design of the development proposal constitutes an overly dominant incongruous structure in the street scene to the detriment of the visual amenity and character of the area, by virtue of the height and extent of the building, particularly along Styal Road contrary to policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

The highway arrangement and access onto Styal Road was found to be an improvement over the existing access from Irvin Drive for the surface level operation and did not form a reason for refusal.

Consultations

Three consultations have taken place on the application. The first change constituted an alteration to the layout to address the outcome of the Crime Impact Statement which involved moving the reception building closer to the entrance. The second change constituted a reduction in the number of car parking spaces from 772 to 743 (loss of 29 spaces) and the planting of 67 new trees (the plans also included the planting of native hedgerows to the eastern boundary and pollinator and bat-friendly shrubs).

Local Residents – 14 objections were received from 12 addresses to the original submission with the 772 spaces. Objections were made on the following grounds:

- The site next door was refused on the grounds of increase in traffic movements (as stated above this was not the case)
- People object to any further car parks in Heald Green and believe it will impact upon highway safety
- The addition of car parking spaces would increase levels of air pollution and noise nuisance
- The high fences and lighting columns would be an eyesore and cause light pollution
- The level of activity on site would be disruptive to residents during construction and operation
- Residents will have to look out onto a car park
- Proposals would have an effect on local wildlife and interrupt a green corridor
- The proposal would adversely impact upon house prices
- Proposals of no benefit to the economy of Heald Green
- The proposal will involve the loss of housing stock

48 objections were received from 45 addresses to the second consultation for the reasons set out above and for the additional reason that the reception building would be unsightly in a relatively green area, questioning the necessity of another car park, the safety of it within a Safety Zone and the sustainability of such a development. Comments were also received from Heald Green and Long Lane Ratepayers' Association.

34 further objections were received from 32 addresses to the third consultation for the reasons referred to previously above.

Councillor Eddy Newman – Objects to the planning application on behalf of his constituents.

An application for a car park was approved on this site previously. However, this was for a smaller number of vehicles and was over ten years ago. Since then residential properties on the nearby Sheen Gardens development have been built and occupied by residents of 150 houses and flats.

The increase in the comings and goings of vehicles, and the substantial increase in the number of vehicles within the application site will lead to noise disturbance-including at night. This will cause harm to the residential amenity of surrounding properties. The ten residential flats in Heald Green House will also be lost, as it is proposed to demolish this.

Under Manchester's Development Plan, there is no specific designation of this site for Airport related development.

The increase in traffic on Styal Road will bring added noise and pollution. It is already difficult for Sheen Gardens residents to turn right out of Longstone Road onto Styal Road during rush hours.

There are far too many vehicle spaces proposed for the size of this site. There is already a large off Airport Car Park bordering this site, and the proposed car park will damage the living conditions of the nearby residents. They should not have to put up with their immediate neighbourhood being dominated by huge 24 hour car parks.

Manchester Airport object to the description of the development as airport car parking as the development operated by a private operator. They state that there is a lack of demonstration of need and states that it will impact on their delivery of surface access objectives set out in the Surface Access Strategy contained within the Sustainable Development Plan undertaken to conform to the Government's Aviation Policy Framework. Car parking is a fundamental element of the Airport's surface access strategy but it requires careful management and integration with public transport mode share targets.

Environmental Health – Hours applied for, lighting information and the Air Quality assessment submitted is acceptable. Conditions are required relating to refuse and contaminated land.

MCC Flood Risk Management – Suggest conditions relating to sustainable urban drainage systems and the management of the drainage system.

Highway Services – The proposal is acceptable in principle.

Neighbourhood Team Leader (Arboriculture) – No objections from an arboricultural perspective, the net-gain on tree numbers will mitigate for tree loss.

Greater Manchester Ecology Unit – No overall objections on Ecology grounds. Due to the presence of breeding birds in the building on site and the potential of other parts of the site to support breeding birds it is recommended that the initial site clearance (including vegetation) and demolition works take place outside of the main breeding bird season (March to August inclusive). If this is not possible, a breeding bird survey should be undertaken prior to the commencement of works by a suitably experienced ecologist.

Greater Manchester Police – Recommend a condition making sure that the development accords with the Crime Impact Statement submitted.

Manchester Airport Safeguarding Officer – The proposed development has been examined by the Safeguarding Authority for Manchester Airport against aerodrome safeguarding measures; the location of this site is highly sensitive, and it does have the potential to cause a flight safety risk without careful management. Therefore, Manchester Airport requests the following conditions be applied should the scheme be approved:

- No development to take place until a detailed Bird Hazard Management Plan or the construction phase has been agreed with the safeguarding authority for Manchester Airport.
- No development to take place until a construction plan showing how dust and smoke will be prevented during the construction period.
- At all times, all lighting (permanent and temporary) to be capped below the horizon so there is no upward light spill.
- At all times, all trees to be carefully managed and pruned or pollarded to prevent growth above 15m AGL in height.
- Please note that any cranes or other tall equipment required during construction may present a hazard to aircraft and will need to be assessed separately to ensure that aircraft safety is protected. We therefore request that the following informative is attached to any approval granted:
- Cranes, whilst they are temporary, can be a hazard to air safety. The developer or crane operator must therefore contact Manchester Airport's Control of Works Office using the details provided below, at least 21 days in advance of intending to erect a crane or other tall construction equipment on the site. This is to obtain a Tall Equipment Permit and to ascertain if any operating restrictions would be required. Any operating restrictions that are subsequently imposed by Manchester Airport must be fully complied with.

United Utilities Water PLC – Has no objection to the proposed development subject to the imposition of conditions.

Policies

The National Planning Policy Framework (NPPF) - The NPPF was published in July 2018. The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. It does not change the statutory status of the development plan, i.e. the Core Strategy, as the starting point for decision making and it states further that development that accords with an up-to-date local plan, such as the Core

Strategy, should be approved unless other material considerations indicate otherwise.

The NPPF states that the planning system must contribute to the achievement of sustainable development and that there are three dimensions to this: economic, social and environmental.

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 unless material considerations indicate otherwise. Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles - This states that the key spatial principles which will guide the strategic development of Manchester to 2027 are:

- The Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living.
- The growth of Manchester Airport will act as a catalyst for the regional economy, and will also provide the impetus for a second hub of economic activity in this part of the City.
- Beyond these areas, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.
- The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.
- The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved.
- New development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport. The extension to the Metrolink network through the Oldham and Ashton lines will create key corridors for new development.

Core Development 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.
 - making a positive contribution to the health, safety and wellbeing of residents
 - considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1, Development Management - This policy states that all development should have regard to specific issues for which more detailed guidance may be given within a supplementary planning document. Of relevance to this application are:

- 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.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Policy DM2, Aerodrome Safeguarding - This policy states that development that would affect the operational integrity or safety of Manchester Airport or Manchester Radar will not be permitted.

Policy DM3, Public Safety Zones - This policy states that within the Public Safety Zones as defined by the Civil Aviation Authority, development or changes of use will not be permitted, except where that development conforms to that set out in Paragraphs 11 & 12 of DfT Circular 01/2010 or any replacement guidance.

EW9 The following sites are allocated for Class B1 business development:-

b) land at Styal Road, Irvin Drive, Moss Nook;

Reason: Sites (a) and (b) have been granted planning permission in accordance with Council policy on the location of business development. Sites (c) and (d) are appropriate for business use. Development falling within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987 is acceptable on all these sites.

DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 New noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.3 Developments likely to result in unacceptably high levels of noises will not be permitted:

- a. in residential areas;
- b. near schools, hospitals, nursing homes and similar institutions;
- c. near open land used frequently for recreational purposes.

DC26.4 Where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:

- a. engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;
- b. layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it; and screening by natural barriers or other buildings or noncritical rooms within a building; and
- c. administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.

DC26.5 The Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

DC26.6 Exceptions to the general policy will be considered on their merits. The Council accept, as an example, that the occasional use of outdoor facilities such as sports stadia for concerts can be acceptable in certain circumstances. Any such proposal will be considered in the light of consultation with local residents and others, and the practicability of appropriate conditions on any approval.

Department for Transport Circular 01/2010, Control of Development in Airport Public Safety Zones - The Circular states in paragraph 10 that there should be a general presumption against new or replacement development, or changes of use of existing buildings, within Public Safety Zones. In particular, no new or replacement dwellinghouses, mobile homes, caravan sites or other residential buildings should be permitted. Nor should new or replacement non-residential development be permitted.

However, the Circular also states that certain forms of new or replacement development, which involve a low density of people living, working or congregating, may be acceptable within a Public Safety Zone, one such example being:

(iv) long stay and employee car parking (where the minimum stay is expected to be in excess of six hours).

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. 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.

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.

Issues

Principle of the proposal – The proposed application is required to be considered in the context of the land to the north which is a 640 space surface level car park, also regard needs to be had to the approval of two extant off airport car parking appeals on the site (for 220 and 292 spaces respectively) and the subsequent consent in 2006 for 500 spaces and the presence of the 9000 space car park immediately to the south west. The site is not within the Green Belt. Notwithstanding this, consideration must be given to the impact an additional 243 parking spaces would have upon the residential amenity enjoyed by the occupants of the nearby residential accommodation, the highway network and ecology/nature conservation. These issues and others will be addressed below.

Residential Amenity - The impact of the proposal upon the levels of residential amenity enjoyed by local residents has been assessed, specifically in relation to noise and light generated by the use and the visual impact of the development itself.

The site lies in close proximity to the neighbouring residential properties on Irvin Drive (c. 11m from the front elevation of cottages on Irvin Drive), for the most part the site is screened by office development on Ashbrook Office Park to the east. Residential property beyond the Office Park is located on Longstone Road, Cunningham Drive and Sheen Gardens at a distance of c.19.5m, c. 15m and c. 69m at the nearest points. The impact of the development on sensitive noise receptors has been assessed in the submitted noise impact assessment and does not raise any significant noise disturbance concerns. Screening in the form of trees has been introduced to the boundaries.

It is acknowledged that there would be 45 4.7m high lighting columns, which would constitute an additional 18 columns over the previously approved 27 5m high lighting columns. Lighting information submitted has been assessed, it is considered that the proposed lighting columns would be sited and designed so as to minimise light spillage, as well as not compromising aerodrome safeguarding. A condition has been requested by Manchester Airport to assure that the lighting installed does not conflict with aerodrome safeguarding.

Siting and Design of Reception Building – The small scale (less than 30m²) single storey reception building proposed to be located near to the Styal Road entrance is a pre-fabricated modular building finished in plastisol coated galvanised steel cladding, which is considered to be acceptable. The building would largely be screened by tree planting to the Styal Road boundary.

Visual Amenity – A 2.4m high weld-mesh security fence would be installed to address the requirements of the Crime Impact Statement.

Given the differences between the existing residential and proposed car parking use, there is no doubt that there will be some level of visual disamenity arising from the proposal. However, it is considered that the proposed landscaping would help to mitigate against any such impact. The proposal would be seen in the context of existing car parks and the adjoining pub site, but would be screened by tree planting to the boundaries of the site, in this context the scheme is acceptable.

Landscaping Scheme – The previously approved scheme involved the planting of 38 trees around the perimeter of the site and retaining 5 trees on the site (43 in total), with the majority of new planting to screen the car park from dwellings on Irvin Drive.

The scheme as submitted was for 772 car parking spaces with 23 trees and no trees retained.

The scheme has now been reduced by 29 spaces to accommodate further landscaping and tree planting. The number of trees to be planted is now 67 new trees which would be 24 more trees than previously approved and 44 more than initially submitted.

Group G6 (category C Horse Chestnut and Elder) would to be retained on site and two off site groups (category B Ash and category C Ash, Hawthorn, Rose and Sycamore) and an individual tree (category C Goat Willow) would be retained to the Styal Road frontage. 5 existing trees (1x category B Beech, 2 x category C Oak, Sycamore and Ash and one dead tree) and 5 groups of trees (category C including Hawthorn, Rose, Birch, Ash, Goat Willow, Sycamore and Holly) would be removed from the site.

Landscaping now includes new native hedgerow planting along the eastern boundary to Irvin Drive and the planting of pollinator and bat friendly shrubs along boundaries. The landscaping now represents an improvement over and above the previously consented scheme.

Pedestrian / Highway Safety – The applicants have provided detailed transport assessment work which confirms that the local highway network could accommodate the traffic movements associated with the proposal. The development would result in an increase in two-way trips which would equate to 4 car trips per hour. Highways Services have reviewed this data and have confirmed that the proposed access and the existing local highway network within the vicinity of the application site can accommodate the proposal.

Aerodrome Safeguarding – The site lies within the Public Safety Zone associated with Runway 1, as a result consideration must be given to Circular 01/2010, Control of Development in Airport Public Safety Zones. This circular states that there should be a general presumption against new or replacement development, or changes of use of existing buildings, within Public Safety Zones. However, the Circular also states that certain forms of new or replacement development, which involve a low

density of people living, working or congregating, may be acceptable within a Public Safety Zone and that one such example is long stay and employee car.

In addition to this, the proposed lighting columns will be designed so that light does not spill above the horizontal plane.

Given this guidance and the fact that the Aerodrome Safeguarding officer has no objections to the proposal it is not considered that the proposal will have an adverse impact upon aerodrome safeguarding.

Air Quality – The City Council agree with the findings of the Air Quality Assessment which would be an approved document associated with the application, this sets out mitigation measures required to be undertaken (dust suppression and monitoring during construction) to be secured through a construction management plan. It is accepted that the additional vehicles attracted to the car park would have an impact on air quality but this impact would not be so significant so as to warrant a refusal of planning permission.

The applicant will provide 3 No. electric charging points to accommodate electronic vehicles to be secured by condition.

Loss of housing stock – The development would arguably result in the loss of 13 family homes, which in itself is contrary to policy contained within the Development Plan. However, the fallback consent granted for the site has established this principle, it would therefore be unreasonable to withhold consent for the scheme on this basis.

Ecology – The application was accompanied by an Ecology Briefing note and bat report that has been assessed. Greater Manchester Ecological Unit are satisfied subject to a condition with regards to breeding birds.

Flood Risk and Drainage - The application site is located in Flood Zone 1 as the risk of flooding from fluvial sources, i.e. rivers and brooks, is low. A condition recommending a Sustainable Urban Drainage system and the maintenance of said system is recommended.

Crime and Disorder – A condition requiring the development to achieve Secured by Design accreditation would be attached to any approval granted.

Conclusion – The principle of the use in this case has already been approved, at issue is the increase in the number of cars capable of being parked, i.e. from 500 spaces to 743 spaces. On the basis of the scheme as amended to include appropriate landscaping and tree planting, subject to appropriate conditions, it is considered that on balance the proposal would be acceptable.

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

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

Recommendation APPROVE

Article 35 Declaration

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

General Arrangement 01 Rev 03
 Soft Landscape Plan 02 Rev 03
 Landscape Supporting Notes 03 Rev 01
 Existing Site Plan 05 Rev 01
 Steel Tapered Column lighting information by Thorn
 Red Line Boundary Plan 101
 Site Location Plan 102
 Car Park Lighting 206
 Site Layout and Tracking 207 Rev B
 Cora Technical Note 1 Dated 15th August 2018, Technical Note Dated 2nd November 2018
 Proposed Access 001 Rev A
 Addendum Planning, Design and Access Statement October 2018 prepared by CBRE

Arboricultural Impact Assessment June 2018 prepared by Urban Green
 Crime Impact Assessment reference 2006/1070/CIS/01 Version A: 24/09/2018
 prepared by Greater Manchester Police
 Noise Impact Assessment dated June 2018 prepared by BWB
 Air Quality Assessment dated June 2018 prepared by BWB
 Ecology Briefing Note prepared by Tyler Grange
 Bat presence / absence survey 5th September 2018 prepared by United
 Environmental Services Ltd
 Flood Risk Assessment and Surface Water Management Report reference 3120-01
 September 2018 prepared by IGE consulting
 Geo-Environmental Investigation Report reference 3120-01 Rev A June 2018
 prepared by IGE consulting

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) 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.

4) 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 shall include;

- 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;
- Sheeting over of construction vehicles;
- Details of an emergency telephone number for the site manager on public display

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 and DM1 of the Manchester Core Strategy.

5. The details of the hard and soft landscaping treatment scheme as set out within the approved drawing references: General Arrangement 01 Rev 03, Soft Landscape Plan 02 Rev 03, Landscape Supporting Notes 03 Rev 01 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.

6. 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.

7. No development to take place until a detailed Bird Hazard Management Plan for the construction phase has been submitted to and approved in writing by the local planning authority.

Reason - In the interests of aerodrome safeguarding having regard to policy DM2 of the Core Strategy.

8. Prior to the occupation of the development hereby approved a scheme for the storage and disposal of refuse shall be 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.

9. In the event that ground contamination, groundwater contamination and/or ground gas are encountered 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 detailing what measures, if any, are required to remediate the land (the 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 agreed 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 DM1 and EN18 of the Unitary Development Plan for the City of Manchester.

10. No demolition of the building on site or 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. 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.

12. 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.

13. All lighting to be installed at the development shall be designed to be capped below the horizon to prevent upward light spill.

Reason- To ensure the safe operation of Manchester Airport pursuant to policy DM2 of the Core Strategy.

14. At all times, all trees to be carefully managed and pruned or pollarded to prevent growth above 15m AGL in height.

Reason - To ensure the safe operation of Manchester Airport pursuant to policy DM2 of the Core Strategy.

15. Prior to the first occupation of the use hereby approved, details of the 3 No. 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 and remain available for the duration of the use.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy (2012).

16. The approved access / egress shown on the submitted drawings shall remain open and in use for so long as the use is in operation. The access shall only be used in association with land set out within the site edged red accompanying this application and no internal accesses shall be created to adjoining sites without the prior approval of the local planning authority.

Reason – In the interest of Highway Safety having regard to policy DM1 of the Core Strategy.

Local Government (Access to Information) Act 1985

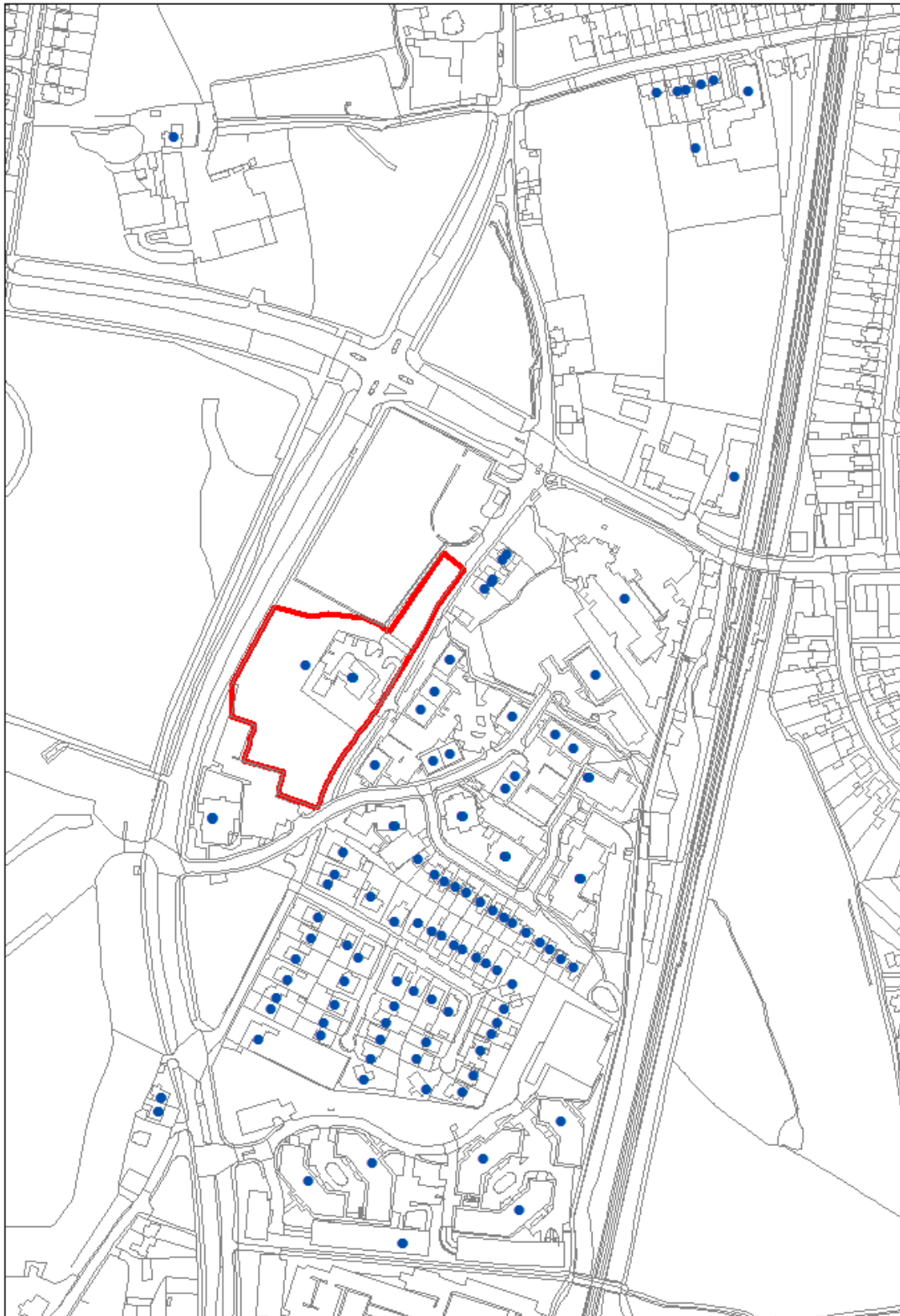
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 120302/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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:

Environmental Health
 MCC Flood Risk Management
 Highway Services
 Neighbourhood Team Leader (Arboriculture)
 Greater Manchester Ecology Unit
 Greater Manchester Police
 Manchester Airport Safeguarding Officer
 United Utilities Water PLC

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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Application Number	Date of Appln	Committee Date	Ward
121709/FO/2018	29th Nov 2018	14 th February 2019	Didsbury West Ward

Proposal Change of use from retail (Class A1) to restaurant (Class A3) with new shop front and extraction flue to rear

Location 111 Lapwing Lane, Manchester, M20 6UR

Applicant Mr Weifeng Jiang , 111 Lapwing Lane, Manchester, M20 6UR,

Agent Mr Ahmed Choudhry, NADA Architects, 169 Kingsway, Burnage, Manchester, M19 2ND

Description

The application site relates to a vacant retail/off-licence shop formerly known as Didsbury Food and Wine which occupies one unit within a parade of nine mixed units that includes, a bar, cafés, a post office and a pharmacy. In addition to the Edwardian parade there is also a Pizza Express restaurant and a former bank which fronts the corner of Palatine Road and Lapwing Lane. The property is three storeys in height and in 2017 permission was granted to create two, one bedroom apartments on the upper floors (117372/FO/2017). The property fronts Lapwing Lane, where there are eighteen car parking spaces directly in front of the parade, a bus stop and tram services from the West Didsbury Metrolink Stop.

At the rear the property is an alleyway which provides access to the rear yard.

The application site is located within the Ballbrook Conservation Area with the surrounding area comprising of residential streets consisting of Edwardian housing built between 1910 and 1914, mostly by developers Booth and Britten, who employed the architect George Westcott. The same team also created the terrace of shops with a cast-iron and glass canopy on Lapwing Lane in 1913.



Consultations

Publicity – A site notice was placed outside the property, a press advert and two notification letters have been sent to publicise the application. The representations below are the responses received in reply to the publicity.

Local residents/public opinion – Six representations have been received objecting to the planning application with the comments summarised as follows:

Loss of Retail:

- Lapwing Lane Arcade is one of a few examples of an Edwardian row of shops the main purpose of the Arcade was to provide shops to serve the locality;
- The Arcade is at a tipping point between the number of retail uses and food and drink uses as only 5 out of 10 units are still retail which includes the application site;
- A loss of another shop will create problems for the local community being able to meet their daily needs;
- The application is contrary to both the NPPF paragraph 92c and d and policy DC10.2 of the Unitary Development Plan for the City of Manchester;
- The unit has only been closed for a short time and there is no reason as to why the unit could be let to another retail use;
- 4 out of the 5 food and drink uses are closed during the normal daytime trading hours in the morning. Which has created a depressing and negative change to the vitality and the character of the area;
- Concerns have been raised that the unit will function like a takeaway and this will result in a higher number of meals prepared or consumed when compared to solely a restaurant A3 use.

Residential Amenity

- The proposal will have an adverse impact on residential amenity, as the Arcade is located within a residential area and was never intended to be a centre for evening activity and associated problems of noise, parking, odour and waste disposal;
- Noise from the commercial extractor unit is likely to cause nuisance and loss of amenity to the properties at the rear of the application site;
- May result in noise and disturbance from the disposal of bottle glass waste and from moving the bins to the front of the parade for waste collection;

Odour/Refuse

- Concerns have been raised regarding the odour as residents to the rear of the parade have frequently noticed distinctive cooking smells since opening of the restaurant at 105-107 Lapwing Lane;
- The accompanying odour assessment is deficient as it does not address the cumulative effect of the proposal and those that already occur;

- The assessment is limited by the fact that it has only considered the use as a sushi restaurant but the application seeks an unrestricted A3 use and in the future may not be used as a sushi restaurant;
- The location of the waste is only several metres away from the closest gardens and the accumulation of litter and waste together with the frequency of waste collection (once a week) may attract vermin, particularly if it is strong smelling fish.

Car Parking

- Volume of on street car parking in the area, particularly on Lyndhurst Road (south east of the application site) is an existing issue which already affects local residents due to Christie staff parking and this problem has extended to the evening with the opening of Chili Banana in 2016;
- There is a highway safety implication due to vehicles parking on either side of the road making manoeuvres difficult to perform. The proposal would have an unacceptable impact on highway safety and contrary to paragraph 109 of the NPPF.

Heritage

- The flue would have an adverse impact on the setting of the Conservation Area, failing to preserve or enhance its appearance;
- The supporting heritage statement states that the rear is very well screen by tree cover, but the principal tree identify and relied upon in the heritage statement has been removed.
- Whilst there are already flues at the rear, this should not be used as a reason to justify a further flue which can be viewed from residential properties.

Environmental Health – Environmental Health raised no objections to the proposal and recommended conditions relating to acoustic insulation of the property, any external equipment should also be acoustically insulated and hours of servicing and deliveries.

Environmental Health considered that the Waste Management Strategy provided with the application is acceptable.

However Environmental Health raised concerns regarding the position of the flue in relation to a dormer window on the rear of the property. This concern has been addressed in amended drawings provided by the applicant.

Ballbrook Conservation Area Group – Currently 5 out of 10 units in the arcade are retail (Use Class A1) and 5 are restaurants/cafes (Use Class A3). If approved the application will tip the balance in favour of restaurants/cafes.

The group recognise the changing shopping habits of local people within the last century have changed, they are disappointed that another retail outlet would be removed. However, on balance the group also recognise that a thriving class A3 outlet would enhance the prosperity of the arcade compared to an empty unit.

The group have raised no concerns and support the changes to the proposed shop front as it would enhance and harmonise more with the other units within the arcade.

However, the group would like to highlight the concerns of the residents in Ballbrook Avenue and Lyndhurst Road whose rear gardens back on to the rear of 111 Lapwing Lane are concerned with the appearance of the proposed flue.

The group would also like to dispute the assumption that the flue is screened, as all the trees are within the gardens of the houses on Ballbrook Avenue and Lyndhurst Road. One of the trees has been felled and some are deciduous, therefore provide very little cover in the winter months. Therefore if the application is approved, the group seek a condition requiring that the flue to blend in to the surroundings, for example matt black colour, similar to the flue at Chilli Banana (105-107 Lapwing Lane). In addition the condition should specify that any flue design must minimise both operational noise and odours from the restaurant. The group noted that in response to the second notification that the flue was a darker colour.

The plans indicate seating for only 16 people and no WC facilities for customers. The group question as to whether the main operation would be a takeaway as referred to in the Odour assessment.

There is a difference in the opening hours stated on the application form and the design and access statement and heritage statement. The group is concerned that customers leaving the premises late at night would cause unacceptable noise/disturbance. The group propose a condition attached to any approval that limits the closing time to no later than 22:00.

The group accepts that some customers will walk or travel by public transport to the proposal. However, the change of use would generate demand for car parking spaces on residential roads of the Conservation Area every day particular in the evenings. The Group are appalled at the prospect of further inconvenience of additional non-residential car parking on Ballbrook Conservation Area roads.

The number of tables/covers in the restaurant/café is not indicative of the volume of food preparation that will be undertaken. Accordingly, there is insufficient information on the likely levels of cooking fumes, cooking odour, food waste disposal, and odour associated with the waste. This is because the application fails to provide any information of the likely volume of food preparation of the intended capacity of the cooking facilities.

West Didsbury Residents Association (WDRA) – WDRA do not oppose the application.

In respect of the proposed shopfront changes, WDRA have no fundamental objection to it but have raised that an amended design should be sought to allow the reinstatement of the low riser wall beneath the front window to reflect the design as when built.

WDRA would oppose any subsequent development away from the presently outlined business model towards a more alcohol led or takeaway/delivery led model.

The biggest issue with the proposal is that if approved the proposal would further reduce the diversity of the retail offer along the Lapwing parade and create additional cumulative impact of a food and drink use.

The flue due to the size and proximity may impact upon the visual and amenity of the residents of the flat and other business and residents on Ballbrook Avenue. WDRA would like an improvement to the flue design.

Provided that the use operates as proposed WDRA do not considered that car parking demand for the proposed use will create unreasonable hardship for nearby residents.

WDRA have raised discrepancy with the proposed opening hours as they differ between the application form and the design and access statement.

WDRA observe that the forecourt would not be used for associated customer seating and would like confirmation that it will not be used.

Councillor Richard Kilpatrick - I would like to add my support for the comments made by WDRA and to add in the importance of regular waste collection from a premises that will be using fresh fish for sushi preparation. This may be something that officers have precedent on but the refuse collection conditions should reply to this sushi restaurant as it is in other areas.

Policies

National Planning Policy Framework

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 7 ‘Ensuring the vitality of town centres’, Section 8 ‘Promoting healthy and safe communities’, Section 11 underlines the need to ‘Make Effective Use of Land, Section 12 provides design guidance – ‘Achieving Well-Designed Places’ and Section 16 ‘Conserving and enhancing the historic environment’.

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:

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.

The Development Plan in Manchester comprises of:

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027, the policy states that all development in the City should:

- Make a positive contribution to neighbourhoods of choice including:-
 - creating well designed places that enhance or create character.
 - making a positive contribution to the health, safety and wellbeing of residents
 - considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

These key principles are applied to all planning applications within the City and the application has been considered in accordance with the policy.

Policy 'EN 1 Design Principles and Strategic Character Areas'

Policy EN 1 states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and

listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN 3 'Heritage'

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 (this includes conservation areas).

Policy DM1 'Development Management'

Policy DM1 seeks to ensure that new development contributes to the overall aims 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 and particularly by contributing to neighbourhoods of choice. This policy also seeks to protect the amenity of an area from the adverse impacts of development.

Policy C10 'Leisure and the Evening Economy'

Policy C10 states that new development, and redevelopment that supports the evening economy, contributing to the vitality of district centres and supporting a balanced and socially inclusive evening/night-time economy will be permitted, subject to impacts on residential amenity, any cumulative impact or concentration of hot food take-aways and bars, and maintaining a balance between day-time and night-time economies.

The relevant **UDP** policies for this application are as follows:

DC10 'Food and Drink Uses'

Saved UDP Policies DC10.1 to DC10.4 sets out the considerations to be made when assessing proposals for food and drink uses.

Policy DC10.1 states that in determining planning applications for developments involving the sale of food or drink for consumption on the premises, or for hot food to be consumed off the premises (whether or not other activities, such as a nightclub, are included), the Council will have regard to:

- a. the general location of the proposed development, including any reference to the area in other policies in the Plan;
- b. the effect on the amenity of neighbouring residents;
- c. the availability of safe and convenient arrangements for car parking and servicing;
- d. ease of access for all, including disabled people; and

- e. the storage and collection of refuse and litter.

Policy DC10.2 states that the Council will normally accept the principle of developments of this kind in the City Centre, industrial and commercial areas, in shopping centres and, at ground level, in local shopping parades of more than 8 shops or offices.

Policy DC10.3 states that development will not normally be permitted where:

- a. it is proposed outside the general locations mentioned above, or
- b. there is a house or flat on the ground floor next to the proposed business, or only separated from it by a narrow street or alleyway.

Policy DC10.4 states that where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle; conditions may be imposed in order to protect the amenity of nearby residents. These conditions may, amongst other things, include limitations on the hours of opening, and the need to deal satisfactorily with noise, fumes, smells, the storage of refuse and the collection of litter.

Saved Policy DC 18 'Conservation Areas'

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas. The Council will seek to preserve or enhance the character of its designated Conservation Areas by considering the following issues the effect of major changes to the appearance of existing buildings.

Save Policy DC26 Development and Noise

DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

the effect of new development proposals which are likely to be generators of noise; and the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 New noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.3 Developments likely to result in unacceptably high levels of noises will not be permitted:

- in residential areas;
- rear schools, hospitals, nursing homes and similar institutions;
- near open land used frequently for recreational purposes.

DC26.4 Where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:

engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;

layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it; and screening by natural barriers or other buildings or noncritical rooms within a building; and

administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.

DC26.5 The Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

DC26.6 Exceptions to the general policy will be considered on their merits. The Council accept, as an example, that the occasional use of outdoor facilities such as sports stadia for concerts can be acceptable in certain circumstances. Any such proposal will be considered in the light of consultation with local residents and others, and the practicability of appropriate conditions on any approval.

Issues

The principle of the use – Saved policy DC10.2 states that the principle of food and drink uses is acceptable where they sit within a parade of 8 or more shops or offices. The parade is neither a designated local centre nor within the boundaries of Didsbury District centre. However, despite the lack of a designation in the Core Strategy the parade does function like a local centre as it provides a variety of different services/facilities for the local community it serves.

Policy C10 of the Core Strategy requires that new development, and redevelopment that supports the evening economy, contributing to the vitality of district centres and supporting a balanced and socially inclusive evening/night-time economy will be permitted, subject to impacts on residential amenity, any cumulative impact or concentration of hot food take-aways and bars, and maintaining a balance between day-time and night-time economies.

Matters that will require consideration, in order to assess the acceptability of any proposal are impacts on residential amenity, hours of use, fume extraction, parking, servicing and refuse. In this instance it is also necessary to consider the proposal in the context of its appearance within a conservation area.

The Use

In 2015 changes were made to the Town and Country Planning (General Permitted Development) (England) Order 2015 that allow a change of use from a use in class A1 (retail shop) to a use falling within Class A3 (restaurants and cafes) for units with a cumulative floor space of the existing building of 150 square metres or less. In order to do so the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- a. noise impacts of the development,
- b. odour impacts of the development,
- c. impacts of storage and handling of waste in relation to the development,
- d. impacts of the hours of opening of the development,
- e. transport and highways impacts of the development,
- f. whether it is undesirable for the building to change to a use falling within Class A3 (restaurants and cafes) of the Schedule to the Use Classes Order because of the impact of the change of use on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or, as the case may be, Class A2 (financial and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or
- g. where the building is located in a key shopping area, on the sustainability of that shopping area, and
- h. the siting, design or external appearance of the facilities to be provided under Class C(b),

The fall-back is a material consideration in the decision making process, of which the Permitted Development (PD) rights given by the Order comprise an element. Thus when making a decision on a planning application it may be argued with some effect that a development carried out, could be implemented using permitted development rights. The weight to be given to such a material consideration varies according to whether what could be undertaken using the GPDO would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if permission were refused, permitted development rights would in fact be resorted to. As the unit has an existing floor space of 127 square metres the applicant could apply for the change of use using this route. This is considered to be the fall-back position subject to consideration against the other matters set out in the legislation.

At present the parade consists of; a take-away (A5), a café/bar (Sui Generis), a beauty salon (Sui Generis), a vacant Bank (A2), three café/restaurants (A3) and four shops (A1).

The applicant seeks to change the use of a currently vacant off-licence (A1) into a restaurant use (A3). As with any proposal that results in the loss of a retail unit in a shopping parade consideration has to be given to its impact on the vitality and viability of the parade. Both policy C10 and saved policy DC10 seek to protect, support and promote the role of existing shopping parade. In particular to achieve a balance of retail and non-retail uses on the parade. This is further reinforced by NPPF which requires that decision should be taken to guard against the unnecessary

loss of valued facilities and services, particular where this would reduce the community's ability to meet its day to day needs;

Concerns have been raised from residents, Ballbrook Conservation Group and West Didsbury Residents association regarding the balance of uses and whether the parade is at a tipping point between retail uses and food and drink uses. Therefore careful consideration needs to be given as to whether there is a harmful concentration of non-retail uses in this case food and drink uses.

Furthermore residents have expressed concerns at the later opening hours of the food and drink uses in terms of its impact on the vitality of the parade but also the visual impact of closed units.

In considering application policy C10 advises that on balance issues, new uses in centres should support both the day time and evening/night-time economies whilst not undermining the role of the primary shopping area.

Whilst smaller groups of shops are often found in residential areas such as Lapwing Lane, they tend to be less commercial in nature. If approved, at least three occupied retail units would remain and there would a change to four café/restaurant uses on the parade. On balance, it is considered to be acceptable for a small parade as it is considered that a further food use in this parade whilst resulting in a greater number of this type of use would still retain a suitable balance between day-time and night-time economies. In addition the use of a currently vacant unit as a commercial premises would generate activity in the local parade. However it should be noted any further planning applications for food and drink uses in the parade would be subject to the same issues and consideration.

A condition of the approval could restrict the closing of roller shutters during the daytime.

Therefore the principle is considered to be in general accordance with the criteria set out in Policy C10.

Residential Amenity – The parade of shops is located close to the junction of Lapwing Lane and Palatine Road and is commercial by nature. However, there are a number of residential properties to the rear and side of the parade on Ballbrook Avenue and Lyndhurst Road and in some of the upper floors of the parade including two that have recently been approved above the ground floor of the application property.

Concerns have been raised by local residents regarding the additional noise and disturbance especially late at night. The proposed use could result in a total of up to 16 customers at any one time. However, on balance and given the number of customers the unit could accommodate it is considered that the proposed restaurant would not give rise to more detrimental impacts than the other existing uses within the parade and those adjacent near the corner of Palatine Road and Lapwing Lane. Furthermore the opening hours applied for (see below) are in line with the existing food and drink uses within the parade.

The application does not include for any proposed outdoor seating area, however, there are examples of outdoor seating on the parade. It is proposed that a condition should be attached to any approval to ensure that if this area is to be used for external dining then the hours of use of that area should be submitted for approval prior to its use in order to protect the residential amenity of residential properties on the upper floors of the building.

Environmental Health, whilst not objecting to the proposals in terms of noise impacts, have requested that a number of conditions be attached to any approval including to acoustically insulate the premises prior to first use and any associated external equipment.

Hours of Use – The proposed hours of use are as follows:

Monday to Friday: 11:00 – 23:00

Saturday: 11:00 – 23:00

Sundays and Bank Holidays: 11:00 - 23:00

The hours proposed are similar to the opening hours of Pizza Express (97 Lapwing Lane), Chilli Banana (105-107 Lapwing Lane) and Wine and Wallop (99 Lapwing Lane) which all open at 11:00 and close between 23:00 and midnight. Environmental Health have reviewed the opening hours and have raised no concerns with the proposed times.

Fume Extraction – Residents on both Lyndhurst Road and Ballbrook Road, together with the Ballbrook Conservation Group have raised concerns regarding the appearance of, and odours and smells emanating from the flue. Furthermore, concerns have been raised that the submitted report does not take into consideration of the cumulative impact of the existing flues within the parade especially as some residents already experience smells from an existing restaurant on the parade.

The submitted odour assessment acknowledges that due to the predominant wind direction (westerly), the wind would and does blows any emissions past the immediate residential properties in the terrace block and towards those at the rear of the properties in the east/ northeast of the site.

The submitted assessment has identified that with the mitigation measures identified within the report that ensure that the resulting emissions from the proposed restaurant would not result in any significant adverse impact on the adjacent residential properties. Environmental Health have not raised objections to the proposal with regards to fumes and odours. In terms of cumulative impact Environmental Health have provided additional comments that there may be a cumulative impact of multiple flues but this would depend on the age and how well they are maintained. As a result they have requested the imposition of a condition regarding the submission of a scheme for fume extraction to mitigate any impact in terms of odours and smells. It is considered that the provision of a modern flue that met the requirements of Environmental Health would not give rise to cumulative impacts that would warrant a refusal of the application. To ensure that the cumulative impact of additional flue on the parade is maintained it is recommended that a condition is attached ensure that there is adequate maintenance schedule that

is carried out for the duration of the use. furthermore Environmental Health have requested the imposition of a condition regarding the submission of a scheme for fume extraction to mitigate any impact in terms of odours and smells.

Environmental Health raised in their comments that the applicant should investigate the possibility of extending the flue so it discharges above window level, to ensure adequate dispersal and protect the amenity of the residents in the flats above the application site. In response the applicant has provided an amended flue drawing to address this matter and Environmental Health reviewed this information and consider that a higher flue should aid dispersal and will reduce the likelihood of odours causing disamenity to the residents in the flats above. . It is recommended that the final details of the extraction system are dealt with through a suitably worded condition.

Appearance/Impact on Conservation Area – The proposal includes a new shop front which is similar to the shop front approved under 117372/FO/2017 that allow the first and second floor flats to be accessed from the front of the parade. All the materials are shown to match the existing materials and are not considered to result in harm on the designated heritage asset which in this case is the Ballbrook conservation area.

At the rear, a new door would be inserted to allow access to the rear yard and a flue erected from the kitchen.

There were concerns raised regarding the visual appearance of the proposed flue, however in terms of its impact on the conservation area this is not considered to be significant given its location to the rear with limited views from public areas. It is acknowledge that the flue would be visible from the rear gardens of some of the properties on Ballbrook Avenue and Lyndhurst Road. However the appearance of the flue would be similar to others installed to the rear of the parade and it is considered that its visual appearance would be improved further if the flue were to be painted. In response to these concerns the applicant has amended the diameter of the flue and has indicated that the flue would be a dark grey colour. It is considered that with these amendments together (figure 1) with its positioning the proposed flue would not be readily visible from public areas in the conservation area and is acceptable.

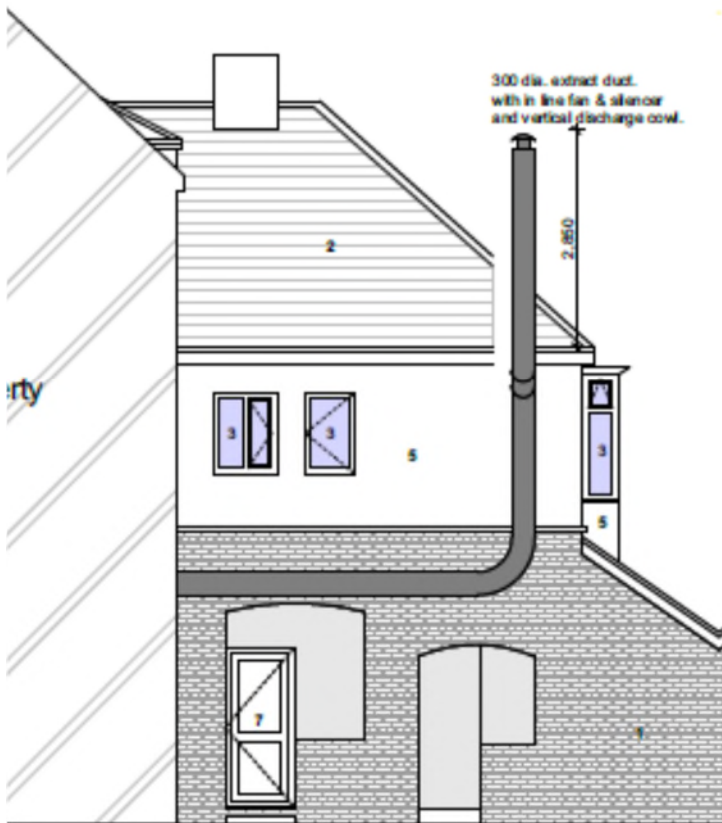


Figure 1: Amended Flue design and position

Highways/Car Parking – A number of residents have raised concerns with regards to the impact upon car parking and although no dedicated customer on-street parking facilities are provided, this is common for facilities of this nature in a local parade of shops. The proposal will not result in any changes to the highway and as with the previous use there will be similar requirement in terms of servicing and customers.

However, this parade is served by eighteen car parking spaces situated directly to the front of the property, these spaces are restricted to two hours between 8:00 and 18:00. In addition to this provision the parade is served by good public transport links in the form of buses, the tram stop and taxi bays located opposite.

It is therefore considered that any additional parking and servicing required by the use of the premises as a restaurant can be adequately catered for on the surrounding streets and would not give rise to unacceptable impacts that would warrant refusal of the application.

Servicing/Refuse – The applicant submitted a waste management strategy with the application which details the waste collection and disposal requirements for the proposed restaurant.

The waste management strategy shows that there would be three receptacles for waste:

1. Mixed dry recycling;

2. food waste, and;
3. residual waste.

Three individual bins for each of the above waste streams will be located in the commercial kitchen area, with a further residual waste bin would be positioned in the w.c and in the general serving area behind the counter.

The waste containers would be stored within the rear external yard and will be collected on a weekly basis for mixed dry recycling and food waste and either on a weekly or fortnightly basis for residual waste to the front of Lapwing Lane via the rear alleyway,

Furthermore it is recommended that the servicing hours are restricted to Monday to Saturday 7.30 am to 8.00 pm with no deliveries or waste collections on Sundays or Bank Holiday Mondays and a further condition to prevent the refuse, glasses or glass bottles being disposed of in outside receptacles between the hours of 21:00 and 08:00 to further protect the amenities of the nearby residents.

Other matters –Concerns have been raised regarding the lack of w.c within the unit, however this is clearly shown on the proposed floor plan at the rear of the unit and therefore there are no concerns in this regard.

Concerns have been raised regarding a takeaway use, however the application is for a restaurant use and a take away would require permission as it falls under a separate use class.

Conclusion – It is considered that on balance the proposed change of use would not give rise to unacceptable impacts to warrant refusal of the application. The use would introduce additional activity to a parade that has been subject of recent environmental improvements led by a local organisation and bring back into use a currently vacant unit. It is not considered that the proposed use would give rise to unacceptable impacts in terms of residential amenity either by way of noise, odours or an increase in comings and goings within a commercial parade. The scheme is considered to be in accordance with the guidance contained within saved policies DC10, DC18, DC26 and Core Strategy policies EN3, DM1, C10 and SP1

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis

of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application and these concerns have been addressed in amended drawings.

The scheme is considered to be in accordance with the guidance contained within saved policies of the Unitary Development Plan for the City of Manchester 1995 and the Core Strategy Development Plan Document 2012.

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:

(01)001 PL3, (04)001 PL2 and (05)001 PL2 stamped as received by the City Council as Local Planning Authority, on the 05.02.2019

Waste Management Strategy and Fellows Environmental document stamped as received by the City Council as Local Planning Authority, on the 14.11.2018

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) The premises shall not be open outside the following hours:-

Monday to Friday - 12:00 - 23:00

Saturday 12:00 - 23:00

Sunday/Bank Holidays 12:00 - 23:00

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

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

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

5) The refuse storage and disposal shall be carried out in accordance with Waste Management Strategy and Fellows Environmental document stamped as received by the City Council as Local Planning Authority, on the 14.11.2018

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 public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) No refuse, glasses or glass bottles shall be disposed of in outside receptacles between the hours of 21:00 and 08:00 hrs

Reason - To protect the amenity of the occupiers from noise caused by putting out refuse, glasses or bottles late in the evening and early morning pursuant to policies D10 and DC26 of the Unitary Development Plan, and DM1 and SP1 of the Core Strategy for the City of Manchester.

7) Prior to the first use of the forecourt for outdoor seating a schedule of hours and seating layout shall be submitted to and approved by the City Council as local planning authority.

The approved hour and seating layout shall be used for external dining or drinking unless otherwise expressly granted by a planning permission.

Reason – In the interests of residential and visual amenity of the area in which the premises are located pursuant to policies SP1 and DM1 of the Core Strategy.

8) Before development 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.

9) Before any use hereby approved commences, the 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.

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

10) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and 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: 121709/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:

**Environmental Health
Ballbrook Conservation Area Group**

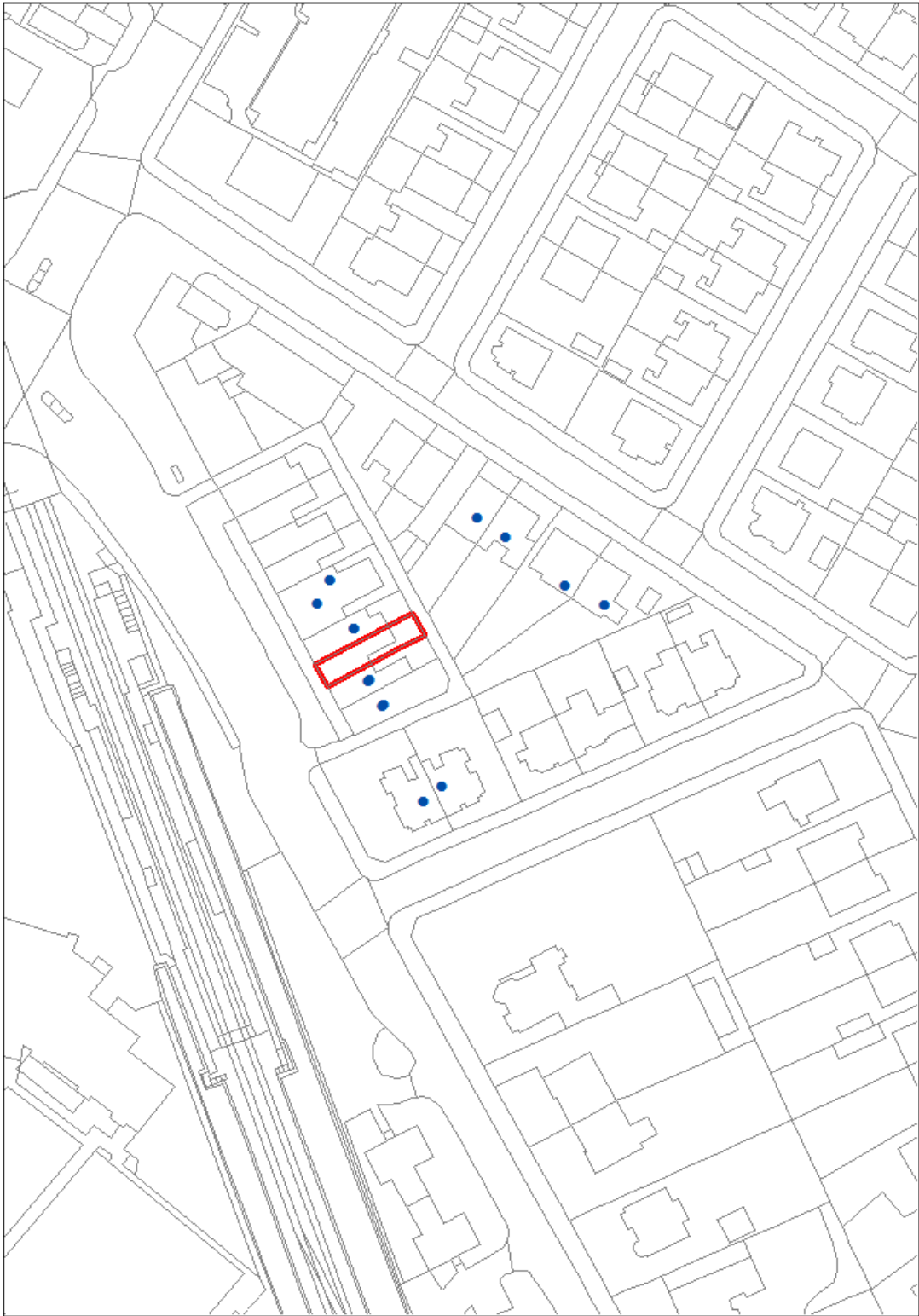
A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Environmental Health
Ballbrook Conservation Area Group
West Didsbury Residents Association

24 Lyndhurst Road, Manchester, M20 6AA
26 Lyndhurst Road, Manchester, M20 6AA
25 Ballbrook Avenue, Manchester M20 3JG
23 Ballbrook Avenue, Manchester, M20 3JG

Relevant Contact Officer : Robert Tyrer
Telephone number : 0161 234 4068
Email :



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121410/JO/2018	6th Nov 2018	14th Feb 2019	Chorlton Park Ward

Proposal Variation of Condition no.8 attached to planning permission ref: 34033 to extend the opening hours to: 6.00am to midnight seven days a week

Location McDonalds, 312-316 Barlow Moor Road, Manchester, M21 8AY

Applicant McDonalds Restaurants Ltd, C/o Agent

Agent Brad Wiseman, Savills (UK) Limited, Belvedere, 12 Booth Street, Manchester, M2 4AW

Description

The planning application site is located in Chorlton District Centre on Barlow Moor Road. The application relates to an established restaurant with the frontage to Barlow Moor Road, to the south there are established commercial uses, to the west are residential homes fronting Barlow Moor Road. To the immediate north of the existing building lies a commercial use fronting Barlow Moor Road, to the north east separated by a car park lies residential property at 324 Barlow Moor Road, beyond that lies Norbreck Avenue, immediately to the east separated by a car park lies residential property at Park Place.

Consent was granted under application 034033 for the McDonalds in 1989, the permission was subject to condition 8 which restricted the hours of opening to Sundays to Thursday: 8.00 a.m. to 11.30 p.m. Fridays and Saturdays: 8.00 a.m. to Midnight. This is the first application since 1989 to vary the hours of opening condition.

It is now proposed that the opening hours are extended as follows:
Monday to Sunday - 6.00 am to 12 midnight. This would have the effect of allowing the addition of two hours in the morning and half an hour of opening hours in the evening Sunday to Thursday.

The application was originally submitted requesting 5.00am to midnight Sundays to Thursdays and 5.00am to 01.00am Friday and Saturday, but following consultation responses McDonald's altered their planning application and a further consultation process was undertaken.

Consultations

There were ten objections received to the originally submitted hours. Following reconsultation five letters of objection have been received on the following grounds:

- The existing opening hours should cater to the peak hours of use and is unnecessary given the food offer in Chorlton

- Residents will experience more disruption due to the increase in activity in and around the area, particularly with regard to traffic, creating noise pollution.
- McDonald's impacts on residents on Norbreck Avenue as customers assume that there is access through and undertake dangerous manoeuvres, this has resulted in potholes.
- People park on Norbreck Avenue and use the passageway as a convenient cut through, use of this will increase exacerbating pre-existing problems
- The increase in hours will increase off littering
- The early opening hours would allow for servicing and delivery vehicles to visit earlier and cause disturbance to residents
- Increase in air pollution associated with multiple uses on Barlow Moor Road impacting upon the quality of life of residents
- Incident of anti-social behaviour at McDonald's sites

Environmental Health – Have no objection to the variation of the proposed opening hours

Chorlton Voice – Object to the application, they state that whilst it is appreciated that Barlow Moor Road is a busy highway, it is within a predominately residential neighbourhood. We consider the increase of opening hours late at night and early morning will add to the cumulative detrimental impact on neighbouring residents by virtue of the noise and fumes generated by additional traffic movements and noise from customers leaving the premises.

Greater Manchester Police – Have no objection to the approval of the application

Policies

National Planning Policy Framework - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: 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 or specific policies in this Framework indicate development should be restricted.

National Policy Framework has been related to the proposed development, with particular emphasis given to the following:

- i. Chapter 6: Building a strong, competitive economy - States that planning policies and decisions should help create the conditions in which businesses 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. It further states that planning policies should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances. It is considered that the extension of the opening hours would facilitate flexible operation of the restaurant and its continued contribution to the local economy thereby positively responding to Chapter 6;
- ii. Chapter 7: Ensuring the vitality of town centres (including District Centres) - States that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It also identifies the importance of defining a network and hierarchy of town centres and the promotion of long-term vitality and viability by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters. These considerations have been related to the contribution of the extended hours to the future viability and vitality of the district centre and the efficient on-going operation of a successful district centre store, which have been appropriately related to Chapter 7.
- iii. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive and safe places. Chapter 8, amongst other things, states that planning decisions should ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community. It is considered that extended the opening hours could be undertaken without unduly affecting residential amenity or causing significant noise and disturbance. On this basis, Chapter 8 would be positively responded to.

Planning Policy Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) introduced planning practice guidance; the following aspects of which have been referred to in the assessment of the proposal:

- i. Health and well-being - States those local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in planning decision making. In this case, it is considered that the proposed opening hours can be undertaken with an unduly harmful impact on residential amenity.
- ii. Noise - Needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment. In this case, consideration has been given to the transfer of noise to neighbouring housing, which is not considered to be a significant issue given the physical constraints of the site and the distance to neighbouring housing.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following policies are relevant to the proposed development:

Policy SP 1 - Spatial Principles - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy C 1 - Centre Hierarchy - States that District Centres, such as Chorlton, 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. It is considered that the proposal would contribute positively to these objectives by improving the provision of flexible opening hours to the existing premises.

Policy C 2 - District Centres - States that 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. It is considered that the proposal would contribute positively to policy C2 through its contribution to the sustained operation of the existing store as both a key restaurant facility and source of local employment to the economic and social benefit of the area.

Policy EN 16 - Air quality - States that the Council will seek to improve air quality within Manchester, particularly along its principal traffic routes. It is not considered that the additional 2 and half hours of operation of the premises would significantly

contribute to air pollution. On this basis the proposal would not be contrary to policy EN16.

Policy DM1 - Development Management - States that all development should have regard to the following specific issues, which are considered to be relevant to the consideration of this planning application:

- i. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- ii. Community safety and crime prevention;
- iii. Design for health;

It is considered that the proposals would have an acceptable impact upon residential amenity as explained further later in this report.

Saved Unitary Development Plan (UDP) Policies -The following saved UDP policies are also considered to be relevant:

Policy DC26 - Development and Noise - Is relevant to the proposed development due to its potential to generate noise and disturbance through the operation of the proposed use for a further 2 hours in the morning and half an hour in the evening from Sunday to Thursday. In this case, the potential for noise transmission has been assessed by Environmental Health who have confirmed following revision of the application that they accept the hours as now proposed. It is considered that saved policy DC26 would be accorded with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case, officers have engaged in discussions with the applicant to ensure that the extended opening hours were reduced in line with the advice of the Environmental Health officers. The applicant accepted a revision to the opening hours applied for which is considered to be justified given the physical setting of the site and its context in relation to Chorlton District Centre and neighbouring residential uses. On the basis of these discussions and following the undertaking of appropriate consultations, it was considered that sufficient information had been provided to allow the positive determination of the planning application.

Principle of extending the opening hours condition - The applicant has responded positively to the request to revise the opening hours initially applied for in line with those that the Environmental Health officer recommended. There are other similar commercial premises in the immediate surrounding areas fronting Barlow Moor Road, Tesco Express opens 6am to 11pm, KFC restaurant opens 10.30am to 01.00am (12.30am on a Sunday), Marks and Spencers Food opens 7.00am (8.00am on a Sunday) to 10.00pm.

It is considered that the presence of residential units to the north and east had a bearing upon what appropriate hours of opening are considered to be.

The nearest residential uses to the north and east of the application site are separated from the site by the car park. The building itself is contextually related to the district centre and commercial uses in Chorlton District Centre.

Noise - The impact of the proposed development in relation to noise transfer and its potential impact on neighbouring housing has been fully assessed in a Noise Impact Assessment submitted with the planning application considered by Environmental Health. This report was submitted on the basis of the hours originally applied for, the hours are now more restrictive and the impacts would therefore be less than those assessed.

The Noise Impact Assessment requires mitigation in the form of restriction of access to the car parking area to the east during the extended hours. This car park is located adjacent to residential property at Park Place.



It is acknowledged that the background noise levels would decrease in the late evening, night-time and early morning periods. However it is considered that the existing noise environment is characterised by high levels of vehicular and pedestrian movement through Chorlton District Centre and within the adjacent car parking area.

Having regard to the findings of the Noise Impact Assessment, the noise levels produced by the increase in the opening hours would not be perceptible in most cases and would be low impact with regards to the presence of vehicles at the premises between traffic noises on Barlow Moor Road.

Therefore it is considered that if access is restricted to the car park to the east and to the north east to the current operating hours, the only traffic noise would be at the

drive thru and the car parking bays to the north of the existing building, which are associated with the commercial frontage and the customer order point immediately to the east of the building and the impact of the use of these has been assessed as not being perceptible from neighbouring receptors.

It is therefore considered that an extension to the opening hours would have a limited impact on the residential amenity of neighbouring housing given these particular circumstances. A condition is recommended controlling the use of the car park to the east and north east.

Air quality - It is not considered that the additional traffic movements within the 2 and half hours of the operation of the premises would be so significant as to contribute to an increase in air pollution that would warrant the refusal of consent, on this basis the proposal would not be contrary to policy EN16 which relates to Air Quality.

Crime and safety – The survey conducted as part of the Noise Impact Assessment did not identify anti-social behaviour on this site. Greater Manchester Police have no objections to the application. It is not considered that the addition of two hours in the morning and half an hour in evening Sundays to Thursdays would increase the probability of anti-social behaviours occurring on site.

Impact on Norbreck Avenue – Comments have been received to the effect that customers would utilise Norbreck Avenue and cut through to the application premises at anti-social hours. To travel to the application site from Norbreck Avenue would require customers to access the alleyway to the south of Norbreck Avenue, travel c. 50m alongside the side of Carringtons to Barlow Moor Road and south along Barlow Moor Road by c.40m. The 12 space car park to the north of the unit would be available during the extended hours less than 10m from the entrance of the premises. It is considered that the car parking available would be adequate to cater for customers during the hours of extension, having regard to the data submitted with the Noise Impact Assessment which shows that most customers utilise the drive-thru facility, which is beyond the area for car parking.

Conclusion - Having regards to the information submitted, the specific characteristics and constraints of the site and the conditions recommended it is not considered that the revised extension to the operating hours of the restaurant which would add two hours in the morning and 30 minutes in the evening until midnight from Sunday to Thursday would result in any undue impact to the existing levels of residential amenity. On this basis and for the reasons set out in this report, it is considered that the variation of opening hours would be satisfactorily related to Council policy and relevant national guidance.

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:

Savilles Noise Impact Assessment reference 14-0167-73 R01

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 business at the property outside of the following hours:

06:00 to 00:00 seven days a week

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.

4. The car parks immediately to the south of 324 Barlow Moor Road and immediately to the west of Park Place as shown on the submitted location plan shall not be used during the following hours:

06.00 – 08.00 7 days a week and 23.30 – 00.00 Sunday - Thursday

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.

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: 121410/JO/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:

Environmental Health
Chorlton Voice
Greater Manchester Police

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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Application Number	Date of Appln	Committee Date	Ward
121380/FO/2018	27th Sep 2018	14th Feb 2019	Piccadilly Ward

Proposal Erection of a part 31, part 13, part 5 storey building to form 373 residential apartments (Use Class C3a) and 12 serviced apartments (Use Class C1) together with a ground floor commercial unit (408 sqm) (Use Class A1, A2 or A3) with associated car parking, public realm and other associated works following demolition of existing buildings

Location Swan House, Swan Street, Manchester, M4 5DF

Applicant Cable Swan Limited, C/o Agent,

Agent Mr Andrew Johnston, GVA HOW Planning, 40 Peter Street, Manchester, M2 5GP

Description

The site measures 0.3 hectares and is bounded by Rochdale Road, Swan Street, Cable Street and Mason Street. It includes a two storey, red brick, warehouse building that was used as a fish processing factory but has been split into several units used for textile manufacturing, storage, double glazing sales and a furniture shop with garages at ground floor.



View of the existing building on site from Cable Street (left) and Angel Street

The site is in New Cross Neighbourhood Development Framework (NDF) which will become a dense residential area and contribute to the City's economic and population growth. The Framework proposes development at a high to medium density with a taller building at the corner of Rochdale Road and Swan Street.

Immediately adjoining the site on Swan Street, are 56-68 Swan Street and the Bank of Baroda. These properties vary in terms of age, style and quality. The NDF

envisaged they would form part of a wider development scheme, however, they are not part of this submission. 56-68 Swan Street are considered to be non-designated heritages assets. The Bank of Baroda is a more modern building.



View of the building from Shudehill

The wider area contains residential, commercial and retail activities along Swan Street. A number of sites are being developed nearby that will help to realise the NDF vision.

New Cross has a tightly grained street pattern and this is still evident and a number of small warehouse and industrial remain. However, Addington Street and Thompson Street are now part of the City's strategic highway network which has changed their role and function and this has had an impact on the area. .

The Smithfield Conservation Area is on the opposite side of Swan Street and the following buildings are listed: 29 Swan Street (Grade II), Mackie Mayor (Grade II), Former Midland Bank (Grade II), 8 Cable Street (Grade II), former police and ambulance station (Grade II).

The area has excellent links to public transport and Manchester Victoria train station and all forms of sustainable transport are within a short walk.

The Proposal

The development proposes 373 apartments, 12 serviced apartments and 408 sq m of commercial space (Use Class A1, A2 or A3). The building would have two taller elements with a 31 storey tower on the corner of Rochdale Road/Swan Street and 13 storey building on the corner of Cable Street/Mason Street which would be joined by a low rise section of building along Cable Street.

The building would occupy a prominent position on Rochdale Road, Swan Street, Cable Street and Mason Street. There would be 130 one bedroom, 156 two bedroom and 87 three bedroom apartments. The accommodation would be for the Private Rented Sector (PRS) for up to 678 residents. The serviced apartments would be available for short term rent.

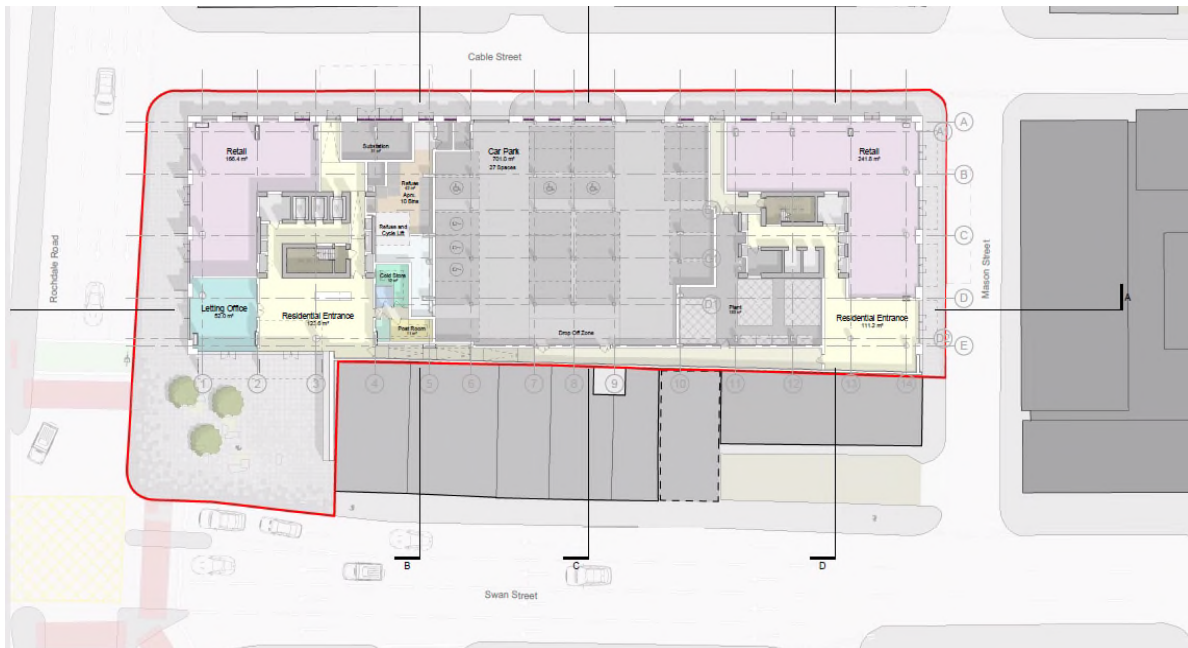
The development would include a resident's lounge, library/business suite, gym, screening room, laundrette, two dining rooms and an external terrace. The communal spaces would allow residents to interact and socialise.

Two ground floor retail units would provide active frontages to Rochdale Road and Mason Street, at the junction with Cable Street. A management and letting office would be on the ground floor.

The public realm around the site would be improved and a forecourt created around the main entrance on Swan Street/Rochdale Road. Street trees would be provided in this space and along Rochdale Road and Mason Street should services allow.

The entrance to the western tower would be located off the forecourt on Swan Street with the eastern tower accessed from Mason Street. 27 parking would be provided at the ground floor, including 3 bays for disabled people, with cycle parking provided at a mezzanine level. Electric vehicle charging points would be included.

Access to the serviced apartments would be via the western tower. Visitors would go to the main reception and be provided with details of their accommodation before being directed to a lift which would access the serviced apartments on the mezzanine level only. Access would be controlled via an electronic fob system.



Ground floor layout

The buildings have been designed to respond to the context and the parameters set within the New Cross NDF. The tallest element at 31 storeys would be located at corner of Rochdale Road and Swan Street. This would be opposite the 35 storey building under construction at Angel Gardens in NOMA. The eastern tower at 13 storeys reflects the reduction in scale emphasized within the NDF.

The height of the towers was increased by one storey following submission, as it was necessary to reconfigure some of the internal space to minimise overlooking to the adjacent Bank of Baroda site.

Refuse storage in each building would comply with Council standards, and there is a clear commitment to segregate and recycle waste. Refuse storage space would be provided in each apartment and waste would be taken to the refuse 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 loading bay on Cable 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;
- Statement of community involvement;
- Design and Access statement;
- Environmental Standards Statement;
- TV reception survey report;
- Crime Impact Statement;
- Ventilation strategy;

- Waste management strategy;
- Ground conditions;
- Flood risk assessment and drainage strategy;
- Ecological assessment;
- Travel plan and transport statement;
- Environmental Statement;
- Townscape and Visual assessment;
- Noise and vibration report;
- Air Quality assessment;
- Daylight, sunlight and overshadowing assessment;
- Socio-economic statement;
- Health Impact Assessment.

Consultations

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. Two rounds of notification have been carried out to an extensive area of local residents and businesses. The comments can be summarised as follows:

First notification

Three letters of objection were received and can be summarised as follows:

- External Materiality – the proposed building has substantial areas of façade which will be seen from a variety of important locations and angles given the sites prominence and the proposed massing/height. As a result, it is crucial that the detailing of the proposed brick-slip cladding system is of the highest quality. The proposed brick-slip over a rainscreen/unitised glazing will give the building a flat and uninteresting appearance particularly from short to medium view-points. There is concern about the ability to create a consistent quality finish across the entire expanse of all the building facades using this system and the ability to maintain a robust jointing pattern.
- Façade Detailing and Reveal Depths – given the scale of the development it will be important to ensure that the selected bricks are of the highest quality. It is also important that the window reveal depths are maintained. In addition, the head and cill detailing at the window reveals need careful consideration and monitoring to ensure the highest quality of design and appearance.
- External Landscaping/Ground Floor – the application proposals contain a small public square to the entrance of the building on the corner of Rochdale Road and Swan Street which includes a green wall feature. It is hugely important that the detailed design of this square together with the choice of materials and finishes is of the highest quality on this prominent corner. The proposal also contains a series of wind screens and the design of these screens needs to be very carefully considered.
- Sunlight / Daylight – the Swan House application will have a detrimental impact on the sunlight and daylight available to Angel Gardens. In absence of

the proposed development, 99.8% of the windows with Angel Gardens pass the Vertical Sky Component (“VSC”) test and 100% of the windows tested pass the No Sky Line (“NSL”) and Annual Probable Sunlight Hours (“APSH”) assessments. Assuming planning permission is granted for the current Swan House design, the VSC pass rate drops to 77.7% and the NSL ratio drops to 82%. Given the context of the application site which does not fall within the core of the city centre, it should be possible to orientate the mass and height of the proposed building to lessen this detrimental impact on a neighbouring building which already benefits from a planning permission and which is currently being implemented. The New Cross Neighbourhood Development Framework adopted by the City Council assigns 17-20 storeys to this site. This is the correct massing of development for this important site. This should be reconsidered particularly in relation to design/massing orientation and mitigation.

- Serviced Apartment Management – the application proposes 12 serviced apartments. It is important that there is a robust management structure in place in order to avoid rowdy anti-social behaviour which is often associated with weekend “stag and hen parties”. This clear structure of ongoing management tied to the use of the site is important to protect the amenity of all residents and to promote a neighbourly environment. As currently proposed and orientated, the development rising up to 31 storeys would have a detrimental impact contrary to the adopted New Cross Neighbourhood Development Framework. The principal tower is over 30% taller than advocated in the adopted framework and the positioning of the development results in an unnecessary adverse impact on Angel Gardens.
- There is a potential for structural damage and health and safety implications as a result of the development on the adjacent buildings;
- The adjacent low rise building contain business who will be disrupted during the construction work any may choose to locate elsewhere therefore resulting in loss of business;
- The proposed scale of the development, at 30 storeys, will overbear adjacent buildings.
- There are windows overlooking the Bank of Baroda site which will jeopardise the future development potential of this site.

Second notification

One further letter of objection has been received from an objector who raised comments on the first round of notification. The comments can be summarised as follows:

- None of the comments raised previously have been addressed. There are still 88 windows overlooking the Bank of Baroda site which jeopardises the future development potential of the site and directly effects the value of our building. The internal arrangements needs to be altered to negate the need for 88 windows directly overlooking our building;
- The proposed arrangements would prevent use from developing the Bank of Baroda site past 5 storeys which would not meet the aspirations of the development framework which allows for a minimum of 7 storeys. The windows should be removed up to 7 storeys.

Strategic Development – support the scheme and happy it delivers on framework objectives. Monies should be secured as part of any planning permission which supports wider public realm works.

Highway Services – the traffic impacts on the surrounding highway are expected to be minimal and could be accommodated without further intervention. Funding should be made available for a crossing across Swan Street and traffic regulation orders (TROs) on surrounding streets.

The applicant should liaise with nearby car park operated regarding the leasing of parking spaces for residents should demand exceed that provided on site. A number of fast charging electric vehicle points have been installed. A travel plan framework has been provided and a full plan should be prepared following occupation of the development.

Environmental Health Further investigation into ground conditions is required in order to develop a remediation strategy. Following completion a verification report should be submitted. 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. The waste management arrangements are acceptable in respect of this matter. Consideration should be given to the provision of electric car charging points.

Environment Agency – The previous use of the site as a Mill presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this area since the development overlies a Principal Aquifer. Conditions should be imposed on the planning permission relating to the ground conditions and any pilling.

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

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

Greater Manchester Archaeology Unit – Recommend that should planning consent be granted, an archaeological condition for a programme of archaeological works be attached to any planning permission. This will include a level 2 building survey of the existing buildings.

Historic England – No comments to make.

Greater Manchester Ecology Unit – A bat survey found no evidence of bats in the building to be demolished and found any impacts to bats or their roosting spaces is considered to be very unlikely. As bats are highly mobile creatures there should be an informative on the planning approval with regards the relevant legislation in this regard.

Manchester Conservation Areas and Historic Buildings Panel – The panel were concerned that the building is trying to relate to the New Cross masterplan rather than the adjacent conservation area. They advised that the building should be relating to the existing buildings on the same side of Swan Street - but felt it neither relates to them both in terms of its height and massing or the existing building line. The panel felt the overall scheme did not enhance the character of the conservation area.

The proposal is close to the rear elevations of the adjacent buildings and would effectively make the upper floors of the building unusable for residential use in the future. The proposal does not relate well to a key corner junction with Rochdale Road and has both a weak entrance and is too close to the back of footpath on the Rochdale Road. The panel expressed concern about the loss of small parade like this in Manchester

The panel considered the two storey glass panels were a weak piece of elevational treatment in attempting to break up a poor monotonous design. They felt the access relationship was poor, with different entrances trying to carrying out different roles. The ground floor was vulnerable and the 2 floors of glass screening could be subject to anti-social behaviour. They advised the security of the site needs to be considered. The panel also commented that the building had a flimsy metal panels which do not relate to any other parts of Manchester. The ground and mezzanine/first floor should be lettable commercial space. The proposed tree planting was inappropriate.

Aerodrome Safeguarding for Manchester Airport –There are no safeguarding objections provided that the height stated is not exceeded. As part of an informative of the planning approval, details of a crane permit should be provided.

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 – seeks to significantly improve the economic performance of the City and 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 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 seek to protect and enhance the City's natural and built environment and ensure the sustainable use of natural resources in order to:

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

Policy SP1 'Spatial Principles' a key spatial principles is to create neighbourhoods where people choose to live, through providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's

transport infrastructure, and in particular promote walking, cycling and the use of public transport.

The proposal would help to meet housing growth and create a high quality neighbourhood. It would minimise any impact on local residents and would deliver high quality design, public realm and linkages.

Policy EC3 ‘The Regional Centre’ 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’ residential development in the City Centre should comprise apartment schemes. High quality accommodation is encouraged which offers accommodation large enough to suit a range of occupants, in terms of both the number of rooms and their size. A mixture of property types are proposed with the predominate offer being larger accommodation suitable for families and in line with adopted space standards.

Policy CC5 ‘Transport’ supports proposals that improve pedestrian safety, improve air quality and increase the scope for accessible public realm improvements. It also seeks to ensure that developments have adequate car and cycle provision. This proposal would improve footpaths at the site. Cycle provision has been maximised along with a packages of measures to improve access to alternative forms of transport.

CC6 ‘City Centre high density development’ City Centre development will generally be high-density to maximise efficiency. Scale, mass and height in the City Centre will significantly exceed what is appropriate elsewhere. The density and scale proposed would use the site efficiently.

Policy CC9 ‘Design and Heritage’ new buildings must 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 supports high density and mixed use development, but developers must address the specific design challenges to ensure function and form are complementary. The proposal is considered to be of high design quality and would help to regenerate this area.

Policy CC10 ‘Place for everyone’ the City Centre must appeal to residents and visitors

Policy T1 ‘Sustainable Transport’ sustainable, high quality, integrated transport system is promoted to encourage modal shift to public transport, cycling and walking. This area has access to a range of public transport modes and the development would encourage cycling , car sharing and car clubs.

Policy T2 ‘Accessible areas of opportunity and needs’ This site is in a highly sustainable location, close to all forms of public transport and the proposal would

have a minimal impact on the highway network and encourage the use of other forms of transport.

Policy EN1 'Design principles and strategic character areas' This is a high quality scheme in terms of design and appearance and 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 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' development should take advantage of the City's distinct historic and heritage features. It 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. The manner in which the scheme addresses this is clearly set out below.

Policy H1 'Overall Housing Provision' 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 the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land.

This would be a dense residential scheme within an area where housing growth has been prioritised. The design, siting and scale of the building respond to acknowledging priorities and would re-use a previously developed site. The varied size of accommodation would be attractive to a diverse range of occasions. The accommodation includes a large number of 2 and 3 bed properties.

Policy H8 'Affordable Housing' all schemes of 0.3 hectares and more than 15 units should contribute to ensuring that 20% of housing in the City is affordable. The development would not provide affordable housing on site. The accommodation would be in the private rented sector and diversify housing choice. The viability of the scheme has been considered and is deliverable in its current form with an onsite provision of 19 units which will be 80% local market rents. Further details will be provided in the main body of the report.

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. This development follows the principles of the energy hierarchy to reduce the need for

energy through design and uses energy efficient features and could be adaptable to use 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. The design would be efficient and reduce overall energy demand. The building fabric would be high quality and result in lower energy costs.

Policy EN9 'Green Infrastructure' Development should enhance green infrastructure, improve 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. The landscaping and tree planting proposed would enhance the area.

Policy EN14 'Flood Risk' a scheme would be agreed which minimises the impact from surface water runoff.

Policy EN15, 'Biodiversity and Geological Conservation', development should enhance, restore or create new biodiversity, either on site or adjacent to the site and contribute to linkages between valuable or potentially valuable habitat areas where appropriate. The application site is not high quality in ecology terms. The landscaping proposed should assist biodiversity in the area.

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' The development would minimise 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 investigation would be needed to confirm the findings of the provisional details and determine if any mitigation is required.

EN19 'Waste' The applicant has a clear waste management strategy for the site which would ensure that residents adhere to recycling principles. Compliance with this strategy would be a condition of any 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' 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:
 - a. the relationship of new structures to neighbouring buildings and spaces;
 - b. the effect of major changes to the appearance of existing buildings;
 - c. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - d. the effect of signs and advertisements;
 - e. 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, 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 *a sufficient amount and variety of land should 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).

Para 64 states that at least 10% of housing is 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 *healthy, inclusive and safe places should be created* (paragraph 91).

Section 9 '*Promoting Sustainable Transport*' states that development *should be focused on sustainable locations that limit the need to travel and offer a genuine choice of transport modes.* (paragraph 103). Development that would generate significant amounts of movement should provide a travel plan (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 amongst other things the need for different types of housing, local market conditions and viability, the capacity of infrastructure, the desirability of maintaining an area's prevailing character or of promoting regeneration and change; and the creation of 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.

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 function well and add to the overall quality of the area over the lifetime of the development and are attractive as a result of good architecture, layout and appropriate and effective landscaping.

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' planning should support the transition to a low carbon future 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.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Build to Rent provides guidance on scheme management, ‘clawback’ mechanisms if the development (or part of the development) is sold and covenant periods.

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

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

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

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

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

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

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

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

Other 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.

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.

In terms of parameters, the application site is anticipated to accommodate a building 17/20 stories on the corner of Rochdale Road and Swan Street, 9-11 storeys in the central part of the site and 7-8 stories on the corner of Swan Street and Cable Street. In terms of development density, the application site straddles two zones – high density at 600-800 dwellings per hectare and medium density at 400-600 units per

hectare. This development provides a development density of 616 dwelling per hectare across a building ranging between part 30, part 12 and part 5 storey.

New Cross Public Realm Strategy (November 2017)

The New Cross Public Realm Strategy was adopted by the City Council's Executive Committee in November 2017 in order to have a coordinated approach to public realm delivery and provide a series of mechanism by which the strategy will be realised including developer contributions. The overarching intention is to support to provision of appropriate public realm and neighbourhood infrastructure that will link New Cross with the wider area, particularly the City Centre.

The document is a material consideration in the planning decision making process and should be given weight in the determination of planning application as an expression of up to date thinking in respect of public realm improvements in the New Cross area.

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.

Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)

Adopted in 2015, the vision for the strategy is that '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'

There are four objectives in order to achieve this vision:

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

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.

Smithfield Conservation Area Declaration

Historically, the predominant building type was food markets. Few of these are still standing, and those that are have been converted to other uses. Principal amongst them is the retail fish market, which is now the craft village. This building, significant among indoor markets, was an extension to the original retail fish market constructed during the 1890s.

The Smithfield Market Hall on Swan Street is a two-storey stone building dated 1858. The detail around the main entrances takes its inspiration from the architecture of classical Greece, and each principal semi-circular arch has a bull's head carving on the central large key block. Originally a meat market, it soon became a vegetable market, and in recent years has been a training workshop for the Greater Manchester Youth Association.

No. 29 Swan Street is a Ruskinian Gothic-style building in orange-red brick with stone dressings. It has coloured bricks in the arches over the windows, with projecting stone hood-moulds, and also an overhanging oriel window at first floor level. Some of the stonework is richly carved in a leaf pattern, which forms both horizontal cornice banding and decorating near the windows.

Ancoats Conservation Area declaration

The significance of the Ancoats Conservation Area is derived from the former cotton spinning mills, which dominate the area and are principally located adjacent to the Rochdale Canal and the nearby housing. Historically throughout the area, there have always been commercial and residential buildings. This juxtaposition, and

interlinking of manufacturing, transport and residential uses meant that Ancoats functioned as the first industrial estate in the world.

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

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

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;
- Townscape and visual;
- Archaeology and heritage;
- Air quality and dust;
- Noise and vibration
- Wind and microclimate
- Daylight, sunlight and overshadowing;
- Transport and access;
- Human health; and
- Socioeconomic.

The Proposed Development is an "Infrastructure Project" (Schedule 2, 10 (b)) as described in the EIA Regulations. The Site covers an area of approximately 0.3 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.

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.

The cumulative effects of the operational phases would not be unduly harmful. There would 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 would be some moderate impacts on the wind environment which can be suitably mitigated through the design 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 these measures are secured by planning condition.

Principle of the proposal and the schemes contribution to regeneration

Regeneration is an important planning consideration. The City Centre is the primary economic driver of 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.

The site is the City Centre and Regional Centre for planning and regeneration purposes. New Cross has been identified as an area where high density residential growth can be accommodated and has become a major focal point for regeneration over recent years. Numerous planning permissions have been granted and are under construction which will create an attraction residential area.

373 new homes and 12 serviced apartments are proposed with commercial frontages along Swan Street and Mason Street. The proposal would increase footfall and activity and complement the creation of a new neighbourhood in New Cross. 65% of the accommodation would have two and three bedrooms which would be suitable for 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 proposal would provide 373 homes towards the target of 2,500 new homes per annum set out in the 2016 Housing Strategy for Manchester. The high density proposal would use the site efficiently and help to meet the City's housing and employment needs.

This development would create jobs and support the needs of a skilled workforce. The provision of homes close to the employment would reduce commuter distance and help to create a low carbon city. The development would lead to the creation of around 352 construction job years directly, and a further 374 job years as indirect and induced benefits. Together, this employment would create GVA totalling almost £10.8m. A local labour agreement will be agreed with the applicant.

The residents would generate tax income and support jobs and local businesses. The Council Tax income generated by residents is estimated to be in the region of £0.5m every year. The household spend would be approximately £9.86m each year. Assuming 60% of this is within Manchester, it would represent an additional £5.92m of expenditure to the local economy. A significant proportion will be spent locally in food outlets, cafes, bars and restaurants adding vitality to the area.

The new homes would be consistent with growth priorities and as part of meeting the objectives of policies H1 and H3 of the Core Strategy. These homes would meet the demands of a growing economy and population on a well-connected brownfield site.

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 as application is supported within strategic frameworks.

Affordable Housing

Policy H8 establishes that new development will contribute to the City-wide target for 20% of new housing being affordable and 20% should be used 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 amount of affordable housing should reflect the type and size of development as a whole and should take into account factors such as an assessment of local need, any requirement to diversify housing mix and the need to deliver other key outcomes, particularly regeneration objectives.

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, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; 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 373 new homes for rent through a Private Rent Sector (PRS)/build to rent model. The delivery of new homes and the regeneration of the New Cross 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 proposes that 19 on site homes (5%) would be made available for affordable private rent within the NPPF definition and would be available at 80% of local market rents.

A viability report, which has been made publicly available through the Council's public access system, supports this level of provision. This has been independently assessed on behalf of the Council and is considered to be an acceptable level of provision.

The benchmark land value of £3,850,000 together with build costs of £64,766,569 are within the range expected based on comparable evidence. The total costs would be £82,580,645 with a profit on cost of 8.5%.

On this basis the scheme could not support a greater contribution than the 19 homes (5%) proposed. This would ensure that the scheme is viable and can be delivered to the quality proposed. The provision would be secured via a legal agreement.

Build to rent schemes are more suited to offer discounted market rent because the apartments can more easily be tenure blind and 'pepper potted' through the development and this would be the case in respect of this particular scheme.

Details have been provided about eligibility and a definition would be included in the legal agreement defining a list of 'key workers' be able to rent one of the discounted homes. The legal agreement will also agree how these key workers will be targeted in order to ensure that it can be accessed by those who require this type of affordable accommodation.

Both the eligibility and the permanent retention of the affordable homes would be enshrined into a legal agreement. Annual monitoring arrangements would also be part of the agreement to ensure that the affordable housing is occupied by the intended users.

Should there be an uplift in market conditions which would allow an increase in the affordable housing contribution beyond the 5%, there would be provisions incorporated to allow the viability to be re-tested. Furthermore, should all or some of the homes within the development be sold on the open market during a specified covenant period, the legal agreement would require the viability to be re-tested to secure an additional contribution should this be viable.

Tall Building Assessment including impact on townscape

One of the main issues to consider is whether the scale of the development is appropriate. At part 31/part 13 storeys, this is a tall building and as such it has been assessed against Core Strategy Policies relating to Tall Buildings and the criteria 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 have been addressed.

A Townscape and Visual Impact Assessment has examined the impact of the proposal on its context. It explores the effect on the established Townscape Character Zones, significant Heritage Assets and views using established methodologies and practices. The impact is considered in isolation and in conjunction with committed development in a Cumulative Assessment. A computer model has provided images which illustrate the impact on agreed views on a 360 degree basis. This allows the full impact of the scheme to be understood.

The proposal could have a significant effect on views and on 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 conservation area and the setting of designated listed buildings. 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).

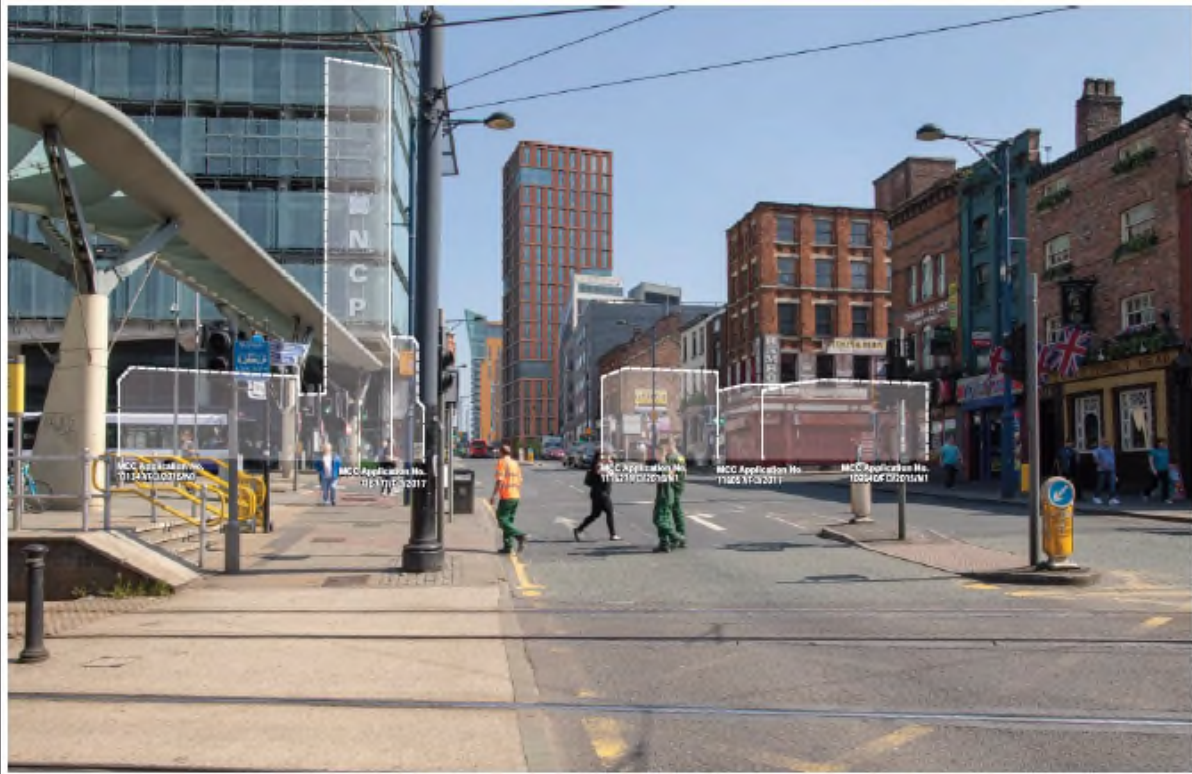
The following six were agreed with Historic England:

View point 1 looks towards the site from within the public realm in the Smithfield Conservation Area. The façade of the old market, cobbled road, brick buildings and Wide street are evident, providing an intimate context. The character of the view changes along the street as the scale of the buildings increase, the street narrows and a more modern style of building comes into view.



The proposal would be clearly visible creating a building on the skyline. This would contrast with the more modest buildings, but the immediate street scene does retain the more subtle increase in building height and scale towards the end of the street scene and this would preserve the more characterful aspects of the conservation area. Overall the proposal would result in a low level of harm and would have a minor impact on the view.

View point 2 looks along Shudehill towards the corner of Rochdale Road/Swan Street in front of the Shudehill transport interchange. The view is dominated by the transport infrastructure as well as the glass frontage of the MSCP car park and the mix of architectural styles on the opposite side of the road. The view terminates on Skyline tower with its distinctive glass atrium.



The tallest element of the proposal would dominate the view alongside Skyline. The scale of the proposal would be proportionate to the vista and complement the modern buildings within this view. Overall, it is considered that the proposal on this view point will be negligible.

View point 3 looks towards the site from Corporation Street. It is dominated by the inner relief road and by the large scale New Century and CIS tower to the right and derelict small scale buildings to the left. This view has changed with the construction of Angel Gardens. Skyline can also be seen. The view is considered to be contemporary in terms of the characteristics of the townscape.



The proposal would clearly be visible along the inner relief road and would sit alongside the Angel Gardens development. Although distinctive elements, they would appear as a single mass from this view point. The proposal would contribute positively to the range and quality of modern architecture in this location. Overall it is considered that there would be minimal impact on this view given the scale and style of buildings in this location.

View point 4 looks from Thompson Street towards the site. The chimney of the former police and ambulance station (grade II) and the scale of the Skyline building is clearly visible. The remainder of the view is of low level built form and cleared sites. The scale of Angel Gardens is evident.



The proposal would add to the cluster of large scale developments which are evident in this view. It would complement the skyline alongside Angel Gardens and Skyline. This view could be subject to further change as the area develops. There would be an impact on the listed building, however, the distinctive chimney would still be evident.

View point 5 looks along Swan Street towards the site. The Smithfield Conservation Area is evident to the left and the Grade II listed former bank building is to the right. The view shows the 2-3 storey buildings that are typical of Swan Street, which are in varying degrees of repair. To the rear of the view is Angel Gardens.



The proposal would respond to the scale of new developments at the junction of Swan Street and Rochdale Road and would be a positive addition to the street scene. The more sensitive buildings such as the listed building and non-designated heritage assets within and opposite the conservation area would remain fully legible within the view of the conservation area.

View point 6 looks across the River Irwell and adjacent to Cathedral Gardens. Chethams school of music is to the left of the view with Manchester Cathedral providing a landmark to the right. The skyline includes a diverse range of building forms.



The proposal would appear amongst the cluster of buildings of scale towards the rear of the view. It would be notably lower in height than the CIS tower and would contribute to a step down of the skyline profile between the CIS tower and the surrounding context. The proposal would have a limited impact on the heritage assets in this view and add positively to the townscape.

This would be a large and significant development within some of these key views. It would transform its immediate context and New Cross. The 31 storey building would be at the junction of Rochdale Road and Swan Street where the NDF anticipates the tallest building would be. The assessment concludes that the proposal would have a positive impact on the townscape and the cluster of tall buildings.

A fundamental requirement of the NDF is to increase scale and density and to create active street frontages. The impact of the height and scale has been tested properly and those impacts would not be unduly harmful. In the majority of instances, the study concludes that the impacts would be positive. The high quality, distinctive development, would result in an acceptable scheme.

The development would be seen in some instances next to heritage assets. However, their significance and setting would remain evident and any harm that does arise is considered to be modest and outweighed by the substantial public and regeneration benefits that the development would deliver.

Impact of the historic environment and cultural heritage

The site is not in a conservation area and the buildings on site are not listed. The site is opposite the Smithfield Conservation Area, the Ancoats Conservation Area is directly east of the site (170 metres), the Stevenson Square Conservation Area (170 metres south east) and the Shudehill Conservation Area (80 metres south west).

The proposal does change the setting of the following listed buildings:

- the former police and ambulance station (Grade II);
- No 8 Cable Street (Grade II);
- Former Midland Bank (Grade II);
- Crown and Kettle Public House (Grade II);
- Victoria Square (Grade II)'
- 29 Swan Street (Grade II);
- Smithfield Market 39 to 47 Swan Street (Grade II);
- Express Building (Grade II*);
- New Century House (Grade II);
- CIS building (Grade II)
- Redfern Building (Grade II);
- Holyoake House (Grade II); and
- Manchester Cathedral (Grade I).

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' is paid when 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.

The main listed and heritage assets affected by the proposal are 39 to 47 Swan Street and 29 Swan Street. The other listed building identified above, together with the 19th Century terrace, form part of the wider character and views of the proposal and have been considered within the townscape and visual impact assessment.

The Smithfield Market Hall 39-47 Swan Street' is a two-storey stone building dated 1858. The detail around the main entrances was inspired by classical Greece architecture, and each principal semi-circular arch has a carved bull's head on the central large key block. It was originally a meat market, then a vegetable market, and in recent years has been a training workshop for the Greater Manchester Youth Association.

No. 29 Swan Street is a Ruskinian Gothic-style building in orange-red brick with stone dressings. It has coloured bricks in the arches over the windows, with

projecting stone hood-moulds, and an overhanging oriel window at first floor level. Some of the stonework is richly carved in a leaf pattern, which forms both horizontal cornice banding and decorating near the windows.

The Smithfield Conservation Area is directly opposite the site and was once dominated by food markets. Those that remain have been converted to alternative uses and the former fish market is now a craft village. The conservation area is defined by its remaining historic street pattern and the former market uses together with a variety of building, types, style and scale. The Swan Street frontage, which is the main interface with the application site, is a coherent frontage of historic buildings of varying heights with views from Swan Street into the heart of the conservation area.

The Shudehill conservation area is to the south west between the Cathedral and Smithfield conservation areas. It includes the only evidence of the medieval street pattern when the town expanded beyond its original boundaries of Hanging Ditch and the Cathedral. It contains large buildings to the east of Corporation Street and on Withy Grove constructed during the 20th Century. The area is largely defined by the unified way in which buildings were designed and grouped together giving each street a coherence and identity. In addition, the area is dominated by the linear form of Shudehill.

The Ancoats conservation area is the west of Oldham Road. Its character is largely defined by the strong linear enclosure of its roads. The principal buildings are the former cotton mills adjacent to the Rochdale Canal and their relationship with more modest housing and warehouse uses. Its older buildings are red brick ranging between 2 and 6 storeys with slate pitched roofs.

The Stevenson Square conservation area is adjacent to the Smithfield conservation area. It contains many Victoria buildings most of which were historically related to the cotton mills.

New Cross is not in a conservation area but has some social and historic significance. It has experienced cycles of growth and decline. In the 18th Century it was a dense industrial area but its decline 100 years later left the area underused and largely derelict. Following mass clearance, commercial development occurred from the mid-1950s. The important historic elements are its street pattern and building lines, the remnants of the historic building grain, the dynamic and varied skyline incorporating tall historic towers and chimneys (particularly the Goulden Street police/fire station) and individual and distinct buildings with large footprints.

There is a terrace of four storey 19th Century properties along Swan Street that are considered to be non-designated heritage assets and the low rise 20th Century commercial building with a distinctive curve which occupies the site is a non-designated heritage asset. The New Cross NDF envisaged that this building would be demolished to allow its objectives to be delivered.

A heritage statement which considers the impact of the development on the historic environment and key views concludes that in most cases, its impact would cause a low level of harm and in some instances it would be minor beneficial.

The loss of the heritage asset would erode an understanding of the areas evolution and of the commercial development in New Cross. However, the building has been significantly altered over the years, with windows being replaced, diminishing much of its character and architectural quality. Given its age and integrity the harm is minimal.

The four storey terraced properties on Swan Street help to preserve the setting and scale of the buildings within the Smithfield conservation area opposite. The proposal would rise behind the terraces in certain views and would be a dominant element and would cause some harm to them and to the conservation area and the listed buildings located within it.

The level of harm would be low and would be mitigated through the design of the proposal. The tower would be set back from the corner of Rochdale Road/Swan Street and the connecting block at 5 storeys would help to minimise the overall impact on the terrace and provide a sense of space. The use of red brick materials with punctuated glazing reflects the materials found within the area.

The tower would relate well to the cluster of tall buildings around NOMA and Angel Gardens and would add to the variety of scale and design in an area that is undergoing significant positive change.

The proposal would be viewed within the linear road network of the Shudehill conservation area. These views contain tall buildings around the Co-op estate and Angel Gardens. Views here have already been altered through transformational change including tall buildings and transport infrastructure. The proposal would add positively to the urban townscape.

The impact on the Ancoats conservation area would be minimal with only linear views along Swan Street/Great Ancoats Street and from the rear towards the western edge of the conservation area. There would not be any harm to the setting of the conservation area.

There would be restricted views from the junction of Oldham Street and Great Ancoats Street within the Stevenson Square conservation area where the development would add to the modern buildings in this view.

The proposal responds positively to the grid format of the New Cross area providing active frontages at street level. The high quality architecture and materials and the enhanced public realm would be a positive addition to New Cross and to the adjacent conservation areas. .

The overall level of harm that would result from the loss of the building on site, the impact on the setting of the adjacent terrace properties and the Smithfield conservation area and its listed buildings would be low. The harm would be less than substantial as defined by paragraph 196 of the NPPF. These impacts are mitigated by the high quality and distinctive architecture that the building would contribute to the local area together with the wider regeneration benefits in terms of new homes, improved connectivity and high quality public realm. This mitigation 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 low level adverse impact as set out above but the impacts are considered to result in less than substantial harm. In these circumstances, it is necessary to assess whether 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). Any 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 prominent gateway site within New Cross. The current buildings do make a contribution to the street scene and the evolution of New Cross. The New Cross NDF does assume that the site would be redeveloped as part of the regeneration of the area.

This proposal would deliver a viable and active use in a high quality building near to the heart of the City Centre. 373 new homes would be provided, many of which would be suitable for families. At 31 and 13 storeys, the buildings would become a landmark feature and add to the cluster of large buildings in the area. The approach to design, scale, massing and materials used would respond positively to the context.

The proposal would result in a low level of harm to the setting of conservation area near to the site and some of the nearby listed buildings. This low level of harm must be balanced against the opportunity that the redevelopment of the site presents. In overall terms, views of the site would improve as a result of the proposal.

Mitigation and public benefits are derived from the quality of the architecture, the regeneration benefits which would come from delivering 373 new homes, the creation of a significant number of jobs and the improvements to the local context.

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.

Impact on Archaeology

An archaeological assessment notes that archaeology may exist underground and that the existing building on site have some local significance. GMAAS consider that it would be appropriate to undertake a programme of works on any remains and ground excavations to record the archaeology which will be affected by the development. In addition, they recommend that a building survey is carried prior to the demolition of the existing building. 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 effect in order to satisfy the requirements of policy EN3 of the Core Strategy and saved policy DC20 of the UDP.

Layout, scale, external appearance and visual amenity

The development would be a rectangular block with road frontages to Rochdale Road, Cable Street and Mason Street. The NDF provides details of how this block should respond to its strategic position along Rochdale Road and the 'titled bowl' towards the centre of the NDF area.

The tallest element is at the junction of Rochdale Road/Swan Street/Shudehill. The smaller tower, is located on the corner of Mason Street and Cable Street.

The entrances to the tallest tower would be located off an area of public realm at the corner of Swan Street and Rochdale Road and the smaller tower off Mason Street. This would help to create active frontages as set out in the NDF area.



Main entrance to the western tower on the corner of Swan Street and Rochdale Road

The entrance to the car park, and cycle areas is off Cable Street. The car park includes a drop off zone for residents moving in/out of the building. There would be retail units on the ground floor of both the tower elements providing active street frontages to Rochdale Road, Cable Street and Mason Street. There would be 12 serviced apartments, a resident's lounge, a cycle store and a refuse storage area on the mezzanine level.

The NDF recognises the prominence of the corner of Rochdale Road and Swan Street and specifies a tall building. The NDF also proposes that development should decrease in height as it moves further into New Cross where the Marriot Hotel and Stay City apartments are 9 storeys.

The proposal is taller than the NDF envisaged but the retention of the buildings on Swan Street reduces the amount of land available for development. The overall density would be within that prescribed in the framework. The tall building would respond positively to its prominent position along Rochdale Road and Swan Street and would complement the tall building at Angel Gardens. This increase in scale is a specific design response to the land that is available for development and the prominence of the site. The smaller tower creates the transition to the lower buildings in the centre of the NDF.



View of the building looking from Rochdale Road looking towards Shudehill (Marriott hotel to the left)

The appearance of the development would reinforce the geometry which is found elsewhere in New Cross. It would have a double storey order comprising glazing and red brickwork. A horizontal etched concrete element reinforces this two storey module. Glazed 'cut outs' would be provided on a number of floors that wrap around

the corners of the building. These cut outs provide large glazed areas which provide interest of the elevations and distinctiveness to the building.



View looking from Shudehill towards Rochdale Road (Skyline in the background)

Overall the design is considered to be high quality offering an individual and distinctive piece of architecture. The scale of the building is appropriate in this location and the materials deliver a simple and effective façade treatment. Conditions of the planning approval will ensure that the materials 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.



Glazed cut outs and window reveals



Main entrance to the western tower off Sawn Street/Rochdale Road

Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment

The entrance to the building at Rochdale Road and Swan Street would be enhanced by the creation of a new area of public realm. This would include street trees and a living green wall and lighting. Angular, granite blocks would form the hard landscaping with three mature trees and informal seating. This would provide a sense of arrival and respond positively to public realm in New Cross area.



Street trees would be planted on Rochdale Road and Mason Street footways should services allow.



An outdoor roof terrace would be created for residents on the roof of the lower, central element which would include paved areas, timber seating, tree and low level planting. A green roof would improve the sustainability of the building.

The development would contribute to the improvement of public realm in New Cross. Footways around the perimeter of the site would be improved and trees would be planted if possible. Funding would be provided as part of the legal agreement towards a crossing on Swan Street and wider public realm improvements within New Cross.

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. An informative would highlight that should bats be found during the works, they should cease until a suitably qualified individual has inspected the site.

The landscaped roof garden and street trees would enhance green infrastructure and biodiversity at the site and in the area 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:

- Angel Gardens;
- Marriot Hotel;
- Proposed Stay City development at Cable Street (extant planning permission 118057 – currently under construction);
- 40 Swan Street – proposed residential development (extant planning permission 109840)

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

Angel Gardens

507 windows serving 359 rooms were assessed. For VSC, 394 (78%) windows meet the BRE criteria. Of the windows affected, 59 would experience an alteration between 20-30% and the remaining 54 would experience alterations between 30-40%.

For NSL, 294 (82%) out of 359 rooms meet the BRE criteria. 43 rooms would experience an alteration between 20-30% and a further 16 would experience an alteration between 30-40%. The remaining 6 rooms would experience an alteration in excess of 40%.

The proposal would have a minor adverse impact on this development and this would not be significant given the City Centre context. The windows would retain an average of 32% VSC and all windows would retain at least 20% VSC (with the

exception of two windows). This is considered high for this location. With regards to NSL, 89% of window would retain a direct view of the sky.

40 Swan Street (proposed residential development)

90 windows serving 80 rooms were assessed. For VSC, 10 (11%) of the 90 windows assessed would meet the BRE criteria. One window would experience alterations between 20-30%, 13 would experience an alterations between 30-40% and the remaining 66 an alteration in excess of 40%.

The impact on the windows in this development is greater as they have recessed windows and balcony areas. As such, it is necessary for any neighbouring development to avoid impacts on these windows.

For NSL, 6 (8%) of the 80 rooms would meet the BRE criteria. A further 13 alterations between 20-30% and the remaining 55 alterations in excess of 40%.

The proposal would have a moderate adverse impact once construction is complete. However, it should be noted that the baseline conditions of these rooms and windows is already low given their deep recessed nature and the fact that many of the rooms are single aspect living spaces. As such, the proposal has a disproportionate impact and any development, even at a lower scale, would have similar impacts.

Marriot Hotel

A total of 88 windows serving 80 rooms were assessed. For VSC, 8 (9%) would meet the criteria and the remaining 80 would experience an alterations in excess of 40%.

For NSL, 11 (14%) would meet the BRE criteria. A further 11 would experience an alteration between 20-30%, and 3 alterations between 30-40%. The remaining 55 would experience alterations in excess of 40%.

The impact would be moderate adverse, but the hotel residents would not be as sensitive to the daylight changes. Its deeply recessed windows would result in most developments affecting daylight availability. The NDF anticipated a development of scale at this site which would sit alongside lower scaled development.

Cable Street (proposed Stay City)

A total of 39 windows servicing 39 rooms were assessed. For VSC, 13 (33%) would meet the criteria. 10 would experience an alteration between 20-30%, 7 an alteration between 30-40% and 9 windows an alteration in excess of 40%.

For NSL, 19 (49%) would meet the criteria. 5 would experience an alterations between 20-30%, 1 would experience an alteration between 30-40% and the reaming 14 an alteration in excess of 40%.

There would be a moderate adverse impact but the conditions are already low. The windows and room layout means that it is already difficult for a large amount of light to penetrate these spaces. In addition, given the nature of the use of the building as

an aparthotel, the occupants of the building will not be as sensitive to daylight changes.

Sunlight

Angel Gardens

All of the 285 windows were assessed meet the criteria.

40 Swan Street

All of the 15 windows were assessed meet the criteria.

Cable Street

The window assessed would meet the criteria.

Overlooking

There will be the following privacy distance between the development and surrounding properties:

- Angel Gardens – 32 metres
- Marriot Hotel – 11 metres
- Stay City – 16 metres
- 40 Swan Street – 12 metres
- 49/53 Swan Street – 35 metres

Such distances are standard in the area and the proposal is separated from these properties by the existing road network. Apart from Angel gardens and 40 Swan Street, the other properties are in commercial use. The NDF anticipated that the residential blocks would have the impacts but these would not be unduly harmful.

It is not considered that there would be any overlooking to 58-68 Swan Street as their rear elevations are blank. The development would rise behind them but would not cause any direct overlooking into any accommodation.

The Bank of Baroda have raised concerns about the impact on their site particularly in respect of its future development. In the original submission the eastern tower had habitable rooms which directly overlooked their site. The NDF anticipated that the Bank of Baroda site would form part of a comprehensive development of this block. It has not been possible to acquire the site and the scheme has been modified to minimise overlooking and not preclude its future development.

Habitable rooms windows up to the fourth floor have been removed but the remainder of the upper floors would retain them. This would allow the Bank of Baroda site to be developed to a scale similar to the adjacent properties at 58-68 Swan Street. Any incident of overlooking and loss of light would be minimised by the removal of the habitable rooms.

The objection received to the second notification process would prefer to have the windows removed up to 7 floors. It is considered that the removal of the windows up to level 4 is appropriate and allows viable development at an appropriate scale.

(b) Wind Environment

A microclimate assessment concludes that there would be no adverse impacts on the pedestrian activity and safety in and around the site. All routes and entrances would be suitable for pedestrian access. The impact of the building would be mitigated by the incorporation of physical measures, materials, trees and landscaping. The conditions in and around would be safe for all.

(c) TV reception

A TV reception survey has concluded that there is likely to be minimal impact on digital television services or digital satellite television services but should any arise it could be mitigated through antenna upgrade or realignment of the transmitter. 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 vehicular emissions. An air quality report notes that during the construction phases there could be impact from dust, earth works/construction and vehicle emissions. This would be minimised through good practice which 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 vehicles and servicing requirements. The applicant has taken a balanced approach to onsite parking given the close proximity to public transport. There would be 374 cycle spaces (100% provision) and 3 on site electric car charging points.

A mechanical ventilation system would 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. The proposed mitigation measures would be secured by planning condition and the proposal would 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 would be from: plant and construction activities. The acoustic specification would limit noise ingress from external noise, particularly from nearby roads.

Noise levels from the construction would be acceptable provided that the strict operating and delivery hours are adhered to along with the provision of an acoustic

site hoarding, equipment silencers and regular communication with nearby residents. This should be secured by a planning condition.

The main source of noise to the apartments would be from traffic and there could be noise from the ground floor commercial space. A mechanical ventilation system and appropriate glazing would ensure that noise levels within the apartments are acceptable. The operational 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 separate storage areas for refuse, recyclable and compostable materials. The waste would be taken to the designated waste stores.

The main refuse store would be on the ground floor mezzanine level. A platform lift would allow access for all residents to take their waste to this area. There would be a smaller area on the ground level to allow the bins to be moved to Cable Street for collection. The refuse store would be immediately adjacent to the loading bay.

The waste stores would meet Council standards. There would be a 338 sqm capacity refuse store on the mezzanine with 92 x 1100 litre Eurobins. The store at ground level would be 42 sqm and have space for 10 x 1100 litre Eurobins.

The commercial units would store waste within the units. Each would have the following waste requirements:

Unit 1 (Rochdale Road)

General refuse 1 x 1100 litre (3 x 1100 litre if unit provides food)
 Paper 1 x 1100 litre (2 x 1100 litre if unit provides food)
 Mixed recyclables 1 x 1100 litre (2 x 1100 litre if unit provides food)

Unit 2 (Mason Street)

General refuse 2 x 1100 litre (5 x 1100 litre if unit provides food)
 Paper 1 x 1100 litre (3 x 1100 litre if unit provides food)
 Mixed recyclables 1 x 1100 litre (3 x 1100 litre if unit provides food)

Fume extraction

Fume extraction would be required for the commercial units if they are to be occupied by a food and drink use. A suitable scheme could be integrated into the scheme and a condition should require the details of fume extraction to be agreed.

Accessibility

All main entrances would have level access. The residential entrances avoid pinch points with a low level reception desk and other measures to help wheel chair users. 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 would be parking space for disabled people.

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 from the sewer network. An increase in surface water run-off and/or volume from new developments may exasperate local flooding problems.

A drainage statement has been considered by the Council's flood risk management team and consideration should be given to how the drainage systems would prevent surface water run off along with an examination of the introduction of sustainable urban drainage principles and their future management. In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that the approval, verification and monitoring of the drainage forms part of the conditions of the planning approval.

Impact on the highway network/car/cycle parking and servicing

A transport statement notes that all sustainable transport modes are nearby with Victoria train station and Shudehill Metrolink station within 10-minute walk. The transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

The 27 parking spaces (including 3 disabled parking spaces and three electric car charging points) is considered to be acceptable in light of the highly sustainable location. The level is in accordance with the Core Strategy and the Residential Quality Guidance which states that the constraints of a site and the proximity of public transport should be a key consideration when considering onsite provision. Mobility scooters could be parked in safe and secure areas in the car park.

There would be 374 cycle spaces in a dedicated secure cycle store. A robust travel plan would support the ongoing travel needs of residents including whether any offsite parking is required. A condition should ensure the travel plan is monitored.

A loading bay would be provided on Cable Street dedicated to the servicing of the development.

A legal agreement would fund a pedestrian crossing on Swan Street to ensure the residents can safely cross Swan Street. Traffic Regulation Orders would be required on Swan Street, Cable Street and Mason Street to preclude parking.

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 provides notes that further gas monitoring is required to inform the final remediation strategy. A verification report should confirm that 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

Comments have been received regarding the scale and appearance of the development as well as its impact on surrounding developments such as Angel Gardens and the Bank of Baroda. This report deals with these matters in detail.

The design and appearance is of a high quality and responds to the location and fulfils the requirements of the NDF. The reveals, detailed masonry and glazing creates a well-considered façade. A condition would ensure that the high quality appearance is delivered.

The serviced apartments would add to the accommodation offer. .

It is noted that there is concern about the impact of the construction activities on surrounding developments. Health and safety and party wall issues are satisfactorily dealt with by other legislation. However, there will be a construction management plan recommended as part of this planning permission which will seek to minimise the impact of the development with regards to highways, dust and noise.

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 no significant provided appropriate mitigation is put in place.

There would be some minor effects on the highway network to local streets and key roads during construction and in operational but are of local significance only.

The cumulative impacts with regards to the designated and non-designated heritage assets are set out in detail above and are minor with no cumulative impacts.

All impacts on views, visual setting and townscape would be negligible to minor adverse with the main effects being on views and setting of the Smithfield conservation area along Swan Street and the market hall.

There will be moderate impacts on water resources, moderate to beneficial impacts on the local population 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.

The cumulative effects of the operational phases would not be unduly harmful. There would 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 would be some moderate impacts on the wind environment which can be suitably mitigated through the design 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 would be used and would comply with part L (2010).

The overall energy performance would be satisfactory with an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development complies with the spirit of the Core Strategy with high quality building fabric and systems. The energy standards should be a condition of any approval.

Aerodrome safeguarding

Aerodrome safeguarding have found no conflict with any safeguarding criteria. An informative of the planning approval should inform the applicant about the use of cranes during the construction period.

Legal Agreement

The proposal would 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”.

In addition, in the interest of highway and pedestrian safety, monies will also be secured for the provision of a pedestrian crossing to allow safe movement of people across Swan Street together with the provision of an extensive area of TROs around the application site.

Conclusion

The proposal would have a positive impact on the regeneration of this part of the City Centre and would contribute to the supply of high quality housing. Active frontages and high quality façades would make a positive contribution to the city scape. The building would be of a high level of sustainability and high quality materials.

The buildings on site provide some positive benefits as an example of a low rise commercial building. However, the New Cross NDF envisaged that the site would be developed as part of the regeneration of New Cross. This capacity for change should enhance the townscape particularly the corner of Rochdale Road and Swan Street.

There would be a modest impact on the setting of the adjacent conservation, listed buildings and non-designated heritage assets. These are low level impacts that are outweighed by the public benefits that the scheme would deliver.

There would be some localised impacts on adjacent buildings particularly Angel Gardens and the adjacent low rise buildings on Swan Street. The scheme has been amended to minimise overlooking to the Bank of Baroda site and not prevent its redevelopment. The impacts are not unusual in this type of urban context.

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 onsite affordable housing and public realm improvements in the New Cross area.**

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 such as overlooking. 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

10133-SHP-Z0-XX-XP-A-B5D8-G100-001, 10133-SHP-Z0-XX-XP-A-B5D8-G100-002, 10133-SHP-Z0-EN-XE-A-B5D8-G100-0001, 10133-SHP-Z0-ES-XE-A-B5D8-G100-0001, 10133-SHP-Z0-EE-XE-A-B5D8-G100-0001, 10133-SHP-Z0-EW-XE-A-B5D8-G100-0001, 10133-SHP-Z0-EN-XE-A-B5D8-G100-0002, 10133-SHP-Z0-ES-XE-A-B5D8-G100-0002, 10133-SHP-Z0-EE-XE-A-B5D8-G100-0002, 10133-SHP-Z0-EW-XE-A-B5D8-G100-0002

10133-SHP-Z1-00-PL-A-B5D8-G200-0001, 10133-SHP-Z1-M0-PL-A-B5D8-G200-0001, 10133-SHP-Z1-01-PL-A-B5D8-G200-0001, 10133-SHP-Z1-02-PL-A-B5D8-G200-001, 10133-SHP-Z1-03-PL-A-B5D8-G200-0001, 10133-SHP-Z1-05-PL-A-

B5D8-G200-0001, 10133-SHP-Z1-06-PL-A-B5D8-G200-0001, 10133-SHP-Z1-07-PL-A-B5D8-G200-0001, 10133-SHP-Z1-09-PL-A-B5D8-G200-0001, 10133-SHP-Z1-11-PL-A-B5D8-G200-0001, 10133-SHP-Z1-13-PL-A-B5D8-G200-0001, 10133-SHP-Z1-14-PL-A-B5D8-G200-0001, 10133-SHP-Z1-15-PL-A-B5D8-G200-0001, 10133-SHP-Z1-17-PL-A-B5D8-G200-0001, 10133-SHP-Z1-23-PL-A-B5D8-G200-0001, 10133-SHP-Z1-27-PL-A-B5D8-G200-0001, 10133-SHP-Z1-RF-PL-A-B5D8-G200-0001

10133-SHP-Z1-01-PL-A-B5D8-G200-0002, 10133-SHP-Z1-02-PL-A-B5D8-G200-0002, 10133-SHP-Z1-03-PL-A-B5D8-G200-0002, 10133-SHP-Z1-06-PL-A-B5D8-G200-0002, 10133-SHP-Z1-14-PL-A-B5D8-G200-0002

10133-SHP-Z1-AA-SC-A-B5D8-G200-0001, 10133-SHP-Z1-BB-SC-A-B5D8-G200-0001, 10133-SHP-Z1-CC-SC-A-B5D8-G200-0001, 10133-SHP-Z1-DD-SC-A-B5D8-G200-0001

10133-SHP-Z1-EN-EL-A-B5D8-G200-0001, 10133-SHP-Z1-ES-EL-A-B5D8-G200-0001, 10133-SHP-Z1-EE-EL-A-B5D8-G200-0001, 10133-SHP-Z1-EW-EL-A-B5D8-G200-0001

10133-SHP-Z1-XX-3D-A-B5D8-G200-0001, 10133-SHP-Z1-XX-3D-A-B5D8-G200-0002, 10133-SHP-Z1-XX-3D-A-B5D8-G200-0003

10133-SHP-Z1-TY-DE-A-B5D8-G200-0001, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0002, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0003, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0004, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0005

10133-SHP-Z1-TY-PL-A-B5D8-F200-1211, 10133-SHP-Z1-TY-PL-A-B5D8-F200-1221, 10133-SHP-Z1-TY-PL-A-B5D8-F200-2411, 10133-SHP-Z1-TY-PL-A-B5D8-F200-2421, 10133-SHP-Z1-TY-PL-A-B5D8-F200-3611, 10133-SHP-Z1-TY-PL-A-B5D8-F200-3621

10133-SHP-Z1-XX-PL-A-B5D8-Z100-001

All the above drawings were stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018

Design and access statement (10133-SHP-Z1-RP-B5D8-DAS 0001) stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018

drawings M80123_101 Rev D and M80123_102 Rev A stamped as received by the City Council, as Local Planning Authority, on the 27 November 2018

Drawing 10133-SHP-Z1-M0-PL-A-B5D8-G200-0001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 29 January 2019

Supporting Information

Addendum 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 20 December 2018

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 27 September 2018

Tall building assessment, statement of community involvement, Environmental Standards statement and energy statement, TV reception survey report, crime impact statement, ventilation strategy, site waste management strategy, ground conditions report, flood risk assessment and drainage strategy, ecological assessment, travel plan and transport statement, environmental statement, townscape and visual analysis, heritage and archaeology report, wind microclimate assessment, noise and vibration report, air quality assessment, daylight and sunlight and overshadowing, socio-economic statement, transport statement and health impact assessment stamped as received by the City Council, as Local Planning Authority, on the 27 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) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction 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 of the development.

In this condition a Local Benefit Proposal means a document which includes:

i) the measures proposed to recruit local people including apprenticeships
 ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
 iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

4) No soft-strip, demolition or development groundworks shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the City Council, as Local Planning Authority prior to the commencement of any development at the site. The WSI shall cover the following:

- (a). A phased programme and methodology of investigation and recording to include:
- archaeological building survey at HE level 2.
 - Following demolition of the existing building(s) to slab level
 - targeted archaeological evaluation through machine assisted trial trenching
 - (where justified by the evaluation results) open area excavation
- (b). A programme for post investigation assessment to include:
- production of a final report on the results of the investigations and their significance.
- (c). Deposition of the final report with the Greater Manchester Historic Environment Record.
- (d). Dissemination of the results of the archaeological investigations commensurate with their significance.
- (e) Provision for archive deposition of the report and records of the site investigation.
- (f). 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) Notwithstanding the details submitted on the 27 September 2018, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Details of surface water attenuation that offers a reduction in surface water runoff rate to 6 l/s;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;

- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The phase shall then be constructed in accordance with the approved details, within an agreed timescale.

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 Phase 1 Preliminary risk assessment by Curtins (ref. 067266-CUR-00-XX-RP-GE-001 V03 dated 13 July 2018) stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, (a) before the development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Submission of site investigation proposals;
- Submission of a site investigation and risk assessment report;
- 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, 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 commencement of the development, details of the method for piling, or any other foundation design using penetrative methods, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

10) 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).

11) (a) Notwithstanding landscaping strategy as indicated on drawings M80123_101 Rev D and M80123_102 Rev A stamped as received by the City Council, as Local Planning Authority, on the 27 November 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, boundary treatments and appropriate samples of materials) 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.

12) The development hereby approved shall be carried out in accordance with the Environmental Standards and energy statement prepared by Crookes Walker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018. 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.

13) Notwithstanding the noise and vibration report prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 September 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).

14) Notwithstanding the noise and vibration report prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, (a) prior to the first use of each commercial unit as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 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 (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of each of the commercial units. The measures implemented (including any additional measures agreed) 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).

15) 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 report prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018.

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

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).

16) The development hereby approved shall be carried out in accordance with site waste management strategy prepared by SimpsonHaugh and drawing 10133-Z1-M0-PL-B5D8-G200-0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018. The details shall be implemented prior to the first occupation of both the residential and commercial elements of the development and thereafter retained and maintained in situ.

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.

17) Prior to the first use of each of commercial units, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 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).

18) Prior to the first use of each of the commercial units as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 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).

19) 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.

20) 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 in writing 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.

21) When the development is first 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).

22) Prior to the first use of each commercial unit, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 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.

23) 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).

24) The commercial units as shown on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 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.

25) The commercial units, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018 can be occupied as A1, A2 and A3. 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.

26) The 12 serviced apartments, as indicated on drawing 10133-Z1-M0-PL-A-B5D8-G200-0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018 shall be occupied as C1 only and for no other use.

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.

27) Prior to the first use of the residential element building 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.

28) The development of each phase shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 27 September 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.

29) 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 27 September 2018.

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).

30) Prior to the first occupation of the residential building element, the provision of 374 cycle spaces, as indicated on drawing 10133-Z1-M0-PL-A-B5D8-G200-0001 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018 shall be implemented prior to the first occupation of the residential element 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).

31) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 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).

32) Prior to the first use of the residential element within 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 Swan Street, Cable Street and Mason Street (including the provision of the loading bays to Cable Street and Mason Street);
- New vehicular access/egress on Cable Street; and
- Footway improvement and reinstatement works around the perimeter of the application site including provision of street trees as indicated in drawings M80123_101 Rev D and M80123_102 Rev A stamped as received by the City Council, as Local Planning Authority, on the 27 November 2018.
- Removal/replacement of directional signage

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) and in accordance with the New Cross Public Realm Strategy.

33) Notwithstanding the TV reception survey prepared by G-tech, stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, 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.

34) 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).

35) 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).

36) Prior to the first use of any commercial unit within the development as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 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).

37) Prior to the first occupation of the residential element hereby the 3 electric car charging points as indicated in the transport statement and planning statement stamped as received by the City Council, as Local Planning Authority, on the 27 September 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).

38) Notwithstanding drawings 10133-Z1-03-PL-A-B5D8-G200-0001 Rev 02, 10133-Z1-02-PL-A-B5D8-G200-0001 Rev 02 and 10133-Z1-01-PL-A-B5D8-G200-0001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, the windows to 1 to 4 to the southern eastern elevation of the eastern tower (facing onto the rear elevation of the Bank of Baroda) shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale, or such other alternative equivalent scheme to prevent overlooking, and shall remain so in perpetuity. The glazing shall be in place prior to the first occupation of the residential element hereby approved and thereafter retained and maintained in situ.

Reason - To protect the amenity and living conditions of the adjacent site, and to not preclude any future development opportunity of the Bank of Baroda site, from overlooking or perceived overlooking in accordance with policies SP1 and DM1 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.
- Whilst the building to be demolished has been assessed as very low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
- There is gas apparatus within the application site boundary. All developers are required to contact Cadents Plant Protection Team for approval before carrying out any works.
- Cranes, whilst they are temporary, can be a hazard to air safety. The developer or crane operator must therefore contact Manchester Airport's Control of Works Office using the details provided below, at least 21 days in

advance of intending to erect a crane or other tall construction equipment on the site. This is to obtain a Tall Equipment Permit and to ascertain if any operating restrictions would be required. Any operating restrictions that are subsequently imposed by Manchester Airport must be fully complied with.
Email: control-of-works@magairports.com Tel: 0161 489 6114

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: 121380/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.

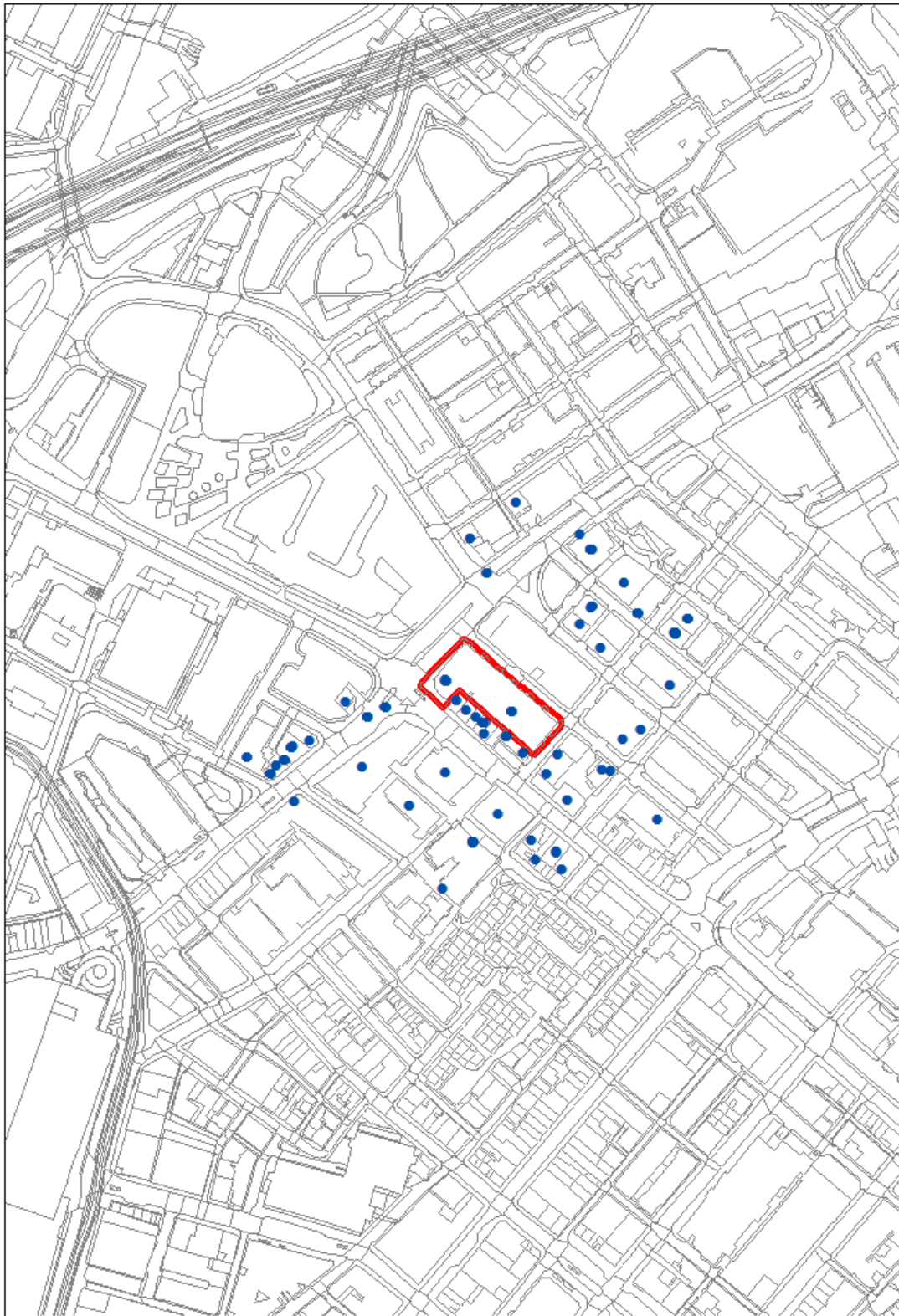
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Manchester Airport Safeguarding Officer
Highway Services
Environmental Health
Strategic Development Team
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
National Amenity Societies
Greater Manchester Ecology Unit
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:

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



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
120893/FO/2018	9th Aug 2018	14th Feb 2019	Ancoats & Beswick Ward

Proposal Erection of a 9 storey building to form ground, first and second floor office accommodation (Use Class B1) (3124 sqm) together with 75 residential apartments (Use Class C3a) with associated car parking, amenity provision and other associated works following demolition of existing buildings

Location Land Bounded By Bengal Street, Primrose Street, Radium Street And Silk Street , Manchester, M4 6AQ

Applicant M4nchester Two Ltd, C/o Agent,

Agent Miss Claire Pegg, Cushman & Wakefield, 1 Marsden Street, Manchester, M2 1HW

Description

The site measures 0.123 hectares and is bounded by Bengal Street, Primrose Street, Radium Street and Silk Street. The application site currently includes a surface car park and a part single, part two storey industrial building which is currently in use as an MOT business.



View of the application site and existing industrial building from Bengal Street (in between the Mustard Tree and the Shamrock public house



Current condition of the site from Radium Street

The application site is located in the Ancoats area of Manchester. The area within which the application site is located also falls within a designated conservation area known as the 'Ancoats Conservation Area'. Within the approved Core Strategy, together with the City Centre Plan and Ancoats and New Islington Strategic Regeneration Framework (SRF), Ancoats is an identified regeneration area and one which is expected to accommodate residential development as part of supporting the vitality of the Ancoats neighbourhood and supporting economic and population growth in this part of the City Centre. The application site is located in the City Centre and Regional Centre for planning and regeneration purposes.

The Ancoats area has seen a significant level of development activity over the last few years. New residential developments have been completed and occupied around George Leigh Street, Cutting Room Square and Jersey Street. The surrounding area is therefore characterised by a mixture of residential and commercial developments.

To the west of the application site is Victoria Square, a grade II listed building built as municipal housing which is still in use for that purpose today. To the north of the site is the Mustard Tree centre which offers support for the City's homeless community. To the south of the site is the Shamrock Public House, a two storey building with an associated beer garden. This site is also occupied by an electricity substation. On the opposite side of Silk Street to the east is a vacant site.

The application site is a short distance from Cutting Room Square which is an area of public realm within the heart of the conservation area. Within this area are a range of shops, café/restaurants and other amenities principally clustered around George Leigh Street, Cotton Street and Hood Street.

The area has excellent links to public transport and pedestrian and cycle links to a wide range of shops, amenities and leisure facilities. Manchester Victoria train station is located within a short walk of the application site where rail, tram and bus services can be accessed.

The proposal

The proposed development involves the demolition of the existing buildings at the application site and the construction of a mixed use development consisting of 75 residential apartments and 2,259 sqm of office space (use class B1). The building will be constructed as one block and will cover the entire application site and sited to the back of the footways which bound the site.

With regards to the residential accommodation, there will be 23 one bedroom apartments, 47 two bedroom apartments and 5 three bedroom apartments. The new homes will be available to rent as part of a 'private rented sector' (PRS) scheme meaning that the entire development will be managed by one company.

The ground, first and second floors will be occupied as office space and add to the applicants portfolio of managed work spaces within this part of the City.

Pedestrian access to the building will be from Silk Street whilst the vehicular access will be from Radium Street. A basement area will be provided within the development which will provide 17 car parking spaces (5 of which will be available for electric charging) and 100 cycle spaces. The waste management arrangements will also be provided in the basement area and collected from Radium Street.

The scale of the building has been designed to be sympathetic to the conservation area and adjacent listed buildings. The building is 9 storey's in height with the 9th floor being set back from the building edge. This allows for a communal roof top garden to be created and amenity room with associated landscaping.

Consultations

Local residents/public opinion - The proposal has been advertised as a major development and of being of public interest together 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 with local residents and businesses have been carried out. The comments received can be summarised as follows:

A total of 4 objections have been received. These state:

- The height of the building is not acceptable and will dwarf the surrounding buildings, creating an imposing eyesore;
- Development in the area should follow the general height of the old Mills which make this area a beautiful place to be. Five floors would be a more appropriate solution for the site;
- The scale of the development is not in keeping with other residential developments in the area and would cause significant overshadowing of the neighbouring properties and businesses;
- There should be mitigation as a result of this development in terms of improving public spaces and trees;
- There would be disturbance during the construction process on local residents;

- The area already has too many tall buildings and is in danger of losing all elements of conservation and heritage;
- View from other developments will be lost as a consequence of this development;
- The proposal will dwarf nearby developments on George Leigh Street which have been sympathetically constructed to conserve tradition.

Highway Services – The traffic movements from the development have been considered and can be absorbed on the network with no adverse implications. The site is well accessed by sustainable modes with excellent connectivity by rail, Metrolink and bus services located within a close proximity to the site.

Vehicular access is proposed from Radium Street where it is assumed that the existing vehicular crossover will be utilised. This work, together with re-instatement of redundant crossovers will need to be agreed.

The proposed vehicular ramp should not exceed 1 in 20 and include a segregated cycle lane and refuse route to minimise potential conflict.

Pedestrian access is proposed from Silk Street. This solution was not originally supported by highways due to the limited footway width and street lighting. Consideration has been given to this matter during the course of the planning application. The proposal retains the pedestrian access from Silk Street but proposes to make the street one way. This is acceptable to Highway Services.

The number of doorways opening onto Primrose Street has been altered so then opening inwards (except for fire or servicing doors).

The junction radii at the Radium Street/Primrose Street junction should be tightened through a junction build out and this should form part of the off site highways works.

There will be 17 on site car parking spaces as part of the development (including 2 disabled bays). This equates to 22% for the residential part of this development.

The proposal will include 5 electric car charging points which is welcomed.

The indicative layout of the car park is acceptable along with confirmation that priority is given to vehicles entering the car park.

In terms of cycle provision, in excess of 100% cycle parking has been offered and is supported by Highway Services. This will be provided within a stacked facility at basement level and therefore accessible for both residential and commercial occupiers.

There will be 75 spaces designated for residential use, with 25 for office users which is appropriate for the development.

Refuse storage is located within the basement level and segregated for both residential and commercial uses. All servicing movements are proposed from the adopted highway via Radium Street, in line with the single yellow line restriction.

A construction management plan should be prepared as part of the development.

The travel plan framework has been considered and this should now be developed into a full travel plan upon occupation of any development.

Environmental Health – With regards to ground conditions, further site investigation work shall be undertaken together with developing 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.

Further information would be required in relation to the acoustic insulation of the commercial and residential accommodation. Any condition should include the requirement for post completion verification. Details of plant shall be agreed as part of any planning approval. The waste management arrangements are acceptable in respect of this matter.

Historic England – The character of the Ancoats conservation area is rooted in its history as one of England's first industrial suburbs. The area holds an important place in the history of both global industrialisation and urbanisation. The area developed rapidly from a small hamlet to the industrial suburb we see today, following the expansion of the cotton industry, which led to significant population growth and introduction of canals in the mid-to-late 18th century. Canals, mills and workshops still play a vital role in the character of the area, as does the more human-scale, with residential character seen in remaining housing, places of worship, shelters and public houses.

This closer grained character makes a vital contribution to the significance of the conservation area, in contrast to the larger scale mills. The variety of industrial and domestic scale buildings continues to be important to the area's townscape, as does the clear and functional grid street pattern. The simple and restrained materials and detailing (largely red brick), solid junctions at ground level and robust corners also provide a strong sense of place.

The application site and immediate area was, historically, predominantly more residential, with courtyard back-to-back terraced house a typical feature and the former St Martin's Church, all of which have been demolished. Later residential re-development included Victoria Square to the immediate south of the site, which is grade II listed, and there are a number of surviving unlisted warehouses and a school in the vicinity.

This application is for the erection of a 9 storey mixed use office and residential block with parking. We were consulted on a previous 11 storey scheme at pre-application stage and advised of the importance that new development responds positively to the character and appearance of the conservation area. This includes the varied grain, density and diversity of architectural form. We have been particularly keen to avoid development of a uniform and monolithic scale and character being repeated

throughout the conservation area as this would cause harm to its significance, character and appearance.

In this context we have encouraged a more varied building form, height, massing, architecture and materials so that it more closely reflects the local character. It is also important that the development reflects the local spatial hierarchy and takes account of the fact that the site is a secondary location, away from principal streets, thoroughfares and open spaces. We have advised that no part of the scheme should exceed 7-8 storeys and that parts of the site should be lower than this to break the scale down and assimilate with the local historic and spatial character.

While the height has been reduced we remain of the view that the proposed building would poorly relate to its surroundings and the height and monolithic form would be harmful to the conservation area. The scale of the proposals would be particularly oppressive in relation to the narrow width of Silk and Primrose Street, which were originally laid out to accommodate 19C 2-3 storey terraced houses of much smaller scale. We note that other, nearby sites within and adjacent to the conservation area are being developed in a more sensitive way at a more appropriate scale. The impact on the setting of Victoria Square, grade II, is a matter for the Council and its conservation team to consider.

All development must preserve or enhance the character and appearance of the conservation area under section 72 of the 1990 Act. The NPPF emphasises that great weight should be given to the conservation of heritage assets (NPPF 193), in this case the Ancoats Conservation Area. Account should also be given to the desirability of sustaining and enhancing the significance of heritage assets (NPPF 192).

We consider this development would currently fail to satisfy this statutory and policy context, causing harm that requires clear and convincing justification (NPPF 194). If there is a clear and convincing justification the resulting harm would need to be weighed in relation to any public benefits arising from the proposals (NPPF 196).

This development would cause harm to the significance, character and appearance of the Ancoats Conservation Area. It is unclear why this largely vacant site cannot be viably developed in a more sensitive way at a lower scale, similar to other nearby sites, and no convincing justification is provided to demonstrate why it must be developed in this way. The proposals would fail to meet the statutory and policy tests outlined above. It is necessary to re-consider the proposed height, form and massing of the scheme to ensure it preserves and enhances the character and appearance of the conservation area.

We, therefore, cannot support this application.

Greater Manchester Archaeological Advisory Service (GMASS) – The heritage report does not provide the necessary detailed analysis of the archaeology potential at the site. It is recommended that such a document is prepared as part of the consideration of this planning application. In the event the application is determined without an appropriately worded condition should be imposed on the planning permission.

Manchester Conservation Areas and Historic Buildings Panel – The panel noted that the character of the Ancoats Conservation Area has changed from a balanced ratio of small and large buildings to one that is now dominated by larger scale buildings.

The panel noted that the existing building on site is of a smaller scale and of some interest in the conservation area and could have a future function and be retained within the proposals. They advised that the site could have a bite taken out of it to retain the existing 1950s block.

The panel noted that an adjacent development on George Leigh Street has been constructed in two blocks reducing from a higher element down to five storeys and as such does not dominate. Whereas they felt that his proposal was too dominant and a monolithic building on the site, too high and out of context with the wider area.

The panel felt that the top floor was weak and looks like an extension rather than an integrated part of the building design. They also would like to see a strong plinth with more doorways directly on to the street.

Greater Manchester Ecology Unit – There are no significant ecological constraints identified. The buildings were assessed as having negligible bat roosting potential. On this basis a precautionary approach should be taken during demolition and an informative imposed on the planning permission in this regard.

In terms of nesting birds there are a number of young trees around the site, and the buildings have some potential for nesting birds. There should be no vegetation clearance in bird nesting season.

The proposal should contribute towards improving the biodiversity at the application site.

Environment Agency – The proposed development site appears to have been the subject of past industrial activity which poses a medium risk of pollution to controlled waters. As such, consideration should be given to the impact of the ground conditions work on these waters.

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

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

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 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.

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 Noise₁ 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.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Build to Rent provides guidance on scheme management, ‘clawback’ mechanisms if the development (or part of the development) is sold and covenant periods.

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

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

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

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

- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

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

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

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

Other 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.

Ancoats and New Islington Strategic Regeneration Framework (2016)

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

The application site is located within the 'Ancoats Core'. The NDF outlines a series of core development principles which help to guide new development which are developed in this area.

The NDF states that within the Ancoats Core the area will be suitable for complementary new employment and commercial space alongside, or as part of, new residential development which is seen as critical in order to maintain activity levels throughout the day.

The NDF goes on to outline a series of considerations which must be taken into account when determining new buildings in the area. These include responding to historic frontages and building lines, ensuring that infill development is of the highest quality together with use of materials that complement the use of brick in the area. In terms of height, new developments should pick up on existing patterns and rhythms. This is also considered to be important in terms of elevational treatment such as deep window reveals. The reinstatement of the grid pattern and character perimeter block is important and will help re-enforce the qualities of the conservation area.

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.

Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)

Adopted in 2015, the vision for the strategy is that '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'

There are four objectives in order to achieve this vision:

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

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.

Ancoats Conservation Area declaration

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

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

Although the area is dominated by the mill buildings, the Conservation Area also contains other Listed Buildings of differing character.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

The nature of the proposal falls outside of the threshold within “Urban Development Projects” which is 150 residential units. As such, a screening opinion has not been adopted in this regard.

Demolition in a conservation area

The application site accommodates an existing part, single, part two storey industrial building dating from the 1950s which fronts Bengal Street together with secondary frontages to Primrose Street and Silk Street. The remainder of the site, towards Radium Street, is utilised as surface car parking and is secured by weld mesh fencing.





This planning application seeks consent to demolish this building in order to provide a cleared site in preparation for the proposed development. As the application site is located in the Ancoats Conservation Area, it is necessary to determine if the demolition works are acceptable and what impacts there will be on the significance of the Conservation Area. The building designated heritage asset due to it being located within the conservation age. The building, due to its age, has social, architectural and historical significance representing the redevelopment and evolution of the area in the 1950s when industrial buildings of this nature were constructed following clearance works of domestic terrace housing.

Paragraph 201 of the NPPF states that not all elements of a conservation area will necessarily contribute to its significance. The guidance goes on to state that the loss of a building which makes a positive contribution to the significance of the conservation should be treated as either substantial harm or less than substantial harm, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.

As detailed above, the building is an example of a 1950s industrial building that was constructed at the site following the clearance of the late 18th and early 19th century housing. These properties were cleared in the 1940s with the present building on site being constructed in the 1950s and occupied by an electricity contractor.

Paragraph 194 of the NPPF states that 'any harm to the significance of a designated heritage asset (from its alteration or from development within its setting), will require a clear and convincing justification.

The applicant's heritage statement outlines that the current building on the site has minimal heritage value in built heritage terms. The report goes on to state that the interest of the application site lies in its history in terms of the terrace housing that previously occupied the site and the grid plan form of the road network which surrounds the site. In addition, the application site is surrounded by some important heritage assets such as the listed Victoria Square and the non-designated heritage asset of the Shamrock public house. They go on to state that the regeneration potential of the site outweighs any harm.

The building is a low rise commercial building that sits alongside the more dominant heritage buildings thereby contributing to the variety and juxtaposition of building heights across the conservation area and wider townscape.

The loss of the building will result in a minor degree of harm and will have a permanent and irreversible impact on the setting of the Conservation Area. However, it is noted that Historic England have not raised any objections to the loss of the building.

In line with the tests outlined within paragraphs 194 and 196 of the NPPF, it is considered that the demolition of the building will result in 'less than substantial harm' to the setting and significance of the conservation area.

As required by paragraph 196 of the NPPF, a balancing assessment must be undertaken between the 'less than substantial harm' and whether it has been demonstrated that the 'public benefits' derived from the development outweigh this identified harm.

The building and wider application site, has been largely vacant for some time. The redevelopment of the entire site, including the potential for a high quality building which includes car parking, active frontages, and new homes, adds to the necessary public benefits which are required to outweigh the harm to the conservation areas having regard to the tests in the NPPF and the Listed Building and Conservation Areas Act.

These public benefits of the proposed development will be considered in further detail elsewhere within this report.

Principle of the proposal and the schemes contribution to regeneration

The application site is located in the City Centre and Regional Centre for planning and regeneration purposes. The Ancoats area has been identified as a key regeneration priority where new residential developments will be encouraged in order to develop and grow a new neighbourhood within this part of the City Centre. A number of planning permission have been granted in the area which have seen new residential led developments constructed and occupied together with ancillary commercial space which has added positively to the vitality of the neighbourhood.

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.

This development will provide 75 new homes together with 3124 sqm of B1 office space over 3 floors. There would be an emphasis on large accommodation within the development with over 65% of the accommodation being two and three bedrooms which will mean that they are suitable and attractive to families who wish to come and live in this part of the city. With the accommodation being consistent with the City's adopted space standards, it can be guaranteed that the accommodation will be of the highest quality.

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 proposal would provide 75 homes towards the target of 2,500 new homes per annum set out in the 2016 Housing Strategy for Manchester. The high density proposed would use the site efficiently and help to meet housing and employment needs of the City.

The new homes would be consistent with growth priorities and as part of meeting the objectives of policies H1 and H3 of the Core Strategy. These homes would meet the demands of a growing economy and population on a well-connected brownfield site.

As part of a development of this nature, construction jobs will be available and in order to ensure residents benefit from these jobs, a local labour proposal will be developed with the applicant and secured as part of the conditions of the planning approval. In addition, creating new homes close to the city centre, will reduce commuter distances and help to create a low carbon city.

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.

Affordable Housing

Policy H8 establishes that new development will contribute to the City-wide target for 20% of new housing provision affordable and 20% should be used 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 regeneration objectives.

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, a viability assessment demonstrate that a scheme cannot deliver affordable housing. Examples of these circumstances are set out in part 4 of Policy H8.

The application proposes 75 new homes for rent through a Private Rented Scheme (PRS)/build to rent model. The delivery of new homes and the regeneration of the Ancoats area is a priority for the Council. The proposal would develop a brownfield site and re-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.

A viability report demonstrates that it is not possible to provide a contribution towards affordable housing as this would make the scheme unviable. This has been independently assessed on behalf of the Council and the findings are accepted.

In coming to this conclusion, it is agreed that the benchmark land value for the site is £750,000.

The applicant's construction costs were stated as £17,707,591 with total costs at £20,442,395 which would give a profit of 8.5%.

The Council's testing of the viability of this scheme considered a more reasonable figure for the construction costs would be £17,243,359 with total costs at £22,000,616. This gave a profit figure of 3.52%.

It is clear that the viability of the scheme is marginal. On this basis, it is not possible for the scheme to support an affordable housing contribution in this instance without making the scheme unviable.

As this is a build to rent model, the applicant has agreed to enter into a legal agreement which secures the homes on a PRS basis for a covenant period. Should the applicant sell any of the homes within the covenant period this will be subject to a 'clawback' mechanism where, subject to viability, if it is shown there has been an uplift in the viability a full or partial contribution towards the affordable housing requirements within policy H8 will be sought.

It should also be noted that there will be a review mechanism built into the legal agreement to re-test the viability at future date.

Tall Building Assessment including impact on townscape

One of the main issues to consider is whether the scale of the development is appropriate. At 9 storeys, this is a relatively tall building and as such the proposal 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 CABE. Historic England's Advice Note 4, 2015 updated the CABE 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 have been addressed.

A Townscape and Visual Impact Assessment has examined the impact 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 proposal is considered in isolation and in conjunction with committed development in a Cumulative Assessment.

A computer model has provided images which illustrate the impact of the proposal on the townscape from 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 conservation area and the setting of designated listed buildings. 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).

Seven key viewpoints were considered as follows:

- *Viewpoint 1 – looking south westwards down Oldham Road towards the City Centre*
- *Viewpoint 2 – from within the Ancoats conservations are junction with Radium Street and George Leigh Street*
- *Viewpoint 3 – junction of Radium Street and Jersey Street*
- *Viewpoint 4 – junction of Bengal Street and Jersey Street*
- *Viewpoint 5 – view across Cutting Room Square from Hood Street*
- *Viewpoint 6 – view from Marshall Street*
- *Viewpoint 7 – view from the north western boundary of the conservation area along Oldham Road*

The conclusions of the assessment demonstrate that the current condition of the application site, with its partially vacant nature and poor quality street frontages, detracts from the quality of the street scene and historic environment. In addition, the development site provides an opportunity to reinstate a dense urban block to the street edges.

The proposed development will secure the development of this long standing partially vacant site within the conservation area. Whilst the building is considered tall for the conservation area context, becoming one of the tallest buildings in the area, the quality of the design and architecture of the building will complement the conservation area and its position adjacent to some important listed buildings. The street scene will be activated by the office accommodation which will occupy the lower floors whilst the upper floors residential accommodation will be characterised by well detailed elevations and brick work.

Impact of the historic environment and cultural heritage

The application site is located within the Ancoats Conservation Area. As detailed elsewhere within this report, the significance of the conservation area is derived from its industrial heritage which was laid out in a grid pattern which created a dense urban form and enclosed streetscapes. The conservation area is of most significance where the large mill buildings sit alongside smaller domestic and industrial buildings arranged in a dense form within the grid pattern.

The existing building on the site is not listed but does contribute to the significance and historical evolution of the conservation area. The demolition of the building is considered elsewhere within this report.

The application site is also located in close proximity to a number of listed buildings. these are as follows:

- Victoria Square (Grade II);
- Beehive Mill (Grade II*);
- Former church of St Peter (grade II);
- Former Ancoats Police Station (Grade II);
- Murray Mills complex (Grade II/II*);
- New Little Mill/Waulk Mill (Grade II).

In addition to the above, the Shamrock public house, which is situated adjacent to the application site on the corner of Bengal Street and Silk Street is considered to be a non-designated heritage asset.

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 Victoria Square and the Shamrock public house. In addition, there are a number of key views within the conservation area which will

be affected which include some of the other listed buildings mentioned above. These form part of the wider character and views of the application site and have been considered within the townscape and visual impact assessment.

Victoria Square, which is located immediately west of the application site, is a municipal housing block and occupies a prominent position fronting Oldham Road. The building is architecturally and socially significant as it represents an example of a new concept in social housing at the time of its construction. It is a city block construction and responds to the grid iron pattern of the conservation area whilst providing a more spacious offer than the dense terrace properties that once dominated the area.

Within the heritage assessment prepared by the applicant, 7 key view points from within and around the conservation area were considered and the impacts on the historic environment identified.

Viewpoint 1 – looking south westwards down Oldham Road towards the City Centre

Within this view Victoria Square is clearly evident together with the boundary of the conservation area. Whilst the characteristics of the conservation area are evident in this view it is fragmented by other newer development.



It is noted that the proposed development forms a significant new feature within the street scene as the proposed development can clearly be seen rising above the low rise building along Oldham Road. The scale of the building can be visibly seen within the setting of Victoria Square and provides a new feature to the boundary of the conservation area from Oldham Road. As the proposed development is set back from Oldham Road by one block this does reduce the overall impact of the block and makes it less dominant in the street scene. This allows an unimpeded view of the North West corner of Victoria Square from Oldham Road.

Overall it is considered that the proposed development will have some low level impacts on this view, particular the setting of the Victoria Square.

Viewpoint 2 – from within the Ancoats conservation area are junction with Radium Street and George Leigh Street

This view is dominated by the west elevation of Victoria Square which can clearly be seen in front of the cleared site and substation which is situated to the rear of the Shamrock public house.



The proposed development represents a substantial new feature within this part of the conservation area. Notwithstanding this, view of the Victoria Square is largely unimpeded and therefore can still be appreciated from this vantage point. In addition, the proposed development will also have a positive impact on the setting of the conservation area from this view as it will reinstate a perimeter block development to the grid patterns which has become fragmented over recent years.

Overall it is considered that the proposed development will have a low level of impact on the setting of the conversation area and listed buildings.

Viewpoint 3 – junction of Radium Street and Jersey Street

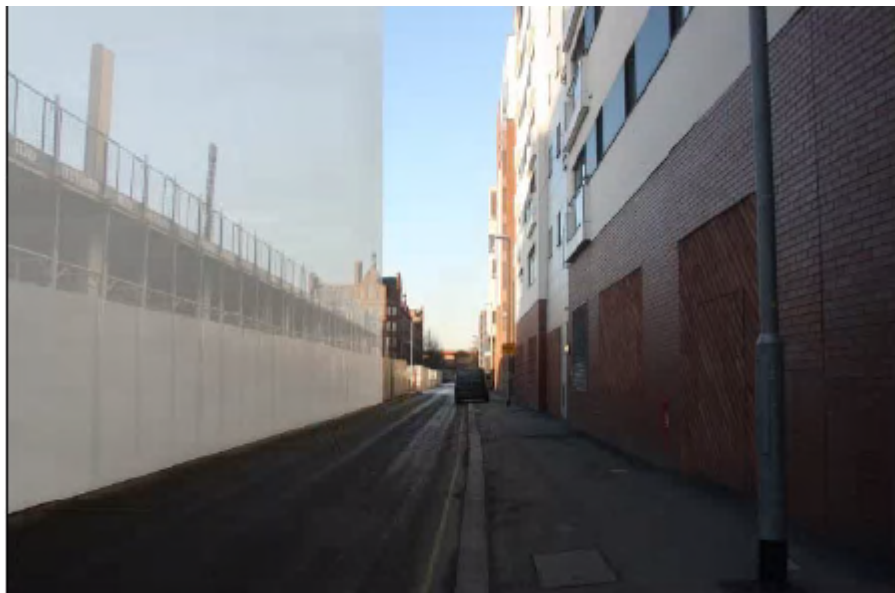
This view is dominated by Beehive Mill and a range of other Victorian brick built industrial buildings all of which make a positive contribution to the conservation area in that they are dense developments built to the footway edges offering a tight urban grain.



The completed development would have minimal impact on this view with the listed building and other key buildings being largely preserved. The proposed development will provide building form to Radium Street which will be a positive addition to the conservation area.

Viewpoint 4 – junction of Bengal Street and Jersey Street

This view allows the corner of Victoria Square to be seen from Bengal Street. Since the heritage assessment was undertaken, the view has been obscured further by a recent development on the plot to the left of the image.



The proposed development will have a limited impact on the listed building and the conservation area from this view point. The development will just be visible in the background of this image and respond positively to the blocks of development in the view fronting Bengal Street. Overall the impact on the setting of the conservation area and the setting of Victoria Square from this viewpoint is imperceptible.

Viewpoint 5 – view across Cutting Room Square from Hood Street

The view looks across the square from Hood Street. The main building of importance in view is the grade II listed former Church of St Peter. There is no view of Victoria Square and the view towards the application site being obscured by a recent development. As such, there will be no impact on the setting of the conservation area or nearby listed building from this view point.

Viewpoint 6 – view from Marshall Street

This view is taken from within the New Cross area of Manchester looking towards the conservation area. The view is dominated by the terrace properties along and near the Oldham Road frontage which are a positive contributor to the conservation area. To the left of the view is the grade II listed former ambulance and police Station. There is also a long ranging view of Victoria Square from this vantage point.



The proposed development will be just visible behind Victoria Square. Given the extent of building which will be visible it is considered that this will have a modest impact on the setting of Victoria Square. It is not considered that there will be any impact on the fire station as a result of the development.

Viewpoint 7 – view from the north western boundary of the conservation area along Oldham Road

Victoria Square dominates the view on the right hand side of the image facing onto Oldham Road. The key characteristics of the conservation area are clearly evident from this view point with a change in scale of the built form. The proposed development will not be visible from this view point and therefore will not have any impact on the setting of the conservation area.

Impact Assessment

There will be a low level of harm to the conservation area as a result of the loss of the existing building on site, which contributes to the significance of the conservation through its low rise scale which provides a juxtaposition to the taller buildings in the area. In addition, there are impacts associated with the scale of the proposed building within the conservation area and on adjacent listed buildings. The level of harm is considered to be less than substantial as defined by paragraph 196 of the NPPF and as required by paragraph 196 of the NPPF public benefits significant public benefits exist to mitigate against this low level of harm. These public benefits will be considered in detail below.

The proposal would regenerate a partially vacant site within the Ancoats conservation area. Whilst the current building fronting Bengal Street does make a positive contribution to the significance of the conservation area, there is a clear opportunity to comprehensively develop the site and provide new development to all the streets edges which surround the site thereby improving the street scene and wider context which is a key factor when developing a site in the NDF area. In

addition, the proposal will provide 75 new homes with the emphasis being on larger accommodation which can be occupied by families.

The proposal would form a large block within the conservation area. Historic England consider that the site would be better suited to a more modest development that could add to the variety of building heights in the conservation area.

A viability appraisal has demonstrated that this quantum of development is required to deliver a viable development.

A minimum of 3 floors of office space would be required at the site a proposition that is viable, manageable and cost efficient. The manner in which the office floor space is laid out would ensure maximum efficiency.

A minimum of 6 floors of residential accommodation is required to create a viable development and deliver new homes.

The viability report has been tested and concurs that this is a required quantum of development. Any reduction height of the building would result in an unviable scheme and the regeneration benefits of the scheme not being realised.

Various design options have been considered and the siting, scale and appearance of the building would respond too many of the key characteristics of the conservation area.

The site currently makes a modest contribution to the conservation area. The site frontages to Radium Street, Primrose Street and Silk Street are poor due to the vacant nature of this part of the plot. The siting of the proposal would address this. The perimeter block arrangement would be built back of pavement, would activate the street edges and re-enforce the grid pattern with built form and therefore re-instate a key feature of the conservation area thereby contribute positively to it.

Part of the significance of the conservation area is derived from the variety of building heights provided by the older mill buildings and the smaller domestic and industrial developments. The applicant considered options which included stepping back more than one storey of the building to give a greater degrees of variety to the massing of the building. However, this increased the overall height of the building.

The approach proposed would reflect a similar form of development to the older mill buildings within the conservation area which are large and robust and built to back of pavement.

Other recent developments in the area have established a height parameter of 8 storeys and are built to create a cohesive form which complements the characteristic of other large, older and newer developments in the area. In addition, there are some development within the conservation area which exceed this height limited. The development of dense developments, situated back of footpath, is not an unusual in this context.

In order to minimise the development the ninth floor would be set back on all frontages together with a change in material to give a light weight appearance. The verified views demonstrate that its impact would be negligible.

Historic England believe that the secondary nature of the roads around the site and their narrow nature, will result in an oppressive form of development. The narrowest part of the site fronts on to Bengal Street and Radium Street and the frontage along these roads, combined with the height, would not create an overly dominate building to these frontages. Indeed, given that Bengal Street and Radium Street are key roads within the conservation area it is important that development is created along these routes thereby animating the street scene.

The narrow nature of Silk Street and Primrose Street would mean that the development would be prominent along these roads. However, back of pavement development is a key characteristic of the conservation area where dense development is situated along footway edges. Terrace cut outs have been provided at street level to create a sense of space together with the creation of a double height glazed entrance space.

The development would be of the highest quality adding positively and complementing the range of architectural styles in the conservation area. The building would contain well detailed brick work, deep window reveals and other openings which echo many of the features of the older buildings in the conservation area whilst utilising modern construction techniques and materials.

Taking the above matters into consideration it is necessary to consider the degree of harm to the conservation area, Victoria Square and other buildings and carry out a balancing exercise in line with paragraphs 193 and 196 of the NPPF.

It is considered that the impact of the proposal on the setting of the conservation area, nearby listed building (particularly Victoria Square) and designated buildings such as the Shamrock public house would be less than substantial harm as defined within the NPPF. As such, and as required by paragraph 196 of the NPPF, the necessary 'public benefits' must exist to outweigh this identified harm.

The public benefits of the scheme are derived from redevelopment of a brownfield site within the conservation area in a positive way and improve the quality of the built form to all of the surrounding streets.

In addition, the massing of the building and the elevational treatment would be of the highest quality and follow many of the characteristics of the conservation area.

The proposal would provide 75 new homes with the emphasis being on family accommodation. Apartment sizes are in line with adopted space standards which adds to the overall offer at the development and would encourage residents to stay longer term and create a community within the building. Roof terraces and communal spaces will also add to the overall attractiveness of the development.

The provision of 3124 sqm of high quality office space will accommodate 174-188 full time equivalent jobs when operational and these will be targeted to SME businesses

and start-ups which will help support economic growth and innovation within the City. It should also be noted that this development is anticipated to create 294-352 FTE jobs during the construction process.

The development would form a large building in the conservation area and exceed the height of other buildings including Victoria Square and development which have recently been completed. This would cause a low level of harm to the conservation area and the adjacent listed building which amounts to less than substantial harm.

The massing would respond positively to the characteristics of other buildings in the area through its cohesive mass and well detailed elevational treatment which provides a building of high quality. As detailed above, the quantum of development proposed is required in order to deliver a viable development. The overall height of the development is minimised by the setting back of the 9th floor.

This low level of harm is considered to be outweighed by the considerable public and regeneration benefits that have been detailed above which will not be realised if the height of the building was lower as this would rendered the scheme unviable.

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.

Impact on Archaeology

There is potential for below ground archaeology associated with the domestic terrace properties which once occupied the site.

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. In addition, they recommend that a building survey is carried on the existing building prior to its demolition.

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.

Layout, scale, external appearance and visual amenity

The development would form a rectangular block which would fill the site to its perimeter thereby creating a strong building line to all the street edges which surround the site and strong building corners.

The building will activate the street scene through the incorporation of terraces to the commercial space. These spaces will not only provide a buffer to the street edges but also allow for the introduction of soft landscaping and recreational space for workers.



Corner of Bengal Street and Silk Street – terraces areas at ground level

The main entrance to the building, for both the residential and commercial occupiers, will be from Silk Street. The entrance to the car park will be from Radium Street which will provide access to a semi-basement space.



Main entrance from Bengal Street

The scale of the building mirrors the massing and proportions of some of the older buildings in the conservation area together with newer developments which have recently been completed. At 9 storeys, the development would form a large building in this context. However, the massing of the building has been designed at 8 storeys with a set back at the 9th floor to respect of the adjacent listed building and minimise the overall impact on the height of the building.

The proposed development will also respond positively to the significance of the conservation area through its juxtaposition with the surrounding lower rise buildings such as the Shamrock and the Mustard Tree buildings which are smaller in stature than the proposed development.

The appearance of the development has been designed to reinforce the façade treatment and materiality found elsewhere within the conservation area in order that the development complements and enhances the characteristics of the historic environment.

The building will be of a masonry construction, being principally red brick, with glazing for the windows and a cladding system for the 9th floor of the building.

The window arrangement within the development will be arranged within a regular grid format which helps unify the massing of the building. Similar arrangements can be found in other buildings within the conservation area.



The windows have deep reveals and have either a simple or elaborate detailing which adds interest to the overall mass of the building.

Overall the design is considered to be high quality offering an individual and distinctive piece of architecture. The scale of the building is appropriate in this location and the materials deliver a simple and effective façade treatment. Conditions of the planning approval will ensure that the materials are devised and undertaken to the highest standard.

Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment

As the development occupies the entire plot there is no opportunity for public space. However, the footways around the application will required re-instatement and improvement as part of the proposals. In this regard, there is an opportunity to improve the setting of the building and the conservation area by using enhanced materials for the footways which are befitting to the areas status. It is recommended that the improvements to the footways are agreed as part of the conditions of the planning approval.

The setting of the building, from the street scene, is enhanced through the incorporation of a series of terrace 'cut outs' at the ground floor level of the building. This will provide recreational space for the office accommodation and can also accommodate planting and soft landscaping to provide activity and interest at street level.

The proposal includes private and shared amenity space for the occupants of the residential accommodation. On the eight floor private roof terraces will be created for these apartments within the space created by the setting back of the upper floor

accommodation from the main block edge. This will provide usable space for these homes for recreational purposes. A communal roof terrace will be created for all of the residents of the building to enjoy. This will have zoned areas of hard and soft landscaping together with a residents room.

Loss of trees

There are 8 trees in and around the application site all of which are category C trees (trees of low quality). The development proposals will see the removal of 6 of these trees as part of the redevelopment proposals.

Policy EN9 states that new developments will be expected to maintain existing green infrastructure. The policy goes on to state that where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

The trees at the application site are not protected by a Tree Preservation Order (TPO), however, as they are located in the conservation area. As such, this planning application also includes a notice of the applicant's intent to remove these trees within the conservation area.

The trees which will be removed are located along the Radium Street and Silk Street frontages of the site. The loss of the trees will result in soft landscaping from the application site. However, given the low value of the trees, together with their position in the site, it is considered that the removal of the trees currently have a neutral impact on the conservation area. The regeneration benefits of facilitating the redevelopment of the site will outweigh any harm which will result from the removal of the trees.

In order to satisfy policy EN9, it should be noted that soft landscaping elements do form part of the landscaping scheme within the roof garden. In addition, although the footways around the application site are narrow, which may make street trees difficult to accommodate, a condition of the planning approval will be to explore the possibility of street trees in and around the application site.

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. In addition, a condition is recommended to be imposed to prevent vegetation clearance within bird nesting season.

The proposals provide an opportunity for biodiversity enhancements with the inclusion of the landscaped roof garden 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 received by properties which surround the site. It should be noted that there is no requirement to consider impact on available sun light as none of the effected properties are 90 degrees due south. 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), No sky Line (NSL) methods and Average Daylight Factor (ADF).

The residential properties which were assessed are as follows:

- Victoria Square – windows which face onto Bengal Street;
- Shamrock public house – upper floor residential accommodation.

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).

In terms of Victoria Square a total of 114 windows were considered. For VSC, 98 windows will experience a reduction of less than 20% with the remaining windows decreasing more than 20% with the largest reduction being 29%. The ADF and NSL results are more mixed with some rooms or windows exceeding the targets whilst others have fallen short.

The results for the Shamrock show that daylight would decrease to these windows for VSC, ADF and NSL. Whilst the public house is currently closed, it is still capable of being occupied.

It is noted that the proposed development will have some minor adverse impacts on the available daylight to the windows in these buildings. Given the characteristics of the area, which is one dominated by dense blocks of development arranged around a tightly packed road network, it is inevitable that impacts will arise.

It is considered that such impacts are not unusual for this context and therefore a balance judgement has to be formed as to whether the development would be harmful. In this instance it is considered that results of the daylight survey are not unduly harmful and the gap between the proposed development and Victoria Square will allow a perceived sense of space between the two blocks to be retained. The impact on the public house is considered to be more acute, however, given the scale of the pub any development is likely to cause the same level of harm to these

windows. It is considered that the effects are not unduly harmful for this context and do not warrant a refusal of the proposal on this ground.

Overlooking

The following privacy distances apply to the surrounding residential developments:

- Victoria Square – 16.6 metres;
- Shamrock public house – 6.4 metres

Such distances are standard in the area and the proposal is separated from these properties by the existing road network. The other surrounding buildings to the application site are commercial in nature and therefore will not be impacted to the same degree from overlooking.

The gap between the proposed development and Victoria Square is not considered to be unusual for this context and will not give rise to any unduly harmful impacts from overlooking.

Whilst the gap between the proposed development and the Shamrock is narrow, it will be the windows of the proposed offices which will overlook the habitable windows to the Shamrock and therefore the level of harm will be minimised.

a. TV reception

A TV reception survey has concluded that there is likely to be minimal impact on digital television services or digital satellite television services. Should any impacts arise then this can be mitigated through antenna upgrade or realignment of the transmitter.

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.

a. 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 100 cycle spaces together which exceeds the requirements for the development together with 5 on site electric car charging points.

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 together with consideration of the acoustic specification of the building to limit noise ingress from external noise, particularly from nearby roads.

It is noted that the surrounding area is a densely populated residential neighbourhood of the city centre. Whilst noise and disruption from construction activities will be noticeable, it is considered that the noise levels 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.

The main sources of noise to the apartments when occupied would be from nearby traffic. There could also be noise from the commercial space within the building and surrounding street. 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

The development has separate waste management arrangements for the residential and commercial elements.

The apartments are large enough to have waste storage within kitchen areas which will allow occupants to separate their waste and ensure that they recycle. It will be residents responsibility to take their waste to the designated waste store which is located in the basement. The waste store for the offices is also located in the basement area. Both residents and office occupants will be able to access the basement are through the lift.

The waste stores have been designed to meet Council standards which is calculated for high rise blocks based on the size of the space per apartment. The proposal seeks to provide a 33 sqm capacity refuse store for residential store

The office space will have a store room of 18 sqm and this will contain 3 x 1100 litre general refuse containers and 3 x 1100 litre recycled bins. It is proposed that these bins will be collected on a weekly basis.

As detailed above, Servicing and refuse collection would take place on Street via the creation of a new dedicated on street loading bay which will be delivered by the applicant on Radium Street.

Accessibility

The applicant has confirmed that the building will be fully accessible and comply with the relevant requirements for building regulations. All of the apartments will be wheelchair accessible and lobby areas, terrace space and shared spaces will have level thresholds.

A platform lift will be installed within the building which will allow all floors of the building to be fully accessible. Within the basement area there will be 3 disabled car parking spaces together with space for the storage of mobility scooters.

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 applicant has prepared a drainage statement in support of their planning application. This has been considered by the City Council's flood risk management team who consider that further consideration should be given to how the drainage systems at the site will work in order to prevent surface water run off along with examination of the implementation of sustainable urban drainage principles at the site along with their future management.

In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that the approval, verification and monitoring of the drainage 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 the amenities and services located in the heart of City Centre. Manchester Victoria train station and Shudehill Metrolink station are all within 15-minute walk.

The transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

A total of 15 car parking spaces (including 2 disabled parking spaces and five electric car charging points) are proposed within the basement of the development and accessed off Radium Street. This equates to 20% provision. 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.

If there is a requirement for the storage of mobility scooters there is sufficient room to provide safe and secure storage within the car park area.

The level of car parking is supported by the provision of 100 cycle spaces which will be located within a dedicated secure cycle store in the basement of development. In addition, there will be a robust travel plan which will consider how best to support the ongoing travel needs to the occupants of the development. 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 and the ongoing monitoring of the travel plan.

Servicing will take place from Radium Street and a servicing strategy will be secured as part of the conditions of the planning approval.

The applicant has agreed to undertake necessary highway improvements to the radii on Radium/Primrose Street to ensure that it is safe for use when the development is operational.

The pedestrian entrance to the development will be from Silk Street. In the interests of pedestrian safety, Silk Street will be made a 'one way' street in order to minimise the amount of traffic using this road. Silk Street is a narrow road and the footways are limited. As a consequence of making the road one way, the applicant has agreed to increase the width of the footway up to 2 metres to make the pedestrian environment safe. Highway Services consider that the pedestrian access would be safe through the amendments to the traffic flow.

Other alterations, which will be secured by planning condition, will include the creation of the new vehicular access from Radium Street and re-instatement and improvements to the footways around the application site. All of these improvements will 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 details are required in respect of a risk assessment and remediation strategy.

Once agreed, 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 comments received as part of this planning application centre around the scale of the building in this context.

A key requirement from new developments in the 'Anocats Core' is to respond positively to the key characteristics of the conservation area which include developments which reinstate built form to the historic grid pattern and are well detailed buildings corresponding to key design features of the older buildings in the area.

As detailed within this report, careful consideration has been given to the overall scale massing of the development in order to minimise any harm on the conservation area and nearby buildings such as Victoria Square. The massing of the development is represented by the 8 storey element of the development. The setting back of the 9th floor means the upper level of the building will largely be imperceptible particularly at street level.

It is noted that there will be some localised impacts on amenity as a result of the scale of the building, particularly on some of the windows within Victoria Square and the upper floor residential accommodation of the Shamrock. However, these impacts are not considered to be unduly harmful or unusual for this context.

Construction management

It is noted that works will take place in close proximity to residential properties. As such, comings and goings from the site are likely to be noticeable. However, it is not considered that the impacts associated with the development will be significant and will be short in duration and predictable.

A detailed construction management plan will be agreed as part of the conditions of the planning approval. This will include details of dust suppression measures, highways management plan and details of use of machinery.

Deliveries to the site will be via the existing road network. Once the final access position is agreed, it will be necessary to ensure appropriate wheel washing is put in place to prevent any dirt and debris along the road and beyond.

Limited information has been provided in terms of routing strategy, however, given the close proximity to Great Ancoats Street and Oldham Road, it is anticipated servicing vehicles will access the site from this road which should minimise any disruption along the local highway network.

There is unlikely to be any cumulative impact from the construction elements of the development. Whilst there is a large amount of activity in the local area, the close proximity to major roads such as Great Ancoats Street will ensure such activities should not have a detrimental impact on the surrounding area.

Provided the initiatives outlined above are adhered to, it is considered that 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.

Sustainability

An energy and environmental standards statement demonstrates that the energy hierarchy has been applied and that low and zero carbon technologies would be used and would comply with part L (2010).

The overall energy performance would be satisfactory with an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development complies with the spirit of the Core Strategy with high quality building fabric and systems. The energy standards should be a condition of any approval.

Legal Agreement

The proposal shall be subject to a legal agreement under section 106 of the Planning Act to ensure there is a mechanism to re-test the viability should there be a delay in the implementation of the planning permission and a covenant 'clawback' period should the homes be sold within the specified period as explained in the paragraph with the heading 'Affordable Housing'.

Conclusion

The proposal would have a positive impact on the regeneration of this part of the City Centre and would contribute to the supply of high quality housing. The development will remove a partially vacant poor quality site from the conservation area although it is acknowledged there will be the loss of a designated heritage asset in the demolition of the existing building on site which contributes to the significance of the area.

The site will be redeveloped for with a building which has been designed to the highest quality which will in turn have a positive contribution on the significance of the conservation area through its materiality, elevational treatment and the manner in which the proposed building addresses street frontages.

It is acknowledged that the scale of the development will result in some harm to the significance of the conservation area and the setting of the listed Victoria Square. This harm, however, is considered to be low level and outweighed by the public benefits that the scheme would deliver.

In addition, there will be some localised impacts on amenity to the adjacent properties at Victoria Square and the Shamrock public house in terms of daylight. However, such impacts are not considered unusual in this type of context.

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 which retains the development as a PRS scheme for a covenant period together with a review mechanism at a future date**

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 affordable housing and means of access.

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

BS-501, BS-500, BS-600, BS-402, BS-400, BS-901, BS-900, BS-108, BS-103, BS-102, BS-109, BS-100, BS-101 and BS-401 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018.

BS-099?

05004 Rev P01, 62731-106 and 75001 Rev P01 stamped as received by the City Council, as Local Planning Authority, on the 19 December 2018

Supporting information

Design and access statement, air quality assessment, daylight and sun light assessment, ecology assessment, environmental standards and energy statement, planning statement, TV reception impact assessment, phase 1 desk study, tall buildings statement, statement of community involvement, noise impact assessment, tree survey, tree constraints plan, flood risk assessment and drainage strategy, heritage statement, transport assessment and interim travel plan stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018

Overland flow routing stamped as received by the City Council, as Local Planning Authority, on the 5 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) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction 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 of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

4) No soft-strip, demolition or development groundworks shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the City Council, as Local Planning Authority. The WSI shall cover the following:

(a). A phased programme and methodology of investigation and recording to include:

- archaeological desk-based documentary study of the properties that occupied the site;
- Archaeological evaluation;
- open area excavation and recording informed by the evaluation

(b). A programme for post investigation assessment to include:

- production of a final report on the results of the investigations and their significance.

(c). Deposition of the final report with the Greater Manchester Historic Environment Record.

(d). Dissemination of the results of the archaeological investigations commensurate with their significance.

(e) Provision for archive deposition of the report and records of the site investigation.

(f). 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) Notwithstanding the flood risk assessment and drainage strategy stamped as received by the City Council, as Local Planning Authority, on the 7 August 2018 and the overland flow routing (062731 003 P1) stamped as received by the City Council, as Local Planning Authority, on the 5 September 2018, (a) the development shall not commence until a scheme for the drainage of surface water for the development has

been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The phase shall then be constructed in accordance with the approved details, within an agreed timescale.

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 Phase 1 desk study stamped as received by the City Council, as Local Planning Authority, on the 7 August 2018, (a) before the development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Unexploded Ordnance Survey report;
- Site investigation and risk assessment report;
- Remediation strategy

One approved, 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, 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) (a) 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, boundary treatments and appropriate samples of materials) 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.

11) The development hereby approved shall be carried out in accordance with the Environmental Standards and energy statement stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018. 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.

12) Notwithstanding the noise and vibration report stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018, prior to the (a) first occupation of the residential element and (b) first use of the office accommodation, 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 office accommodation 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).

13) Notwithstanding the noise and vibration report stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018, (a) prior to the first occupation of the residential accommodation a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

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

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).

14) The development hereby approved shall be carried out in accordance with site waste management strategy with the design and access statement and drawing BS-099 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018. The details shall be implemented prior to the first occupation of both the residential and commercial elements of the development and thereafter retained and maintained in situ.

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.

15) Prior to the first occupation of residential element of the development, 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 the residential element and thereafter retained and maintained in situ.

Reason – To ensure appropriate fume extraction is provided for the development 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).

16) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. 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.

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

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

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

18) When the development is first 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).

19) Prior to the first use of the office accommodation 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 the office accommodation 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.

20) Prior to the first use of the communal roof terrace and ground floor terrace cut outs, 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).

21) Prior to the first use of the residential element building 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.

22) The development of each phase shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 3 August 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.

23) The development shall be carried out in accordance with the interim travel plan stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018

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).

24) Prior to the first occupation of the residential building element, the provision of 100 cycle spaces, as indicated on drawing BS-099 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018 shall be implemented prior to the first occupation of the residential element 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).

25) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing BS-099 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

26) Prior to the first use of the residential element within 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:

- Footway improvement and reinstatement works around the perimeter of the application site including provision of street trees. These footway improvements shall include 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;
- Improvements to the junction radii at Radium Street/Primrose Street as indicated on drawing 75001-P01 stamped as received by the City Council, as Local Planning Authority, on the 19 December 2018
- Creation of vehicular entrance off Radium Street.
- Making Silk Street 'one-way' including alterations to footway in front of the application site by increasing its width to 2 metres as indicated on drawing 05004 P01 stamped as received by the City Council, as Local Planning Authority, on the 19 December 2018

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) and in accordance with the New Cross Public Realm Strategy.

27) Notwithstanding the TV reception survey stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018, 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.

28) 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).

29) 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).

30) Prior to the first occupation of the residential element hereby the 5 electric car charging points. As indicated in the transport statement and planning statement stamped as received by the City Council, as Local Planning Authority, on the 27 September 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).

31) Prior to the first occupation of the residential element of the development, a servicing 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 the development and remain in place for as long as the development remains in use.

Reason – In the interest of highway and pedestrian safety pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

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.
- Whilst the building to be demolished has been assessed as very low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

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: 120893/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)
 Strategic Development Team
 MCC Flood Risk Management
 Greater Manchester Police
 Historic England (North West)
 Environment Agency
 Transport For Greater Manchester
 Greater Manchester Archaeological Advisory Service
 National Amenity Societies
 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:

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



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121806/JO/2018	13th Nov 2018	14th Feb 2019	Ancoats and Beswick Ward

Proposal Variation of planning condition 22 of planning permission 118030/JO/2017 to allow the commercial units to open until 23:30 Sunday to Thursday and 00:00 on Friday and Saturdays

Location Cotton Field Wharf , 4 New Union Street, Manchester, M4 6FR

Applicant Hodgson, C/o Agent

Agent Ms Ema Klevan, Mace Group, Unit 5 Royal Mills, Redhill Street, Manchester, M4 5BA

Description

The application site is approximately 0.99 hectares and consists of three interlinked residential blocks known as 'Cotton Field Wharf' which were granted planning permission in 2015 under planning permission 108562/FO/2015/N1.



The central block is 10 storeys whilst the blocks wither side are 8 and 9 storeys. The building was occupied in 2017 and consist of 302 residential apartments which are privately rented and managed by Manchester Life. The ground floor of the blocks consist of 4 commercial units which were granted permission for retail (use class A1), professional services (use class A2), restaurant/café (use class A3) and non-residential institutions (use class D1). Two of the units are currently occupied by an A3 bakery/café 'Pollen' and A4 drinking establishment 'CASK'. It should be noted that as CASK is an A4 drinking establishment, and therefore not permitted within the

original use classes, has the benefit of their own planning permission (118907/FO/2018). Therefore, this unit does not form part of this application.

It is proposed to extend the opening hours on three unit in order to allow flexibility in the future.

The development fronts the northern end of New Islington Marina. The marina covers an area of 2.5 hectares with a proportion of the marina used for moorings. The marina is based on the location of former canal basins off the Rochdale Canal and provides a recreational facility within the heart of the New Islington and Ancoats area. The marina area was one of the early developments in the regeneration of New Islington and provided a key focal point and recreational offer for the new developments which have started to be developed around the area.

The Ancoats Conservation Area lies to the north west of the application site and is accessed via the pedestrian footbridge which is located adjacent to the application site providing access to Redhill Street and New Union Street. There are a number of listed buildings along Redhill Street which overlook the marina area.

The surrounding area is a mixture of residential and commercial developments. To the north of the application site are low rise residential dwellings along New Union Street. Immediately abutting the canal to the north west is an apartment development of part 3, part 4, part 5 storey blocks. To the east of the site are two storey residential dwellings which are currently under construction. Immediately to the south of the application site is the Marina area which has canal boat moorings.

The New Islington Free School, a new primary school to serve the local area, is also to be located along the northern edge of the Canal to the south of the application site.

Beyond the immediate area is Central Retail Park and Manchester Urban Exchange which provide retail facilities. The site is also within walking distance of the Metrolink stop located along Pollard Street and other recreational facilities. The City Centre is within a 15 minutes walk of the application site providing access to amenities and public transport facilities.

The proposal

Planning condition 22 of planning permission 118030/JO/2017 restricts the opening hours of the 3 ground floor commercial units within this development. CASK which operates under their own planning permission has the same restriction to their opening hours.

Condition 22 states that the commercial premises shall operate under the following opening hours:

The commercial premises hereby approved (including external seating areas), as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

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

The external seating areas shall not allow for the use of amplified sound or any music at any time.

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.

The applicant originally applied to vary the operating hours within the above condition as follows:

*Sunday to Thursday 08:00 to 23:30
Friday and Saturdays 08:00 to 00:30*

The opening hours that were applied for were amended during the course of this planning application as follows:

*Sunday to Thursday 08:00 to 23:30
Friday and Saturdays 08:00 to 00:00*

These opening hours are on the basis which is planning application is being considered.

Consultations

Local residents/public opinion

Two rounds of neighbour notification have been carried out in respect of this planning application in order to notify residents of the amendments to the opening hours. In addition, a site notice has been displayed at the application site together with an advertisement in the local press due to the changes being associated with a major development and being located adjacent to a listed building and conservation area.

A total of six letters of objection, from five addresses locally within the apartments within the building above the commercial premises, have been received following the first round of neighbour notification. Following the re-notification on the amended opening hours no further comments or observations were received.

A summary is provided below of the comments received following the first neighbour notification process:

- The amendments to hours will make another noisy neighbourhood such as the Northern Quarter;
- There is concern about the extension to the hours particularly in the summer months when people will be using the outside seating area;
- The close proximity to the canal poses a health and safety risk;

Environmental Health – No comments or objections to the proposal.

Landownership - Members of the Committee are advised that the City Council has an interest in this application as land owner. However, the Committee must disregard these interests and exercise its duty as Local Planning Authority only.

Policy

The Development Plan

The Development Plan consists of:

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

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

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

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

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

- Make a positive contribution to neighbourhoods of choice including;
 - Creating well designed places that enhance or create character.
 - Making a positive contribution to the health, safety and well being of residents;
 - Considering the needs of all members of the community;
 - Protect and enhance the built and natural environment.

Policy C10 '*Leisure and evening economy*' states that new development and redevelopment that supports the evening economy, contributes to the vitality of

district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact – in areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
2. Residential amenity – the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.
3. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area.

Policy DM1 '*Development Management*' provides specific issues which all new developments must have regard to. The ones which are relevant to this application are as follows:

- 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;

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:

Policy DC10 '*Food and 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.

Saved policy DC26, *Development and Noise*, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

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

Planning Practice Guide (PPG)

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

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

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

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

Other material policy considerations

Ancoats and New Islington Strategic Regeneration Framework (December 2016)

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

The SRF states that the mix of uses within the area should create a destinations of choice and should benefit the needs of the local community, with a pre-disposition against late night drink and entertainment licences. No licences will be granted after 11pm.

This position is then reiterated within the core development principles which states that Ancoats and New Islington neighbourhoods will be predominantly residential in character, late night uses including bars (Class A4) and nightclubs (Sui Generis) will generally not be appropriate or supported where there would be a potential conflict with residential amenity. No licences will be granted after 11pm.

Principle

The principle of commercial units being located at the ground floor of this development was established under planning permission 108562. It is acknowledged that the application sites position, fronting the marina, provides a unique setting to the building and its surroundings. The marina is a substantial area of public realm with walk ways and landscaping. A number of residential developments have been developed around this location to take advantage of this recreational offer.

As such, the principle aim of providing ground floor commercial uses within Cotton Field Wharf was to contribute positively and take advantage of its position fronting onto the marina as well as providing natural surveillance to the area and amenities for the occupants of the development.

The provision of commercial uses was considered acceptable as it would help support the mixed use aim of the development and add to the vitality and viability of the development in order to satisfy the aims of the Ancoats and New Islington Neighbourhood SRF.

The applicant is seeking to amend the operating hours of the development in order to improve the attractiveness of the premises for businesses and bring the units in line with a recent change to the licensing arrangements within this part of this City which permits commercial units to be open until 00:30 at weekends.

Alterations to the opening hours are considered acceptable in principle subject to there being no unduly harmful impacts on surrounding residential amenity as a consequence of any changes. This will be considered below.

Residential amenity

Noise and disturbance, from comings and goings, to the commercial premises is a key consideration in determining the appropriateness of changing the opening hours. The residential properties which could be most affected by this development are those within the Cotton Field Wharf development which are situated directly above the commercial units together with residential properties along New Union Street (to the north of the site) and Keepers Quay to the west of the application site (which are separated from the application site by a section of waterway).

Currently the commercial units within this development are restricted to 23:00 to reflect the requirements of the SRF for Ancoats and New Islington which seeks to ensure that the character of the area is retained as a residential neighbourhood and one that is not dominated by late night uses.

It should also be noted that both the commercial premises and residential accommodation have been acoustically insulated to the satisfaction of Environmental Health as part of discharging the acoustic insulation conditions associated with the original planning permission.

These restrictions and requirements sought to minimise disturbance and external noise to the premises together with ensuring that noise transfer between the premises and residential accommodation was not unduly harmful.

A number of developments have been completed and occupied across the area. It has become apparent that the 23:00 position is too restrictive for operators and could be detrimental to their commercial success and the vitality of Ancoats and New Islington as a thriving mixed use neighbourhood.

Accordingly, the licensing policy for the area has been altered which allows commercial premises within Ancoats and New Islington to operate beyond 23:00 – 23:30 weekdays and 00:30 weekends. Notwithstanding the change to the licensing regime, where the opening hours are restricted by a planning permission, these take precedent over that permitted by the premises license. As such, it is necessary to consider the appropriateness of increasing the opening hours as part of the planning process particularly on the impact on surrounding residential amenity in each individual case.

The applicant had originally applied to increase the opening hours by 30 minutes on Sundays to Thursdays (until 23:30) and by an hour and a half on Fridays and Saturdays (until 00:30).

It is not considered that there would be any unduly harmful impacts associated with increasing the opening hours by 30 minutes Sunday to Thursday. This is a standard arrangement for most licensed premises across the City.

However, a number of residents expressed concern about the changes to the operating hours which would permit longer opening hours on Fridays and Saturdays until 00:30. It was contended that disamenity would arise from noise and disturbance in the area when the background noise levels would be much lower.

It is acknowledged that Cotton Field Wharf's position on the marina is different to that of other mixed use developments in the area which are clustered in and around Cutting Room Square within the heart of the Ancoats conservation area. As such, it is considered that having commercial units open until 00:30 within the marina area would likely cause a degree of disruption to local residents given the predominantly residential characteristics of this part of the neighbourhood.

Accordingly, the applicant was asked to reduce the opening hours on Friday and Saturday to 00:00 in order to minimise the impact on residential amenity. It is considered that any use of any external seating areas should remain restricted to the currently permitted hours of 23:00 seven days a week in order to minimise disruption external to the premises.

It is therefore recommended that condition 22 should therefore be altered as follows:

The commercial premises hereby approved, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

*Sunday to Thursday 08:00 to 23:30
Friday and Saturday 08:00 to 00:00*

The external seating areas shall not allow for the use of amplified sound or any music at any time and shall operate in accordance with the following hours:

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

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.

As detailed above, this planning permission relates to the 3 commercial units under planning permission 118030 only. CASK, which are situated within unit 1 of Cotton Field Wharf, have their own planning permission 118907 which restricts their opening hours until 23:00. Should they wish to vary their opening hours then they will need to apply to the City Council, as Local Planning Authority, accordingly.

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 and 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

Reason for recommendation

Conditions to be attached to the decision

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

Drawings and documents approved by planning permission 108562

Drawings P31004 Rev C, P31005 Rev C, P31002 Rev C and P31003 Rev C stamped as received by the City Council, as Local Planning Authority, on the 9 June 2015.

Drawings P30002 Rev B, P30001 Rev B, P32001 Rev B, P30003 Rev B, P30004 Rev B, P30005 Rev B and P30000 Rev B stamped as received by the City Council, as Local Planning Authority, on the 9 April 2015

Drawings P30000 Rev E and TSK-001 stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015.

Update report 'response to consultees' prepared by Deloitte stamped as received by the City Council, as Local Planning Authority, on the 4 June 2015

Ecology appraisal prepared by Arup (Ref 235055-00), Energy and environmental standards statement prepared by Arup (ref. 235055-00), Operational recycling and waste strategy prepared by Arup (ref. 235055), Archaeology statement prepared by Arup (Ref. 235055), Crime Impact statement prepared by Design for Security (Version A 31 March 2015), Ventilation Statement prepared by Arup (ref. 235055-00), TV Reception survey prepared by Taylor electronic systems engineers (ref. 10040A/Rev A), Management Statement prepared by Manchester Life, Travel plan framework prepared by Arup (ref. 235055), Statement of community consultation prepared by Deloitte, ecology appraisal prepared by Arup (ref 235055-00), heritage statement prepared by KM Heritage, planning statement prepared by Deloitte, Transport Assessment prepared by Arup (ref. 235055) stamped as received by the City Council, as Local Planning Authority, on the 9 April 2015

Transport Assessment Addendum (ref.235055) prepared by Arup stamped as received by the City Council, as Local Planning Authority, on the 4 June 2015

Daylight and sunlight assessment prepared by Arup stamped as received by the City Council, as Local Planning Authority, on the 28 May 2015.

Drawings approved as a result of planning permission 118030

Drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017.

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

- 2) The drainage scheme shall be carried out in accordance with the following details:
- Drainage statement stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015;
 - C151619-HYD-C-SK002_P2 Catchment areas stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015;
 - C151619-HYD-XX-XX-DR-C-001_P2 drainage layout stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015
 - Drainage calculations stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015
 - Further drainage details stamped as received by the City Council, as Local Planning Authority, on the 19 October 2015
 - Drainage verification stamped as received by the City Council, as Local Planning Authority, on the 19 June 2018

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

- 3) a) The development shall be carried out in accordance with the following information in respect of the ground conditions:
- Email from Danny Hope of Hydrock, Silk Glass Final Issue, Dated: 14 October 2015.
 - Geoenvironmental Interpretative Report, Silk Glass, Manchester, Hydrock, Reference: C151619-HYD-XX-XX-RP-G-001, Dated: October 2015.
 - Remediation Method Statement, Silk Glass, Manchester, Hydrock, Reference: C151619-HYD-XX-XX-RP-G-002, Dated: October 2015.
 - Remediation verification report stamped as received by the City Council, as Local Planning Authority, on the 15 October 2018

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).

- 4) The construction management of the development shall be carried out in accordance with the following details:
- Construction management project strategy Plan stamped as received by the City Council, as Local Planning Authority, on the 7 October 2015.
 - Technical Note prepared by Atkins dated 17 July 2015;
 - Site access plan;
 - Car park management plan stamped as received by the City Council, as Local Planning Authority, on the 30 November 2015.

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

Reason - To safeguard the amenities of nearby residents, highway safety and to prevent any detriment to the Rochdale Canal and its users, and avoid damage to or contamination of the waterway and ground water including from wind blow, seepage or spillage at the site, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

- 5) The development shall be carried out in accordance with the provision of mitigation for shading a section of Rochdale Canal prepared by ADAS stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015. The approved details shall be implemented as part of the development and shall be in place prior to the first occupation of the development.

Reason - To determine the impact of the development on the ecology within the Rochdale Canal and to devise appropriate mitigation where necessary pursuant to policy EN9 of the Manchester Core Strategy (2012).

- 6) No clearance of vegetation or trees from the site should be carried out during the bird nesting season (March to July inclusive).

Reason - To protect existing habitats for birds, pursuant policies EN15 and DM1 of the Manchester Core Strategy (July 2012).

- 7) 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 Manchester Core Strategy (2012).

- 8) The development shall be constructed in accordance with the following materials as indicated on the following information:
- Drawing WP013-WIN-ALL-DE-WD07 Rev C02 stamped as received by the City Council, as Local Planning Authority, on the 3 April 2017
 - Materials specification schedule stamped as received by the City Council, as Local Planning Authority, on the 3 April 2017

The approved materials shall then be used in the construction 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, EN1, H1 and DM1 of the Manchester Core Strategy.

9) The drainage management shall be carried out in accordance with - Silk Glass Drainage Statement stamped as received by the City Council, as Local Planning Authority, on the 10 September 2018.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, details are to be provided that further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

10) The hard and soft landscaping shall be carried out in accordance with the following information:

- (90) 5021 Rev C and (90) 5022 Rev D, CBA-LSA-EXT-GA-0010 Rev FA02, CBA-LSA-EXT-GA-0030-FA01-01, CBA-LSA-EXT-GA-0031-FA01-0, CBA-LSA-EXT-SCH-0001 and CBA-LSA-EXT-SCH-0002 stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

The above information is considered to be acceptable. 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.

11) The boundary treatment shall be carried out in accordance with the following details:

- (90) 5021 Rev C and (90) 5022 Rev D stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

The approved details shall then be implemented prior to the first use of the development hereby approved and shall thereafter be retained and maintained in accordance with these 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 in order to comply policies SP1 and DM1 of the Core Strategy.

12) The development hereby approved shall be carried out in accordance with the - Post construction statement stamped as received by the City Council, as Local Planning Authority, on the 15 October 2018

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.

13) The plant shall be carried out in accordance with the - Note from DBX acoustics stamped as received by the City Council, as Local Planning Authority, on the 26 September 2018

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

Reason - To minimise the impact of plan 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).

14) Prior to the first use of the commercial units as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017, should fume extraction be required details of how the fumes, vapours and odours shall be extracted and discharged from the premises 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 use of the commercial premises and thereafter retained and maintained in situ.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

15) The acoustic treatment and insulation of the commercial accommodation shall be carried in accordance with the Note from DBX acoustics stamped as received by the

City Council, as Local Planning Authority, on the 26 September 2018. The approved scheme shall then be implemented prior to the first use of the commercial accommodation and thereafter retained and maintained.

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).

16) The acoustic treatment and insulation of the residential accommodation shall be carried in accordance with the Note from DBX acoustics stamped as received by the City Council, as Local Planning Authority, on the 26 September 2018. The approved scheme shall then be implemented prior to the first occupation of the residential accommodation and thereafter retained and maintained.

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).

17) The development hereby approved shall be carried out in accordance with the waste management strategy and drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 9 April 2015 and 30 June 2015 respectively. The refuse arrangements shall be put in place prior to the first occupation of the development and remain in situ for as long as the development is in use.

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

18) Prior to the first use the commercial units as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the development 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).

19) The lighting scheme shall be carried out in accordance with the following information:

- AMN_ELE_ALL_GA-61-001 Rev C03 stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

20) 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.

21) Commercial and landlord deliveries, servicing and collection including waste collections associated with the commercial units and central residential facilities 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).

22) The commercial premises hereby approved, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

Sunday to Thursday 08:00 to 23:30

Friday and Saturday 08:00 to 00:00

The external seating areas shall not allow for the use of amplified sound or any music at any time and shall operate in accordance with the following hours:

Monday to Saturday 08.00hrs - 23.00hrs

Sundays 09.00hrs - 23.00hrs

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.

23) The commercial units as shown on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall remain as shown and shall not be subdivided 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.

24) The commercial premises, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 can be occupied as A1, A2, A3, B1 or D1 (with the exception of a place of worship) . The first use of each of the commercial units to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission subject to the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester .

25) In the event that the commercial units are occupied as a D1 use, prior to the first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Details of outdoor play spaces, including details of boundary treatment, equipment and storage;
- A management plan for 'pick up' and 'drop off', car parking and servicing. For the avoidance of doubt, this shall include details of waiting area within the curtilage of the site (including plan clearly showing the demarcation of the car park) and management of car parking arrangement when the car park is at full capacity including management of potential on street parking

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

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

26) The residential management of the building shall be carried out in accordance with the following information:

- Manchester Life Assured Shorthold tenancy Agreement;
- House Rules Cotton Field Wharf;
- Executive summary

The above information was stamped as received by the City Council, as Local Planning Authority, on the 27 September 2017.

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.

27) The development hereby approved shall be carried out in accordance with the Travel plan stamped as received by the City Council, as Local Planning Authority, on the 16 November 2018.

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

Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

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

28) Prior to the first occupation of the building, 204 cycle stands shall be implemented in accordance with the drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015. The cycle stands shall be retained and maintained in situ for as long as the development remains in use.

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

29) Prior to the first occupation of the development hereby approved, the car parking layout, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

30) The development shall be carried out in accordance with the Statement prepared by Manchester Life stamped as received by the City Council, as Local Planning Authority, on the 29 September 2017 in respect to sustainable travel and car clubs. The approved details shall be implemented and made available prior to the first occupation of the development and thereafter retained and maintained.

Reason - To promote car sharing and other sustainable modes other than the car at the application site pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

31) The building recesses shall be secured in accordance with the following details:

(90) 5021 Rev C and (90) 5022 Rev D stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

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

Reason - To ensure that the recess areas do not encourage loitering pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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: 121806/JO/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:

Environmental Health
 Environmental Health
 Environmental Health

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:

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



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121537/FO/2018	12th Oct 2018	14th Feb 2019	Gorton and Abbey Hey Ward

Proposal Proposed residential development comprising of 13 no. 2-storey houses, 102 no. apartments with associated car parking, boundary treatments and landscaping across two sites

Location Land Bounded By Pottery Lane, Gorton Lane, Belle Vue Street And Polesworth Close, Manchester, M12 5JD

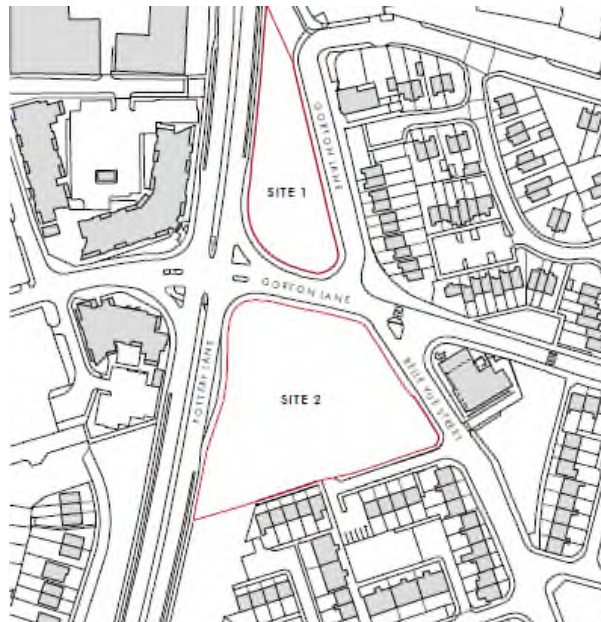
Applicant Pauline Terry , One Manchester, Lovell House, 6 Archway, Manchester, M15 5RN,

Agent Kathryn Valentine, OMI Architects, 31 Blackfriars Road, Salford, M3 7AQ

Application Site and Area Description

The application site is comprised of two separate pieces of land located either side of Gorton Lane at the junction with Pottery Lane within the Gorton area of the City. The two sites measure approximately 0.98 hectares in combined area, with Site 1 measuring 0.286 hectares, and Site 2 measuring 0.695 hectares.

The two separate pieces of land labelled Site 1 and Site 2 can be seen on the map below:



As can be seen above, Site 1 is located to the north of Gorton Lane and is a narrow tear drop shape bounded by Pottery Lane to the west and Gorton Lane to the east and south. Site 2 is then located to the south of Gorton Lane and is a much wider site bounded by Belle Vue Street to the east, Polesworth Close to the south and Pottery

Lane to the west. The application site is located approximately 1.6 miles to the east of Manchester city centre and 1 mile northwest of the district centre of Gorton.

The application site is surrounded by existing residential properties on Gorton Lane, Belle Vue Street, Polesworth Close and on the opposite side of Pottery Lane. Immediately to the south and east of the site, are small estates of mainly 1970s housing of predominantly two storey semi-detached and terraced properties of brick construction with tiled roofs and private gardens. Immediately to the west of the site across Pottery Lane are a pair of apartment buildings, which are 4 storeys in height. These occupy the north and south sides of Wenlock Way at the junction with Pottery Lane. These apartment buildings were constructed in 2011 and are clad in a mixture of black brick, white render and green copper effect cladding. The West Gorton Youth Centre is located to the east of site 2 on the corner of Belle Vue Street and Gorton Lane.

Further east along Gorton Lane is the strategically important Gorton Monastery, which is a Grade II* listed building. This is the only listed building close enough to the site to be considered relevant to its context. Further along Wenlock Way beyond the apartment buildings on Pottery Lane is the new regeneration area of West Gorton, where Keep Moat have recently redeveloped the area for family housing of 2 storeys. The houses are predominantly clad in red brick with pitched eaves facing and semi gable fronted roofs.

Pottery Lane is a major north-south arterial route, which runs between the main east west arterial routes of Ashton Old Road and Hyde Lane, which are key routes in and out of the City Centre.

The application site and surrounding area previously comprised Victorian terraced housing, which was subsequently cleared to provide land for the highway improvements in the area that can be seen in the area today. This was mainly the construction of Pottery Lane which was completed in the early 1980s / late 1990s. The south east corner of Site 2 was previously occupied by the Gorton Arms public house until it was demolished in the early 2000's. The access road and hardstanding that previously served the pub still exists within the site.

The application site is characterised by grassland with some mature trees spread across the site. The tree planting along the western boundary along Pottery Lane has the highest amenity value, to screen the residential area from this main arterial route. The sites are clear of any buildings, though there are some areas of adopted highway remaining within the sites, including the remnants of Clowes Street and George Street from the area clearance and highway improvement works.

In relation to constraints, the application site contains constraints both above and below ground. The northern section of Site 1 is located within Flood Zone 2, due to the local presence of the culverted Cornbrook. The rest of the application site is located within Flood Zone 1. There is then a significant number of constraints below the sites, including foul and highways sewers along with high and low voltage electrical cabling running within the sites. Each of these has an easement requirement, within which no buildings can be sited. The site contains a large number of trees although none of them are the subject of a Tree Preservation Order.

The application site is located within the Gorton area of the City in the Gorton and Abbey Hey ward, which is a suburban area of Manchester. The area surrounding the application site is predominantly residential in character, with some areas of industrial, commercial and educational uses close by.

There are a number of amenity areas in close proximity to the site including Gorton Park along Belle Vue Street and the Casson Street Local Park located further along Gorton Lane, along with the new green spaces created within the West Gorton regeneration area. The district centre of Gorton is approximately 1.5km south east of the application site, whilst the site is well located in relation to surrounding services and facilities including public transport links. The application site is located close the Ashburys train station, which has regular services into the City Centre.

The City Council has an interest in this site as a land owner. Members are reminded that in considering this matter, they are discharging their responsibility as Local Planning Authority and must disregard the City Council ownership interest.

Proposed Development

Planning permission is sought through this application for a proposed residential development comprising 13 no. houses and 102 no. apartments across the two sites. The houses are either semi-detached or detached properties, and the apartments are provided within 4no. blocks ranging in height from 3 to 6 storeys. More specifically, the development is split across the two sites as follows.

Site 1 predominantly includes the provision of 7 no. 3 bedroom two storey family houses to the north of the site facing Gorton Lane, each with incurtilage car parking and gardens to the front and rear. To the southern end of Site 1 is a 3 storey apartment building providing 11 no. apartments with a gated car parking courtyard and communal residents garden. The band of trees that currently lines Pottery Lane to the west of the site will be retained to provide both a buffer to the new and existing houses, and to retain the amenity value of the trees within the local area. The very northern tip of Site 1 will then comprise an improved public open amenity space for the wider community.

Site 2 includes the provision of 3 no. residential blocks providing the remaining 91 no. apartments. These range from 6 storeys onto the Pottery Lane / Gorton Lane frontage down to 3 storeys closest to the existing residential properties on Polesworth Close. These residential blocks are all centred around a communal residents garden and are set in a landscaped setting. Off street parking is provided within secure courtyards that are accessed from Polesworth Close. The proposals then include the provision of 6 no. 3 bedroom two storey family houses facing Polesworth Close, again with incurtilage private car parking and gardens to the front and rear.

The redevelopment of Site 2 involves the closing up of the existing adopted highways and an unadopted footpath. Like Site 1, a substantial landscaping strip consisting primarily of existing mature trees will provide a green buffer along the western extent of the site, providing visual and physical separation from Pottery Lane.

Across the development, private balconies, ground floor terraced areas or upper level terraces are provided to 26 apartments with all other apartments having access to the shared courtyard gardens on Sites 1 and 2. 90 no. car parking spaces are to be provided, comprising 13 no. incurtilage spaces for the houses and 77 spaces within secure parking areas for the apartments. The development also includes 100% secure cycle parking and will include electric vehicle charging points in the final design.

The layout of the proposed development can be seen below:



The proposed housing will be of an affordable tenure, providing a mix of shared ownership and rent to buy properties increasing access to new affordable homes in the East Manchester area. This will be explained further with additional information provided later in the report.

Consultations

Local Residents

Letters were sent out to 168 addresses surrounding the application site and 2 letters of representation have been received in objection to the proposals. The comments made can be summarised as follows:

The landscape and visual impact - The landscape includes (20+) forty-year-old trees and a grassed area that has encouraged many species of wildlife over the years which includes birds and squirrels. The trees also decrease noise pollution from Alan Turing Way. Loss of outlook and privacy for residents on Polesworth Close.

To go from looking at a beautiful tree/grassed area to a 6ft fence with a car park on the other side of it would be very depressing. Currently sit out in the front garden enjoying the view and the wildlife. This fence would have a huge effect on health and well-being and the environment.

The access road to the development - Polesworth Close has been a cul-de-sac since it was built 40 years ago. It is a peaceful, quiet cul-de-sac with no more than 6 cars belonging to residents being driven on it (with the exception of the odd delivery driver). The proposed access road to the development is to use Polesworth Close. With 20 houses and 102 new apartments, it would be estimated that over 100 cars would use this road throughout the day, with the main concern being between 7-9am and 4-6pm when residents will be commuting to and from work. Will traffic signals be implemented at the end of Polesworth Close at its junction with Belle Vue Street? Causing more congestion and fumes from cars outside our houses? The noise pollution will be unbearable, but the air pollution will be even worse.

This lovely quiet close will turn into a mad traffic nightmare with the entrance/exit to properties being on Polesworth Close. The parking spaces for the 5 houses 11-15 Polesworth Close will be lost.

The character of my neighbourhood - Polesworth Close is a quiet neighbourhood with only 9 houses situated on it. It is a very private neighbourhood with no reported crime in years. The over-development and increase in density and population of this area will in my opinion bring more crime and anti-social behaviour.

The council are 'garden grabbing' a piece of land that has been untouched and unspoilt for over 40 years.

Value to property - The price of property would be affected by this new development. We were advised that the 6ft fence would add to neighbourhood security. This is maybe the case for the new tenants, but not for existing residents. The fence would go from the car park entrance down to the trees lining the road, it would still leave a gap around our houses for any undesirables to cut around closer to our houses than before. Any potential buyer looking to buy these houses would prefer to look out on beautiful trees/grassed area and not a 6ft fence with car park.

Following the re-notification of local residents on receipt of some amended plans / information, no further letters of representation have been received.

Highway Services

The TA suggests that the proposals will generate 42 two-way movements during the AM peak and 44 within the PM peak period, 29-31 of these vehicles using the Pottery Lane/ Gorton Lane/ Wenlock Way junction. As such, Linsig modelling has been undertaken at this junction indicating that it currently operates close to practical reserve capacity with the proposed development leading to anticipated further queuing over the junction.

HFAS (Highway Forecasting and Analytical Services) and UTC (Urban Traffic Control) were consulted in relation to the trip generation and junction capacity assessments and provided the following comments:

1. Trip Generation - It should be noted that HFAS are unable to validate the 'Existing Traffic Flow' data as there are a lack of traffic flow raw data outputs contained within the TA. There are no other issues with the trip generation exercise.
2. Traffic Congestion – SCOOT loops are installed at traffic signals to measure traffic congestion. The existing SCOOT loop installed on Gorton Lane is queued upon and with the additional traffic from the development it is very likely that the SCOOT loop will be further queued upon. SCOOT relies upon the SCOOT loops not being queued upon. The proposed development should fund the relocation of the SCOOT loop further from the stopline. To mitigate the impact of the development traffic, SCOOT revalidation of the Pottery Lane and adjacent junctions should be included as a condition.

Existing layout

- Non-nearside lanes should not be defined as nearside.
- The turning radii should be defined in order for the true saturation flow to be captured.
- The lane widths should be reviewed to match the existing layout.
- The Gorton Lane approach consists of one lane.
- The non-blocking storage for the right turns from Pottery Lane should be reduced.

Proposed layout

- The proposed layout that includes the pedestrian crossings has not been provided and for this reason the model can't be checked in detail.
- Segregated cycle lanes should be included in the design of the junction as well as the pedestrian phases.
- The frequency assumption of the appearance of the all-red pedestrian stage should be included in the assessment.

Recommendation: Given the above, the submitted models do not capture the true impact of the development and should be amended. In addition, it should be highlighted that at junctions operating close to 90% DoS, small reductions in capacity can result in a significant increase in delay.

1. Traffic Regulation Orders (TROs) TfGM would suggest that a review is undertaken of the Traffic Regulation Orders in the vicinity of the development, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm.

The site is suitably accessed by sustainable modes, with regular bus and train connections provided within a walkable radius of the site. Accident data has been considered, highlighting 11 accidents over the last 3 year period within an immediate radius of the site. Whilst it is acknowledged that a large proportion of these are non-serious/ fatal, it is requested that data based on a 5 year period is provided.

In relation to pedestrian crossings, MCC Highways and TfGM require an upgrade to the A6010 Pottery Lane/Gorton Lane/Wenlock Way signals, as the existing pedestrian refuge islands are considered to be substandard. Further detailed design work will be required in conjunction with MCC Highways/ TfGM's Urban Traffic Control (UTC) to agree the extent of works required in this location. Confirmation has been received that the pedestrian facilities should be implemented across all 4 arms, contrary to the TA report by Curtins.

Highways would recommend that the footways across the perimeter of the site be resurfaced as part of the development. It is noted that there are some instances of footway parking along Belle Vue Street. Whilst the installation of bollards has been considered, given the length of Belle Vue Street this is not deemed to be appropriate in this location. In order to facilitate large vehicles along Polesworth Close, it is accepted that adjustment to the existing kerb radii is required, partially on the adopted highway. A dropped crossing will also be required to cater for access to Site 1.

Access to Site 1 is gained from Gorton Lane, with Site 2 accessed from Polesworth Close. Appropriate visibility splays have been provided, in line with Manual For Streets Guidelines, indicating no constraints for vehicles egressing onto the highway. Separate pedestrian access from Pottery Lane is offered, which is accepted in principle.

90 car parking spaces are proposed across the two sites catering for the 115 units, equating to a provision of circa 78%. Given the accessibility to sustainable modes and perceived low vehicle ownership, this level of parking is considered acceptable in principle. There are 4 accessible spaces to cater for disabled users, representing a 4% provision. It is recommended that this be further increased to offer nearer 10% of the total car park offering, in line with MCC Parking Standards.

Highways would also recommend the installation of electric vehicle charging facilities within the car park, at a suggested provision of 10%. Highways would recommend that the uptake of these facilities is regularly monitored as part of Travel Planning strategies, with facilities further increased when 80% capacity is reached.

Regarding the dimension of the spaces, these should all accord with MCC's standard minimum requirement. It is recommended that standard parking bay dimensions be a minimum of 2.4m x 4.8m and disabled parking bay dimensions a minimum of 3.6m x 6.0m. This should also include a 6 metre aisle width to allow vehicles to safely manoeuvre within the car park, with formal demarcation of all spaces. Individual driveway spaces should offer a minimum 3.0m x 6.0m in order to ensure no obstruction on the adjacent highway. In principle, the indicative layout of the car parking areas are considered acceptable, subject to confirmation of bay sizes.

Cycle storage for 115 cycles has been provided, therefore offering 100% provision which is welcomed by Highways. Highways would recommend that the uptake of cycle parking facilities is regularly monitored as part of Travel Planning strategies, with cycling accommodation further increased when 80% capacity is reached.

In-curtilage refuse storage has been provided for each of the 13 houses, with centralised refuse stores provided for apartment use at both sites. Servicing is proposed on-street with swept paths based on a 12m rigid vehicle demonstrating sufficient clearance along Polesworth Close to negotiate refuse vehicles, with only slight reversing movements required. This strategy is therefore accepted in principle by Highways.

All boundary treatments with frontage to the adopted highway will require visual permeability from a height of 600mm upwards in order to maintain appropriate sight lines. Gated accesses, both vehicle and pedestrian, will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality. It is recommended that the above is conditioned and attached to any planning permission that may be granted.

Therefore, suggested conditions include:

- Off-site Highways Works (to include pedestrian crossing)
- Cycle Parking provision
- Servicing Management Strategy
- Construction Management Plan
- Travel Plan

Following the comments received above, additional and amended information was submitted by the applicant to address the issues raised. Further information has been provided in relation to the electric vehicle charging points, an increased number of disabled car parking spaces to 10% and clarification over footway resurfacing works. It has also been confirmed by Highway Services that pedestrian improvement works will be required to mitigate the impact of the development and that this should be included as an off-site highway works condition. Therefore, on the basis of the above, Highway Services are now satisfied with the development.

Environmental Health

Environmental Health have reviewed the acoustic report submitted by Lighthouse and have the following comments to make. There are concerns regarding the external sound levels on site 1. These have been assessed and the majority of the garden spaces have noise levels of 60-65dBA which exceed the upper limit value of

World Health Organisation (WHO) criteria. The applicant has attempted to partially address the requirements states in the guidance, for example through the introduction of a 3 metre high acoustic fence, which has reduced the external noise levels in the amenity areas on site 1.

However, Environmental Health recognise that although BS8233:2014 states that “the acoustic environment of external amenity areas should ideally not be above the range 50 – 55 dB LAeq,16hr”, it also suggest “... guideline values may not be achievable in all circumstances where development might be desirable. In such a situation, development should be designed to achieve the lowest practicable noise levels in these external amenity spaces but should not be prohibited”. In this instance it is up to the Planning Authority, as the decision maker, to consider whether the development is desirable taking into account economic, social and other environmental factors. NPPF/NPPG states that noise is a material consideration, but should not be considered in isolation and that other such factors can influence the decision making process.

In relation to the internal noise levels to the properties, as specified in Acoustic Planning Report 0405/APR1 Revision 2, Acoustic test data for the proposed glazing systems should be forwarded to the Planning Authority for approval. As also specified in this report, before any background ventilation systems are installed, detailed proposals should be forwarded to the Planning Authority for approval acoustically. The ventilation systems should achieve noise levels of LAeq 30dB in living rooms and bedrooms and LAeq 35dB in kitchens and bathrooms where providing continuous background ventilation.

The Waste Management Strategy submitted with the application is acceptable, and can be approved through an appropriately worded condition.

EH have reviewed the submitted SLR Air Quality Assessment, and advise that, notwithstanding the conclusions of that report, that construction impacts may be mitigated and predicted operational phase impacts are not significant, good practice principles should be applied to the operational phase of the development. Relevant conditions are recommended to address these issues.

Other recommended conditions include contaminated land and the acoustic insulation of any externally mounted equipment.

Flood Risk Management Team

FRMT have assessed the application and would recommend conditions to be included relating to the submission of a fully detailed surface water drainage scheme and the submission of details of the implementation, maintenance and management of the sustainable drainage scheme.

Greater Manchester Ecology Unit

The information submitted with the application includes an Ecological Assessment, which identified the most important habitats on site as the areas of woodland on the western and southern site boundaries of the southern section of the site. The

southern area of “woodland” is to be lost to the development. While GMEU would normally object to the loss of woodland on a site, from aerial photography this area appears to support closely planted individual trees with no woodland structure or features present. Equally the area of woodland along Gorton Road appears to be a planted buffer strip including non-native species. Mitigation for the loss of any of these features should therefore be straight forward and the landscaping scheme includes planting of native species. GMEU therefore have no objections to the proposals.

As the trees and scrub impacted by the proposals may support nesting birds, GMEU would recommend a condition relating to the removal of trees outside the bird nesting period. In addition, as invasive species have been found at the site, GMEU recommend that a condition is including requesting an invasive non-native species protocol to be submitted to and approved by the local planning authority.

GMEU would expect any such scheme to include measures to enhance biodiversity at the site, in line with the requirements of the National Planning Policy Framework. A condition is recommended that requests the submission of a scheme for Biodiversity Enhancement Measures to be submitted.

Greater Manchester Police

Having made an assessment of the planning application, Greater Manchester Police would advise that it is essential that all of the physical security specifications set out in section four of the submitted Crime Impact Statement are incorporated into the scheme. Greater Manchester Police would recommend a condition is added to the approval of the application to reflect the physical security.

Arboriculture

Having read through the landscape plans, there are no objections to the proposed development from an arboricultural perspective.

Policy Context

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:

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 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, including the Ashburys train station and regular bus services, whilst also encouraging other forms of transport such as cycling, and electric vehicle charging points.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a 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 proposed development is considered to be a high quality scheme in terms of its design and appearance that would enhance the regeneration of this area of the City.

Policy EN3 'Heritage' states that proposals for development 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. The closest heritage asset to the site is Gorton Monastery further along Gorton Lane. However, it is not considered that the development would have any detrimental impact on the character, setting or local views of this important listed building.

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. Policy H1 prioritises residential development on

previously developed land, in particular through the re-use of vacant housing or other existing buildings. The redevelopment of this brownfield site would accord with policy H1.

The development will form a medium density residential scheme within an area of East Manchester that is expected to accommodate housing growth. Consideration has been given to the design, siting and scale of the apartment buildings on the main road frontages and family housing along with prioritising the re-use of these previously developed sites. 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 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. This site is a strategic housing location and the delivery of development will help the delivery of the adopted core strategy.

Policy H5 'Central Manchester' states that Central Manchester, over the lifetime of the Core Strategy will accommodate around 14% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing would be permitted within or adjacent to the Regional Centre (Hulme and the Higher Education Precinct) as well as within Hulme, Longsight and Rusholme District Centre as part of mixed use developments. The proposed development would accord with policy H5 by facilitating the delivery of a wide range of new affordable accommodation consisting of good quality family houses and 1, 2 and 3 bedroom apartments seven 3 and 4 bedroom as part of a wider regeneration of the West Gorton area.

Policy H8 'Affordable Housing' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The proposed housing will be of an affordable tenure, providing a mix of shared ownership and rent to buy properties increasing access to new affordable homes in the East Manchester area. 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 existing green infrastructure currently at the site, which mainly runs along the main radial route of Pottery Lane. This band of trees is being retained as part of the development to retain the green buffer between this main road and the new and existing residential properties in this area. There are also opportunities to improve green infrastructure as part of the development proposals in the form of well sized amenity spaces and landscaping.

Policy EN10 'Safeguarding Open Space, Sport and Recreation Facilities' therefore is of relevance to the assessment of loss of open space. This policy states that proposals on existing open spaces and sport and recreation facilities will only be permitted where equivalent of better replacement open space, sport or recreation facilities will be provided in the local area; or the site has been demonstrated to be surplus for its current open space, sport or recreation function and the City Wide Standards set out above are maintained, and that the development will be ancillary to the open space, sport or recreation facility and complement the use or character.

Policy EN11 'Quantity of Open Space, Sport and Recreation' is also of relevance in that the Council will seek the provision of new open space, sport and recreation facilities, in particular where there is a quantitative shortage of a particular use per head of population, including any increase of population created by the new development is identified in the area; or significant levels of development are proposed including within the Strategic Housing Location.

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 and appropriately worded conditions have been recommended to protect any nesting birds and provide some biological enhancement through the development.

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.

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.

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 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 DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments. The proposal has been designed to minimise the impact from noise sources and further mitigation will be secured by planning condition.

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

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. 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.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

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

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.
- Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

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

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

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

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

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

Other 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.

Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)

Adopted in 2015, the vision for the strategy is that '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'

There are four objectives in order to achieve this vision:

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.

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.

Issues

Publicity

The proposal, by virtue of the number of residential units, has been classified as a large scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development. Site notices were displayed at various locations around the application site. In addition, notification letters have been sent to an extensive area of local residents and businesses.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken. The proposed development is not of a type listed in Schedule 1. The EIA Regulations state that the proposed development may be considered to be Schedule 2 development under Category 10, 'Infrastructure Projects', of the EIA Regulations. Sub-section (b) relates to 'Urban development projects', where the area of development exceeds 5 hectares. The Site is 0.98 ha and does not exceed the 5 hectare threshold set out in Schedule 2 10 (b) of the EIA Regulations.

The nature of the proposal falls within "Urban Development Projects", however, falls below the threshold in terms of site area (1 ha) and units size (150 units). It is

acknowledged that there are a number of consented schemes in this area of West Gorton and some of these may be constructed at the same time and therefore, the cumulative impacts have to be considered. However, these are located on the other side of Pottery Lane and therefore, there is a decent separation distance between the developments to reduce the cumulative impact experienced. Also, given the nature and scale of the proposed development for residential purposes, it is considered that the proposed development and the cumulative impacts in the immediate area would not warrant the completion of a full EIA.

Principle

The application site is located within the Gorton and Abbey Hey ward of the City, as allocated on the Proposals Map contained within the Manchester Core Strategy (2012), and forms part of the East Manchester Regeneration area. Policy SP1 states that this area will be the focus for the provision of new residential accommodation on areas of previously developed land. Policy H1 goes on to state 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. Policy H1 also seeks to ensure good quality family housing.

As outlined earlier in the report, the two pieces of land in question for this application formed part of a wider building clearance scheme to provide the land necessary to create the improved highway network seen in this immediate area. However, following the completion of these works, the application site land was no longer required and since that time has become greened through both purposefully planted trees along the Pottery Lane edge and self-seeded areas. Notwithstanding this, the application sites are classed as brownfield sites and as such, the development does accord with the principles of Policies SP1 and H1.

Further to this, the two sites currently comprise open land, identified within the City Council's Core Strategy evidence base Open Spaces Audit, as 'Amenity Green Space'. The application is therefore required to be accompanied by an Open Space Assessment, which considers the loss of the application site as open space in terms of overall quantitative and qualitative supply in the East Manchester area. This matter, along with the consideration of the scheme against policy EN10, is outlined in more detail below.

Whilst the principle of the development is consistent with planning policy framework, there are detailed matters that require particular attention. This report will therefore consider the following material considerations and determine whether any undue harm will arise as a consequence of the development.

Community Involvement

A Statement of Consultation has been prepared in support of the application, and is located within Section 5.0 of the Design and Access Statement. This document explains the programme of consultation that the proposal has been through in order to ensure that issues could be considered and addressed as the proposal is developed.

A public consultation event was held on Wednesday 26th September at West Gorton Youth Centre. The applicant and design team members were present to greet members of the public, to present the proposals and to answer any queries raised. Prior to the event, flyer invitations were distributed to residents. 54 flyers were distributed to residents living on Gorton lane, Polesworth Close, Belle Vue Street and Pottery Lane. Out of the 54 recipients of flyers, 11 people attended the event. In addition, two local ward councillors were present.

The consultation statement outlines that on the whole, the development proposals were positively received. Attendees recognised the high need for housing in the area and fully supported the proposal's tenure of 100% affordable housing. The sites, in particular site 2, are currently viewed by some residents as unsafe, unsightly and encouraging of anti-social behaviour. The development was seen to address these issues. However, a main concern for those who attended the event was that the development would cause the loss of green space. The applicant has made sure that these concerns are mitigated through design measures and supported by necessary assessments carried out by specialist consultants. The proposal has been developed with landscape at the forefront and the application is accompanied by both an Open Space Assessment and an Arboricultural Impact Assessment.

Other issues raised during the consultation include the impact on traffic and parking. Both a Transport Assessment and an Integrated Travel Plan have been prepared by Curtins in support of this application to address any issues surrounding traffic and parking.

The Statement outlines that the planning submission provides a detailed response to all the matters raised at the consultation event through the inclusion of detailed plans and specialists reports. These matters will be considered in more detail below.

Loss of Open Space

As outlined above, the two sites that form this planning application site are identified within the City Council's Open Spaces Audit of 2009 as 'Amenity Green Space'. On this basis, the application is accompanied by an Open Space Assessment, which considers the loss of the application site as open space in terms of overall quantitative and qualitative supply in the East Manchester area.

As outlined within the Design and Access Statement, the application site comprises two parcels of land that until the second half of the 20th century comprised Victorian terraced housing. However, due to the clearance of this area. The two parcels of land are now green spaces at the junction of Pottery Lane and Gorton Lane. Policy EN10 'Safeguarding Open Space, Sport and Recreation Facilities' therefore is of relevance to the assessment of loss of open space. This policy states that proposals on existing open spaces and sport and recreation facilities will only be permitted where equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or the site has been demonstrated to be surplus for its current open space, sport or recreation function and the City Wide Standards set out above are maintained, and that the development will be ancillary to the open space, sport or recreation facility and complement the use or character.

Policy EN11 'Quantity of Open Space, Sport and Recreation' is also of relevance in that the Council will seek the provision of new open space, sport and recreation facilities, in particular where there is a quantitative shortage of a particular use per head of population, including any increase of population created by the new development is identified in the area; or significant levels of development are proposed including within the Strategic Housing Location.

The City Wide Standards for Amenity Green Space are 0.40 ha per 1000 population within a 10 minute walk time (480m). The Open Space Audit defines Amenity Green Space as including informal recreation spaces and green spaces in and around housing. It fulfils a primary purpose of providing opportunities for informal activities close to home or work. Amenity Green Space is often also used for landscaping purposes.

The City Wide Open Space, Sport and Recreation Study (OSSRS) was published in 2009 and underpins the policies in the Core Strategy. The OSSRS provides a full audit of existing open space, sport and recreation facilities across Manchester and develops local standards that when applied will ensure that all households can access a broad range of high quality open space, sport and recreation facilities. The OSSRS also highlights areas where there is sufficient or over provision and identifies areas where there are deficiencies in either the quantity and / or quality of provision.

Section 6 of the study examines the existing provision of Amenity Green Space across Manchester and sets quantity, quality and accessibility standards for future provision. The chapter establishes a recommended quantity standard of 0.4 hectares per 1000 population. The quality of amenity green space in East Manchester is identified as being good, scoring 71% which is in line with the Manchester average. The study goes on to identify that there is a current balance (overprovision) of amenity green space in East Manchester to 27.64 hectares, which would allow an additional population growth of 66,739 to be sustained.

Section 14 examines the key issues in the strategic area of East Manchester in detail. The East Manchester area is identified as having a population of 72,4072, this covers the areas of Ancoats and Clayton, Bradford, Miles Platting and Newton Heath, Gorton North and Gorton South. The OSSRS identifies that there are 119 Amenity Green Spaces (the greatest provision in the city) ranging significantly in size from 0.07 hectares to 7.55 hectares. The vast range in the size of sites is illustrative of the range of functionality of the different spaces.

The study therefore, reveals the healthy surplus of Amenity Green Space in East Manchester. The 119 sites, deliver a total of 56.6 hectares of Amenity Green Space which translates to a hectare per 1000 of the population, nearly double the Council's target standard in Policy EN10 of 0.40 ha provision per 1000 of the population.

Policy EN10 is the principle policy to be considered in the determination of the application. In order for development on sites of open space to be considered acceptable, the criteria in this policy must be satisfied. At the time of publication, the OSSRS records the level of provision of Amenity Green Spaces in East Manchester as 0.78 per 1,000 population. The Quantity standard as set out in CS policy EN10 is

for the provision of 0.4 ha per 1,000 population. The OSSRS identifies an oversupply of 27.64 hectares which is capable of accommodating a population growth of 66,739 people. Evidently there is a clear oversupply of Amenity Green Space in East Manchester.

In terms of accessibility, the standards state that residents should be able to access Amenity Green Space within a 10 minute walk time (480m). Map 14.6 (included in appendix 1 of this statement) of the OSSRS demonstrates that the application site and majority of East Manchester meet this standard. Even with the loss of this open space through the proposed redevelopment, there is plentiful Amenity Green Space in the locality, notably to the immediate south of the site adjacent to Pottery Lane; Burtree Street (south east of the site); Gorton Lane / rear of Valance Close (east of the site); Crossley Street / Lapford Road (east of the site); Belle Vue Street / Bridgend Close (south of the site); and Runhall Close / Corby Street (south of the site).

The average quality standard score for existing Amenity Green Space within East Manchester was 71%, with scores ranging from 48-100%. The exact score of the application sites are not recorded in the OSSRS. The current quality of the sites may have changed since the publication of the study therefore with excellent provision of Amenity Green Space in the local area it is relevant to look at the value of the existing sites.

Site 1 contains well maintained vegetation, however its location adjacent to Pottery Lane and lack of through routes across the site limits its function and value other than as a screen from the traffic and noise on Pottery Lane. Site 2 is less well maintained with overgrown planting and litter evident. This area is large, however it is not well laid out and does not lend itself to a secure and safe environment, limiting its functionality for local residents. When assessed against the quality standards in the OSSRS, the sites display limited quality in the context of the overall generous provision of Amenity Green Space in the wider area and as such from a qualitative perspective, they can be considered to be surplus to requirements.

The Council's evidence base indicates that there is an abundance of Amenity Green Space in the general area. In light of the limited benefit that the sites provide to the general public and local community, it is considered that their loss is justifiable in view of the wider regeneration benefits that will occur if the land is used to provide much needed new affordable housing for local people in the area. Given that the sites lie in close proximity to large areas of public open space, sports and recreational facilities, and that the development would retain a green buffer to Pottery Lane, it is considered that the loss of this land could be accommodated given the regeneration benefits of developing these mostly unused sites and providing much needed homes in the area.

The proposed new development is intended to generate an active use on an under-utilised piece of land, which lies adjacent to existing residential properties in a sustainable area. The residential use proposed is therefore in keeping with the character of the area and will contribute to the quality and supply of affordable housing in Gorton. Given the significant regeneration benefits that would arise from the proposed development, it is considered that this would outweigh any requirement

for a contribution towards another type of open space or facility in this area. Accordingly it is considered that the proposed development complies with Policy EN10 of the Manchester City Council Core Strategy and policy in the NPPF.

Affordable Housing

Policy H8 sets out how developments should respond to the 20% contribution of affordable housing across the City. Using 20% as a starting point, developers should look to provide new houses that will be for social or affordable rent with a focus on affordable home ownership options. Any requirement or not for affordable housing will be based upon an assessment of a particular local need, a requirement to diversify the existing housing mix and the delivery of regeneration objectives.

The application has been accompanied by an Affordable Housing Statement, which outlines that One Manchester's target is to develop over 1000 properties within the next five years with the emphasis on diversifying the market by bringing a varied rental and affordable homeownership offer to our Manchester neighbourhoods. The proposal for this site is to deliver affordable homeownership under the Homes England Rent to Buy and Shared Ownership Programme. This is in accordance with the City's 'Providing for Housing Choice - Planning Guidance', where the City identifies that alongside a need for good quality, private housing, for owner occupation, that, many more people now need affordable housing options due to the sharply increasing house prices.

The Rent to Buy and Shared Ownership products provide the ability to diversify the affordable homeownership offer and attract new residents into an edge of City location. The Rent to Buy option enables prospective residents to rent a property at 80% of market rent for a period of 5 years. After this period, they will be given the option to purchase outright at market value or buy an equity share in the property with a portion of rent at 2.75% of unsold equity with an option to staircase in future years.

The Shared Ownership option is where residents can purchase an equity share in the property with a portion of rent at 2.75% of unsold equity with an option to staircase in future years.

Both of these options have been confirmed to be in line with Homes England funding conditions. This allows residents to move from affordable tenures into market tenures and then the grant will be recycled into the provision of future affordable housing. One Manchester will be launching this product as a pathway into affordable homeownership, which is in line with the Shared Ownership and Affordable Homes Programme 2016-2021. It is therefore, considered that this development will contribute towards addressing the under supply of affordable housing and will support the local authority in meeting their affordable housing targets.

The two parcels of land that are the subject of this application are currently owned by the City Council and therefore, it is not possible to secure this affordable housing provision through the usual route of a S106 agreement attached to the planning permission. However, it has been confirmed by the relevant City Council department

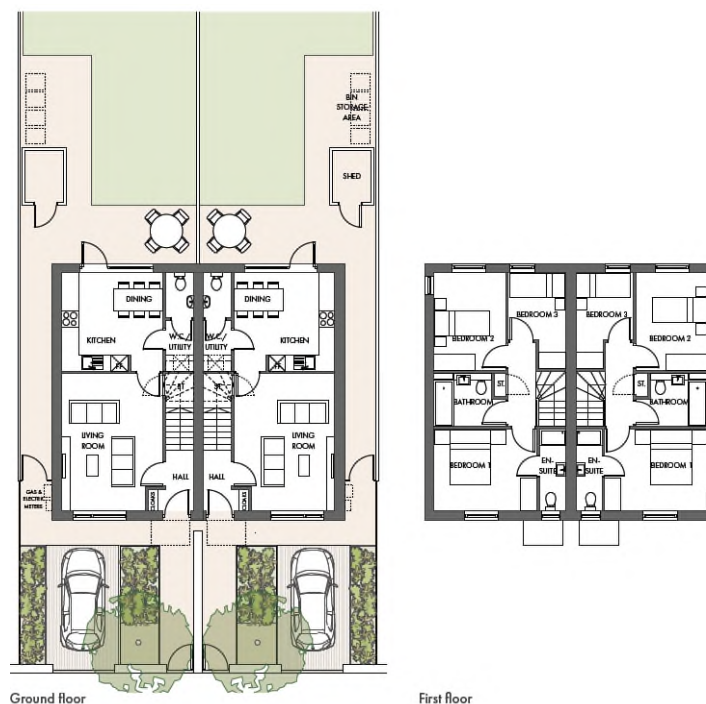
that the delivery and future perpetuity of this affordable housing provision will be secured through the Development Agreement necessary for the sale of the land.

Siting/layout

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester, requires that consideration be given to layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene and other important features of sites. It is acknowledged that the proposed development will remove an existing area of green open space on this main radial route in the City, however the proposed development is of a high quality that provides an opportunity to improve the visual quality of this key site, whilst retaining the considerable green edge boundary along the Pottery Lane frontage.

The two parcels of land are very different in shape and size but both have main road frontages to a number of sides. The proposed development responds positively to all of these road frontages by providing built form along the perimeter of the application site and strengthening the urban grain. The site layout of the site can be seen in the plan provided in the Proposed Development section at the beginning of this report. The main pedestrian entrance to the buildings will be from Gorton Lane, Belle Vue Road and Polesworth Close to provide open and active ground and upper floors, achieved through large window openings and balconies.

The family houses have a street frontage, with a decent sized front garden, in curtilage car parking space and front boundary treatments and planting to soften the appearance on the street scene. All of the properties are semi-detached, meaning that there is space to the sides for car parking on some plots, but bin access to all plots to remove the need for alleyways or frontage bin storage area. There are then well sized private gardens for the rear, which is adequate for these 3 bedroom dwellings. The typical layout of the houses can be seen below:



The apartment blocks for both sites 1 and 2 are then sited on the main junction frontage where Pottery Lane and Gorton Lane meet, to provide the correct key presence to this strategic location. The blocks are close to the site edge to create the best frame for the junction, but are set back enough to ensure a good quality landscaped setting for the buildings, which helps to retain the existing green feel of these sites. The block on site 1 has a private resident's garden to the side to provide ample amenity space for the future occupants, with a rear secure car park containing 10 spaces. The three blocks on site 2 are arranged around a central landscaped courtyard and residents' car parking. Blocks B and C are positioned on the north, west and east edges of the site providing strong frontages onto Pottery Lane, Gorton Lane and Belle Vue Street. At the ground floor of each block ancillary spaces provide refuse stores accessible via the communal cores, and secure cycle storage.

In line with the Residential Quality Guidance and the Guide to Development in Manchester, the new buildings and their key architectural features along with the significant existing and proposed landscaping dominate the street scene, with car parking located either centrally or screened by good quality boundary treatments and planting. The closest location to existing residential properties is across existing roads in all cases, and as discussed in more details below, the scale of the development is at its lowest at these points.

The application site is not located within a Conservation Area and there are no Listed Buildings located immediately adjacent to the development that would have a significant material effect on the layout. However, the Grade II* listed Gorton Monastery is located further along Gorton Lane and must therefore, be given some consideration. Gorton Monastery is not visible from the site or its immediate surroundings. Therefore, it is considered that the development will not have a detrimental impact on the setting of the identified heritage assets due to the site's distance from it.

Overall, the siting and layout of the development maximises the relationship with the surrounding road network. The siting and layout provides a logical arrangement and is therefore considered to be in accordance with policies SP1, EN1 and DM1 of the Core Strategy along with the aspirations in the SPD and the East Manchester SRF.

Scale/massing

The Guide to Development in Manchester SPD advises that consideration should be given to the scale of new developments and ensure that they are informed by their context. Where buildings are of different scale to their surroundings they should be of the highest quality and be of landmark status. The scale of existing buildings in the immediate surroundings consists of a mixture of 2 storey housing and 4 storey apartment buildings. Taking account of this context and the urban design objectives of providing appropriate scale frontages onto the surrounding streets, the proposed family houses are two storeys in height to compliment the scale of the existing houses adjacent to them on Gorton Lane and Polesworth Close. On site 1, the apartment building is 3 storeys in height to respect the scale of the existing two storey houses opposite on Gorton Lane.

The apartment buildings on site 2 are predominantly 4 and 5 storeys in height, rising to 6 storeys on the site's prominent corner to mark the Pottery Lane/Gorton Lane intersection. This provides a good quality frame to the junction and architectural interest to mark the corner. As outlined within the Design and Access Statement, the mass of each block is broken up horizontally by inset central stair/lift cores on the long sides and the inset glazed slots on the gable ends. Vertical massing is broken down in three ways; by storey-height steps, by inseting and changing material to break down the scale of the blocks, and by the use of gables. This is all with the aim of enhancing the feeling of the blocks stepping up to mark the Gorton Lane/Pottery Lane intersection and produce a varied and interesting roof line.

It is recognised that a building of this scale will mark a change in the street scene from the existing site, and in parts is taller than the existing residential buildings surrounding the site. However, it is considered that the proposal responds appropriately to its context fronting Pottery Lane where buildings of height are considered to be more acceptable and where similar buildings of height are seen across the junction on Wenlock Way. The taller elements of the scheme have been placed towards the main road frontage and kept away from the neighbouring buildings wherever possible to reduce the impact on these properties. The matter of the scale of the building and the potential impact on residential amenity will be considered in more detail later in this report.

Overall, the scale of the development responds appropriately to the scale of the existing developments in the area along with a high quality design that will activate this site frontage along a main radial route in the City. It is therefore considered to be in accordance with policies SP1, EN1 and DM1 of the Core Strategy along with the aspirations in the SPD.

Appearance/ design quality

Policy EN1 of the Core Strategy states that opportunities for good design, that enhance the overall image of the City, should be fully realised. This is reiterated within the Guide to Development in Manchester SPD along with the NPPF. It is considered that the design of the proposed development has been to adopt many of the key characteristics of the surrounding area.

As described in the Design and Access Statement, the overall aim is to create a high quality development with a distinctive identity which is appropriate to its context. The intention is to breathe new life into the neighbourhood but without feeling alien to it. The palette of materials is purposefully simple and robust; a buff textured brick with smooth buff brick inset panels and detailing, fibre cement cladding to cores, set backs and roofs, and the accenting of entrances with panels of Flemish bond brickwork.

The façade treatment is intended to be simple, almost grid-like and yet playful. The occasionally irregular placing of windows is combined with the selective use of set back brick panels, containing variations in fenestration within a unified overall appearance. The set back panels express themselves as 2 storey elements from ground floor giving a sense of scale to the blocks. At key locations this becomes a colonnade, marking the entrance to the development or allowing parking beneath.

The vertically proportioned, full-height windows are deeply inset into the openings to accentuate the shadows and give substance to the buildings. The presence of projecting balconies onto key aspects further enriches the texture and patterns of the façades.

It is considered that the appearance of the development will be a high quality façade to the surrounding streets and this main radial route in the City. The simple arrangements of the elevations along with the quality and use of materials, position of the building on the site and its scale, will enhance the setting of the site and contribute to the ongoing regeneration of the area.

A number of CGI's can be seen below showing the design and appearance of the proposed development:



Site 1 from Gorton Lane



Site 2 as viewed from Pottery Lane



Site 2 as viewed from Gorton Lane



Site 2 within the Central Courtyard

Overall it is considered that the proposal will be a high quality building that will provide excellent detailing and use of materials. There is a clear and regular rhythm to the window arrangement along with double height glazing and panel work at the street scene which will help produce interest to the elevations. The building will enhance the setting of the nearby West Gorton regeneration neighbourhoods, which is vitally important to the ongoing regeneration of the area. It is recommended that a condition of the planning approval is that the final materials are agreed with the applicant to ensure they are suitable.

Proposed Residential Accommodation

As outlined within the Design and Access Statement, there is an identified need for housing in Manchester to meet the growing population and workforce. In line with the requirements in the NPPF the mix of housing has been designed to take into consideration existing and future housing needs in this area of City. The proposed mix of accommodation can be seen in the table below:

		1 BED 1 PERSON APARTMENT (39sqm)	1 BED 1 PERSON PENTHOUSE APARTMENT BLOCK C (47 sqm)	1 BED 1 PERSON PENTHOUSE APARTMENT (39sqm)	2 BED 3 PERSON APARTMENT SINGLE ASPECT (61 sqm)	2 BED 3 PERSON APARTMENT DUAL ASPECT (61 sqm)	3 BED 4 PERSON 2 STOREY HOUSE (84sqm)	TOTAL DWELLINGS
SITE 1	Block A	3	0	0	8	0	0	
	Houses	0	0	0	0	0	7	
	TOTAL							18
SITE 2	Block B	0	0	2	29	0	0	
	Block C	0	5	2	13	20	0	
	Block D	5	0	2	13	0	0	
	Houses	0	0	0	0	0	6	
	TOTAL							97
	TOTAL	8	5	6	63	20	13	115

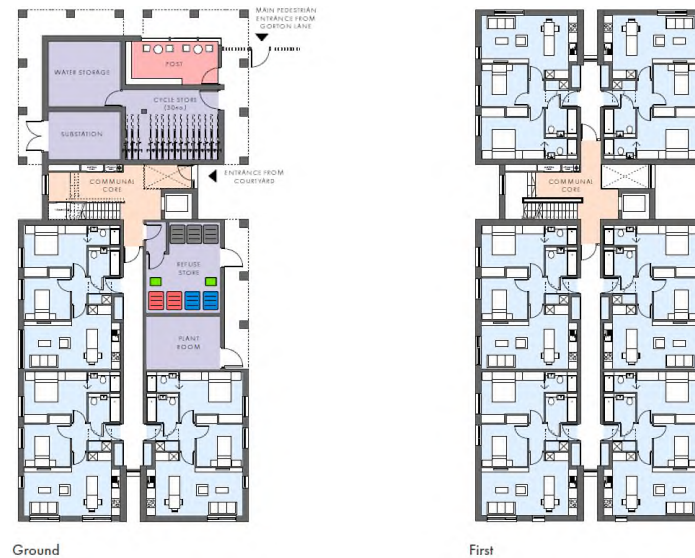
The residential units have been designed with consideration to the space standards outlined in the Manchester Residential Quality Guide. As can be seen in the table above, all proposed dwellings meet the minimum sizes set out in the Space Standards.

The design guidance is a material consideration in the determination of planning applications and sets out the space standards required to ensure quality in residential schemes coming forward. The design guidance is intended to provide a clear indication on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. It is considered that the proposed development has been designed in accordance with the design guidance outlined within this document.

The proposed ground floor gardens, balconies, and roof top amenity spaces will provide an opportunity for residents to benefit from outdoor living and to meet and socialise, helping to create a new community within the building. By including a mix of apartment types, including ground floor apartments with private garden space, it is considered that the development will be capable of accommodating a wide variety of residents.

The site is within easy walking distance of local amenities, as well as public transport links to larger district centres and the main retail facilities in the city centre. It is considered that the proposed apartments are an appropriate size and provide well-sized, well-designed living, sleeping and storage spaces. The shared amenity and circulation spaces have been designed in order to give a sense of place to the development. All shared lifts, stairs and corridors are generously dimensioned up to the front doors of the well designed, proportioned and decently sized apartments.

A typical apartment layout can be seen below:



The layout of the building has been designed to provide an appropriate level of privacy for existing neighbouring residents as well as those that will occupy the building. All apartments are appropriately sized in line with the space standards referenced in the Manchester Residential Quality Guidance. Therefore, the proposed accommodation is considered to be acceptable in this case.

Impact on Heritage

Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. The application site is not located within a Conservation Area and the nearest Listed Building is the Grade II* Gorton Monastery. Due to the distance of this building from the application site, it is not considered that the proposal will have an unacceptable impact on the setting of these listed buildings. Under the tests of the NPPF, it is considered that this development proposal will lead to less than substantial harm to the significance of these nearby listed buildings, and this harm has been weighed against the overriding public benefits of the proposal.

As detailed elsewhere within this report, the proposed development responds positively to the character of the area and the proposed height of the development, whilst being taller than nearby buildings, adds to the character of the area and its overall distinctiveness.

Noise

A detailed Acoustic Planning Report has been completed by Crookes Walker Consulting Limited and submitted to accompany the application. The consideration of such matters is a key requirement for policy DM1 of the Core Strategy along with saved policy DC26 of the UDP. This approach is also outlined within the NPPF which seeks to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new developments. The report outlines the prevailing environmental noise climate at the development site, and that the acoustic requirements of national/local policies and current industry guidelines have been

reviewed and used to inform a detailed noise impact assessment of incident noise affecting the development as well as potential noise output from the development.

In relation to the potential impact of the development on the surrounding existing residential properties, it is acknowledged that there are existing residents living within neighbouring buildings adjacent to the application site, and there would be a significant increase in the amount of development on the site compared to the existing vacant land. However, any noise generated will only be from the comings and goings from occupants which should be limited compared to the general movement of people within this particularly busy part of this neighbourhood, and should not have a significant effect on the residential amenity currently enjoyed by the surrounding occupants.

In relation to the impact of existing noise sources within this area on the new residential accommodation being proposed, it became clear that through necessary mitigation measures, the appropriate internal levels of noise received by the proposed could be controlled and the relevant standards achieved. However, it has been confirmed that the external noise levels received within the rear gardens of the new properties on site 1 which back onto Pottery Lane, exceed the normal expected levels for amenity area. In response to comments received from Environmental Health, it was necessary to consider what had been said and investigate fully if there were any additional mitigation measures that could be implemented on site to bring these noise levels down. This was reviewed again by the applicant and a more robust 3m high acoustic fence is now proposed. However, it has to be acknowledged that even with this additional treatment, it is still not be possible to reach the normal 55dB level.

Notwithstanding this, the provision of good quality family housing is important and in some cases within the City, this will need to be delivered in busy and sometimes noisy locations. The applicant has worked hard to secure a reduction in the predicted noise levels, and the importance of the provision of much needed good quality housing is considered in this case to outweigh the higher levels of noise within some of the external areas within the scheme.

On that basis, provided that the residential accommodation is appropriately insulated as recommended within the Acoustic Report and appropriate acoustic fencing is placed along the boundary with Pottery Lane, the proposed development is considered to be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Ecology

The planning application has been accompanied by an Ecological Survey due to the presence of existing trees and shrubs on the site. This is a key requirement of policies EN15 and DM1 which seeks to ensure that applicants identify, enhance and restore impacts from developments on local habitats.

An Ecological Assessment has been prepared by Urban Green and is submitted in support of the application. The report found that the habitats on site are common and widespread in the local area. Precautionary measures were recommended in respect

of tree and shrub removal along with recommendations for the eradication of the invasive species on the site. It has been confirmed by Greater Manchester Ecology Unit that these measures can be controlled and implemented via the use of appropriately worded planning conditions and as such there are no significant ecological constraints associated with the site. Therefore, the site is considered to be of low ecological value and there will be no harm as a result of the development proposals.

Landscaping and amenity space /boundary treatment/public realm

Policy DM1 outlines that all development should have regard to green infrastructure including open space, both public and private. Policy EN9 also explains that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function.

The planning application has been submitted with a Landscape Strategy Document, an Arboricultural Impact Assessment and an Ecological Enhancement Strategy, due to the existing planting that exists on the application sites. The Arboricultural assessment outlines that within site one to the north, 23 no. trees require removal to facilitate the development and within site two, 27 no. trees, 2 groups and part of another group require removal to facilitate the development. Therefore, it is recommended that the tree loss and the screening that it provides are mitigated through a robust soft landscaping scheme.

Tree protection fencing and ground protection will need to be installed at the alignment shown on the submitted Tree Protection Plans before any construction activity takes place along with supervised root pruning within trees in group G26 as shown on the Tree Protection Plan. Within Site 2, the boundary fences adjacent to T12 should be designed in a specific way to ensure there is a minimal impact on the trees, along with an Arboricultural Method Statement will be required to detail working methods and strategies to minimise the impacts on T12.

The Arboricultural assessment states that throughout the two sites the majority of the trees are of low value and quality and it is therefore, considered that this loss can be mitigated through the provision of a robust soft landscaping scheme. This has been reflected in the soft landscaping proposals prepared by DEP Landscape Architecture submitted in support of the application.

The Landscape Strategy Document and the submitted detailed landscape drawings for the development outline that there will be 70 new trees planted to mitigate the loss of those required for the development. It outlines that the landscaped areas across the two sites can be divided into four categories; Existing and Proposed Screening, Street Frontages, Residents' Garden and Swales. These landscape zones provide a key fabric across the two sites which enhances both the existing vegetation and links them together with the proposed landscaped areas.

Existing and Proposed Screening:

With the proximity of Pottery Lane along the West boundary of the site a key consideration is to retain as much of the existing vegetation as possible. However,

where this is not possible there is a focus on providing a defensible screen using native and semi-native species that reflect the existing and retained screen planting.

Street Frontages:

The dwellings along Polesworth Close and Gorton Lane are set back and provide a private driveway and front path for residents. These areas provide an opportunity for front gardens which include low to mid level ornamental shrub planting and semi-mature street tree planting. The driveways and front garden paths are defined by a double sett edge perimeter detail emphasising the private boundary line together with the low wall and railings.

Residents' Garden:

Both sites include a Resident's Garden, providing open space for the residents to use. There will be a number of functional spaces and seating areas for everyone to enjoy. The aim being to encourage resident interaction.

Swales:

Swales feature across Site 2 as a key part of the SuDs strategy. Run off from heavy down pours on the car park areas and circulation paths will be collected in swales.

The overall masterplan illustrates the defined landscaped areas, buffers and communal spaces. It is agreed with the strategy that all the different types of landscapes across the site play a key role in embedding the proposed development within its' existing and surrounding landscape. The landscape is designed to provide a high quality coherent scheme which finds the balance between usability and access whilst recognising the aesthetics and promoting flexibility of use. The private driveways, patios and entrances are screened and defined to discourage public access, whilst the communal areas remain open and inviting, to encourage social interaction between residents.

Retaining and enhancing the vegetation along the West boundary provides both a strong visual screen along with a necessary noise barrier. However, as these boundaries reach the road junction at the corner of Block A and B, the vegetation reduces in scale (and the tree planting in density) to maintain an open active frontage. The internal vegetation defines areas across the site, screening the car parking and framing the residents' garden. The garden enjoys an open southerly aspect encouraging use throughout the year.

In relation to tree planting, there is a tree planting strategy outlined within the application. The Tree Planting Strategy states that the existing retained trees are found along the South corner of Site 1, West boundary of site 2 and T7 within Site 2. These provide both, existing structure and scale within the development, and a palette of tree planting to enhance the remaining boundary along Pottery Lane. The tree planting strategy is divided into four categories in order to develop a palette and specification for each area, including Native Screen Tree Planting, Street Frontage Tree Planting, Ornamental Garden Tree Planting, Swale Tree Planting. Each of these can be seen in the images below:



Swale - Tree Planting



Street Frontage - Tree Planting



Ornamental Garden - Tree Planting

It is considered that the proposed landscaping at the site has been well thought out and provides a good quality and appropriate setting for this quality development. It also provides adequate mitigation for the loss of trees and shrub planting currently seen on the site. As it provides good quality green infrastructure to the benefit of this area, the proposals are considered to be in accordance with Policies DM1 and EN9.

Highways/car parking

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

The Manchester Residential Quality guidance addresses the issue of car parking under the section 'Make it Practical', where it offers guidance in relation to appropriate solutions to car parking. The guidance states that for apartment schemes, there are a number of variables that will affect parking demand within a particular development. In certain scenarios, higher levels of cycle parking provision and car clubs will be appropriate. Clearly, car parking demand will also be influenced by the availability of public transport.

The Guidance then discusses recommended parking standards for different areas of the City. The guidance states that a reduced on site provision may be justified on the basis of secure cycle parking in excess of 50% provision relative to apartment

numbers, and the identification of good public transport links within a short walk of the proposed development. Demonstrating that the full car parking requirement cannot be achieved via a car parking solution that is both viable and does not compromise the relationship of the new development to the street in terms of the creation of active frontages. Provision of robust research and market evidence to demonstrate that lower levels of car parking demand will be appropriate for a particular scheme.

A Transport Statement and Framework Travel Plan have been prepared by Curtins in support of the application. The site is accessible by sustainable modes of transport. The surrounding area exhibits good levels of pedestrian and cycling infrastructure, and there are several public transport opportunities within acceptable walking distance. Residential car parking of a total of 90 spaces is proposed to be provided in the proposed development, which represents a ratio of 78% provision. A total of 75 spaces would be provided in the courtyard areas, nine of which are designated as disabled parking bays. All spaces within house curtilages are minimum 3m wide and capable of future adaption to 3.6m wide.

It is acknowledged that this level of provision is below the 100% preferred within the suburb areas of the City. However, in this case, due to the good level of access to public transport and due to the potential detrimental impact from additional car parking on the overall quality and landscaped setting of the development, in this case the level of parking is considered to be appropriate to the scale, location and nature of the development. The development includes the provision of 100% secure cycle parking provision (1 space per dwelling) either within the curtilage of the dwellinghouses and within secure communal cycle stores within the ground floors of the apartment blocks. An Interim Travel Plan has also been produced, which would promote sustainable travel and discourage single occupancy car use. It is anticipated that this would also help to reduce car parking demand. It is also proposed to include some electric vehicle charging points into the development. This level of car parking and cycle parking has been assessed by Highway Services and they have confirmed that they are satisfied with what is proposed for this development in this location.

Following a review of road collision statistics, it is not considered that there is an existing safety issue that is likely to be exacerbated by the proposals. Relevant details of the proposed development quantum, layout, parking facilities and servicing arrangement has been provided.

Highway Services have confirmed however, that there remain concerns about the existing pedestrian facilities at the junction of Pottery Lane and Gorton Lane and that this would be exacerbated by the proposed development. Therefore, pedestrian improvements are considered to be required and the full details and implementation of these works will be requested through an off-site highways condition.

Due to the major nature of the development and the proximity of the site to a major road junction and existing properties, a Construction Management Plan (CMP) is requested to be submitted for this development. It has been agreed that this should be requested through the inclusion of an appropriately worded condition.

It is acknowledged that the development does not provide 100% car parking, however, it has been clearly justified that a reduced provision of parking provision at the site is acceptable due to the high level of cycle parking provision, the inclusion of electric vehicle charging points, the highly sustainable location and proximity to a wide range of public transport. Therefore, it is considered that the proposed development reduces dependency on car use with its proximity to excellent public transport links within the area and to the city centre. This approach is in line with the requirements of Core Strategy Policy T2 and reflects the highly accessible nature of the location.

Overall, it is considered that the development will have a minimal impact on the local highway network transport and there will be adequate car and cycle provision to serve the needs of the development. Travel planning will help take advantage of the sustainable location of the application site in order to further reduce the reliance on the car to the site. Servicing and construction requirements can also adequately met at the site. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Flood Risk/surface drainage

The total site area is approximately 0.981 hectares and following an assessment of the Environment Agency flood maps, it has been identified that Site 1 partially lies within Flood Zone 2 and Site 2 lies within Flood Zone 1. A Flood Risk Assessment is therefore required to support a planning application taking into consideration the impact of the Flood Zone 2 classification and to consider the management of surface water run-off. Therefore, the application has been submitted with a Flood Risk Assessment and Drainage Strategy completed by Curtins.

In relation to flooding, the report states that Site 1 is located partly in Flood Zones 1 and 2 and therefore the proposed development is required to pass the flood risk sequential test. The aim of the sequential test is to steer development towards areas at low risk of flooding. Therefore, the sequential test of this scheme would need to establish if there are equivalent alternative sites for residential development. Manchester City Council Core Strategy objective for new housing identifies that there is a need for approximately 18,280 new dwellings in East Manchester meeting the needs for the diverse and growing Manchester population. Housing should provide sustainable lifetime neighbourhoods with high quality environments and easy access to employment opportunities. Therefore, although Site 1 is partially located within Flood Zone 2, which includes a medium risk of flooding, the benefits for locating housing within this location provide far wider benefits for the occupants and the areas regeneration proposals.

The development site lies within Flood Zone 2, and therefore there is a medium risk of flooding as a result of a Fluvial flooding. The flood levels have been taken from the Corn Brook Study (2009) and the levels and map obtained from the Environment Agency. Floor levels should be raised above the predicted maximum flood level and where possible a minimum of 600mm above the predicted 1% flood level with allowance of 600mm freeboard. Floor levels are therefore proposed to be set a minimum of 52.100m with the majority of the plots far in excess of this level. As the site is located within Flood Zone 2, flood compensation works are not necessary.

The submitted report states that the following components have been included within the drainage design for the proposed development; Inspection, Manhole and Catchpit Chambers, Pipes, Gullies, an Attenuation Tank and a Flow Control Unit. The maintenance strategy should be implemented to ensure the drainage network is cleaned regularly and the routine maintenance and cleansing regime should be documented. The maintenance strategy should be adopted to ensure the drainage network is cleaned regularly and the routine maintenance and cleansing regime should be documented. Maintenance of the drainage network will be the responsibility of an on-site facilities management team.

The Flooding and Drainage Statement has been considered by the City Council's flood risk management team who consider that further consideration should be given to how the drainage systems at the site will work in order to prevent surface water run off along with examination of the implementation of sustainable urban drainage principles at the site along with their future management.

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

Sustainability and energy efficiency

Policy DM1 states that residential developments will be expected satisfy the Code for Sustainable Homes standards. Policies SP1 and EN4 to EN6 of the Core Strategy focus on reducing emissions and achieving low and zero carbon developments. As the application site is located in the regional centre, the development is expected to demonstrate its contribution to this objective (policy EN5).

Policy EN4 in particular, requires the application of the energy hierarchy to ensure that passive measures, energy efficiency and low and zero carbon generation options are considered. This includes:

- minimising energy demands - consider passive design measures and optimise building envelope in terms of orientation, air tightness and insulation; and
- meet demands efficiency - specify energy efficient plant, heating, ventilation, lighting and system controls to facilitate efficient operation.

An Environmental Standards and Energy Statement has been prepared by Element Sustainability and has been submitted in support of this application. The statement outlines that the environmental performance of the proposed development has been reviewed against national and local policies. The material specification has also been reviewed and servicing strategy for the scheme and the building (carbon dioxide) emission rates for the various uses throughout the development have also been calculated.

Minimising the impacts of climate change is a key element of the proposed design. The proposed energy strategy will incorporate an enhanced 'fabric led' material specification, along with high quality design and construction standards to improve the energy efficiency of the buildings. These proposals will deliver a scheme that is

inherently energy efficient and cost effective during the lifetime of the homes which accords with the adopted Core Strategy Policy EN 4 and the Supplementary Planning Document (SPD) criteria.

The development will be designed and specified in accordance with the principles of the energy hierarchy in line with the adopted Core Strategy Policy EN 4. 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 carbon dioxide emission reduction targets within the Core Strategy policies EN4 and EN6.

A full electric heating system is proposed, supplemented by photovoltaic modules. Allied to an enhanced fabric specification, this solution will ensure the development is highly efficient and provides a comfortable, affordable living environment for the occupiers whilst also achieving Manchester City Council's emissions reduction targets.

The key issues of Manchester City Council's Supplementary Planning Document (Environmental Standards) in accordance with the Core Strategy Policy DM 1 have been achieved by the proposals. These are as follows:

- Water management for the development will align with the regulatory standard specified to achieve a calculated daily consumption of <125litres/person/day through the specification of efficient water fixtures.
- Minimising the impacts of climate change is a key element of the proposed design. The proposed energy strategy will incorporate an enhanced 'fabric led' material specification, along with high quality design and construction standards to improve the energy efficiency of the buildings. These proposals will deliver a scheme that is inherently efficient and cost effective during occupation and that accords with the adopted Core Strategy Policy EN 4, EN6 and the Supplementary Planning Document (SPD) criteria.
- The development site is located within Flood Zone 1. The site drainage strategy will be designed to manage the surface water runoff to ensure that the peak rate and volume of surface water run-off will be no greater post-development than pre-development.
- Waste arising during construction and occupation/operation will be minimised. A site waste management plan will be adopted during construction. The dwellings will be provided with waste facilities and a comprehensive waste management plan for the site will accord with the local authority recycling scheme. Construction site management procedures will minimise adverse impacts on the environment and control pollution generated during the construction phase. These include a waste management strategy to reduce the quantity of waste generated, and to increase re-use and recycling of materials. A commitment will be made to minimise waste and pollution.
- The planting provision will be designed to provide an enhancement to the aesthetic value of the Site and also planting will be selected to improve the biodiversity and strengthen the ecological value of the site.
- Materials are proposed to be responsibly sourced, materials with low environmental

- impact will be selected and local suppliers will be prioritised. In combination this
- procurement strategy will minimise and conserve energy associated with transportation and waste generation.

It is noted that policy DM1 of the Core Strategy requires that a Code for Sustainable Homes rating criteria is achieved. However, on the 26 March 2015 the Code assessment criteria was revoked by Royal Assent. Whilst the assessment criteria has been revoked, it is still important to understand how a development performs, particularly in respect of waster efficiency and energy standards. In terms of the measures identified, and their contribution to the objectives of policy EN6, the overall energy performance of the development is satisfactory. There is an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. It is recommended that the energy standards form part of the conditions of the planning approval.

Designing out crime

Policy DM1 of the Core Strategy requires that consideration be given to community safety and crime prevention. The planning application is supported by a Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, which assess the proposal in terms of crime prevention and safety. 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

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments. A Phase 1 Preliminary Risk Assessment has been prepared by Curtins and is submitted in support of the planning application. It is recommended that Phase 2 intrusive survey is carried out across the site to investigate the identified potential pollutant linkages further. Therefore, it is recommended that a condition of the planning approval is that details should be submitted in relation to the contamination of the ground. Once the remediation strategy has been approved this shall be implemented and a verification report submitted on completion of the development to verify that all the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Waste

A major residential use development of this nature will generate a significant amount of waste which will need to be managed on a daily basis. Policies EN19 and DM1 of the Core Strategy require that applicants show consistency with the waste hierarchy which principally seeks applicant to re-use and recycle their waste. Full details on the waste strategy have been submitted within the Design and Access Statement. In summary, it has been confirmed that in determining the overall refuse collection strategy for the development, reference has been made to the document 'GD04 –

Waste Storage and Collection Guidance for New Developments: Version 6.0'
produced by Manchester City Council.

Each individual house has allowance for a hard, imperviously paved external area within the rear garden to house 4no. 240l bins. For each apartment 0.43m² of space for refuse storage is provided. Space to manoeuvre and access containers individually is also provided so that bins can be removed from the stores for collection and accessed individually by residents. The waste collection strategy will be as follows. Residents will deposit waste and recycling in the refuse storage areas. On collection days full refuse bins of general waste and recycled waste will be wheeled out to designated bin collection points on Gorton Lane and Polesworth Close for collection and then returned to the refuse stores. This will be overseen by the applicant's facilities management team.

The submitted waste management strategy has been assessed by Environmental Health and in relation to waste management for the residential units, the Waste Management Strategy submitted with the application is considered to be acceptable. The arrangements ensure maximum ease and efficiency for residents and ensure that waste is contained within a specified area. The proposal therefore accords with policies DM1 and EN19 of the Core Strategy in this regard.

Air Quality

An Air Quality Assessment has been submitted in support of the planning application. The proposed assessment states that a qualitative assessment of the potential dust impacts during the construction of the development has been undertaken. Through good practice and implementation of appropriate mitigation measures, it is expected that the release of dust would be effectively controlled and mitigated, with resulting impacts considered to be 'not significant'. All dust impacts are considered to be temporary and short-term in nature. The change in NO₂ and PM₁₀ concentrations at receptor locations in the area is classified as a 'negligible' impact and not predicted to lead to any exceedances of the annual mean or the 1-hour mean AQOs. The overall effect is considered 'not significant'. The Site Suitability assessment determines that no mitigation is required for the Proposed Development to comply with the AQOs. As such, it is not considered that air quality represents a material consideration to the development proposals, which conform to the principles of National Planning Policy Framework and the Manchester City Council Local Plan.

The submitted Air Quality Assessment has been assessed by Environmental Health, and advise that, notwithstanding the conclusions of that report, that construction impacts may be mitigated and predicted operational phase impacts are not significant, good practice principles should be applied to the operational phase of the development in accordance with IAQM Planning Guidance. Construction phase impacts should be addressed in accordance with IAQM construction guidance under the recommended CEMP condition, otherwise these impacts should also be addressed under the Air Quality condition. Therefore, a condition is requested to address the outstanding issues relating to air quality.

Residential amenity and other Resident Objections

It is acknowledged that there are existing residents living around the application site and there would be a significant increase in the amount of development on the site compared to the existing open land. Objections have been raised from some residents on Polesworth Close in relation to the landscape and the visual impact of the development, highway/access and parking issues and the change to the character of the neighbourhood and crime relates issues. The applicant has provided a detailed response to all of the issues raised as follows.

In response to the loss of Trees and Biodiversity, it has been stated that whilst care has been taken to retain trees where possible, such as along the western boundary of the sites to maintain the buffer to Pottery Lane, bringing forward development on the site means retaining all trees is not feasible. The majority of existing trees to be removed are in poor condition (category C) and/or are non native species. The loss of trees is proposed to be mitigated by an extensive tree planting strategy including native tree screen planting to the frontages of 9-17 Poleworth Close and street frontage tree planting opposite 1-7 Polesworth Close. Greater Manchester Ecology Unit have commented on the proposals and have confirmed they are in support of the tree removal and planting strategy incorporating more native species adopted. This project seeks to contribute to and enhance the natural and local environment by minimising impacts on biodiversity by providing net gains in biodiversity where possible. As confirmed in the Ecological Assessment a scheme for biodiversity enhancement measures will be implemented on site as part of the development.

In response to the highway related matters, it has been confirmed that the concerns raised by residents on Polesworth Close are noted regarding increased car trip generation as a result of the development. An increase in trip generation is expected, and has been documented in the Transport Statement and Travel Plan prepared by Curtins (section 5.3). Across the entire development, 42 two way movements in the AM period and 44 two way movements during the PM period are predicted. This would equate to 30 two way AM and 34 two way PM movements from the apartments accessed from Polesworth Close, far less than the circa 100 trips predicted in the comment. Other factors including the accessibility of the site by public transport, and a robust travel plan to be put in place throughout the life of the development (refer to Interim Travel Plan prepared by Curtins), are expected to further reduce the number of vehicular trips generated to and from the site.

The comments regarding parking appear to refer to an area of highway, which is part of a turning head for refuse vehicles and not designated parking spaces. Parking spaces for residents of 9-17 Polesworth Close are within a dedicated parking court opposite the turning head, on land managed by One Manchester. It can also be confirmed that no concerns have been made by Highway Services regarding parking or highways access across the developments, or increased trip generation on Polesworth Close.

Finally in response to the crime and security concerns raised, even though the concerns raised are acknowledged, it is considered that bringing forward development on this vacant site would have the opposite effect. The Crime Impact Statement prepared by GMP and submitted as part of the application is supportive of the proposals, and states clearly that the development will help reduce crime and anti social behaviour and support a safer community. The report states, "The proposal

provides a new use and the development of redundant land that has the ability to foster anti social behaviour. Greater opportunities for additional natural surveillance within and around the sites will support a safer community”, and, “The development will help to continue to repopulate this part of the city and add to the general activity throughout the day and at weekends.”

The proposed development has also been assessed in relation to any loss of privacy, any overbearing and overshadowing impact on existing properties, and in general on the amenity currently enjoyed by the occupants of these existing buildings. The properties situated on Gorton Lane are two storey properties set back from the highway with a small front garden leading up to the frontage of the houses. The new development proposes a number of two storey dwellings on this frontage that will also be set back from the highway to allow parking to the front of the houses. The distance between the existing buildings and new properties will be between 22 and 24 metres. This is considered to be an appropriate separation distance and it is not considered that any undue loss of privacy will arise.

The apartment building at the southern tip of site 1 will be 3 storeys in height. The windows in the west elevation of this property will retain a separation distance of 25 metres to the properties opposite on Gorton Lane, again this separation is considered to be acceptable. The distance to neighbouring properties here combined with the limited scale and massing of the proposed built form means that no overbearing impacts or significant overshadowing is likely to occur.

When assessing site 2, the properties to the south on Polesworth Close include a separation of 21 metres between the existing two storey properties and the two storey properties proposed on the application site will be achieved, which again is considered to be acceptable and will not cause any undue loss of privacy for existing residents. The proposed apartments at the south of site 2 are proposed to be 3 storeys and sit opposite two storey dwellings on Polesworth Close. The distance between the properties will be 19 metres with a car park and tree planting between. In light of this proposed relationship it is considered that there will be limited harm to the amenity of existing residents.

On the opposite side of Pottery Lane to the west, occupiers within the apartments on Pottery / Wenlock Way will be located over 33 metres from the new build housing and separated by the main radial route of Pottery Lane. The separation distance is considered to be acceptable and no undue loss of amenity for these existing residents is likely to arise.

A Daylight / Sunlight impact assessment has been submitted to accompany the application. This reveals that the daylight and sunlight results are excellent for a development of this nature.

Therefore, it is considered that this vacant site will benefit from well designed good quality buildings, and that the development will not create a significant adverse and harmful impact on the outlook experienced from existing residential properties. Therefore, it is considered that the proposals are in accordance with Policy DM1 of the Core Strategy.

Permitted development

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable. It is recommended that a condition of the approval should clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a House of Multiple Occupation (HMO) falling within use classes C3(b) and C3(c) without the requirement for formal planning permission. This is to protect this development and its future residents from the problems associated with the change of use of properties to HMO's and to promote family accommodation and sustainability within this neighbourhood.

TV reception

Due to the height of parts of this proposal and the presence of existing residential properties in the area, a Pre-Construction Signal Reception Impact Survey was conducted by Astbury, and has been submitted in support of this application. Any potential impacts to the reception of analogue terrestrial television, digital terrestrial television (Freeview) and digital satellite television services (such as Freesat and Sky) of the surrounding residential buildings have been assessed.

The report concludes that additional signal degradation will be negligible, with properties closest to the development suffering more due to the proximity of the new building. If any permanent degradation of TV signals is experienced upon completion of the new build, mitigation will be necessary. Common mitigation measures can include, but not limited to replacement of receiving aerial with a more directional or higher gain, aerial; the repositioning the receiving aerial so that the received signal is stronger, directing the receiving aerial to an alternative transmitter that covers the area and retuning the television accordingly, upgrading antenna cabling and connections, the installation of signal amplifiers, the development of a bespoke local solution using a receiving aerial some distance from the dwelling, a combination of the above and replacing terrestrial reception equipment with satellite reception equipment or cable.

Therefore, it is recommended that a condition of the planning approval shall be that appropriate mitigation should be addressed if a post completion study identify that such measures are necessary.

Inclusive Access

The proposed development has been designed to be fully inclusive in terms of access. As outlined within the Design and Access Statement, equal access will be provided throughout the development to comply with Building Regulations part M (Category 1). Within apartment blocks B, C and D there will be full lift access to all floors. The upper level of the 3-storey block on site 1 (block A) will be served by a stair only. Communal core areas will be sized to allow for 1500mm wheelchair turning circles. The ground floor level of each of the blocks will be set to achieve level access at entrances and private terraces.

External areas of the site will generally be flat or within the minimum gradients set out in Part M of the Building Regulations. Disabled car-parking bays are provided within the car park areas. Each parking bay to the houses will be approximately 3 metres wide, and will be capable of enlargement should this be required in future.

The proposals will create an inclusive environment by ensuring that disabled people will use the same entrances as other users of the building, there is level access to the main entrance and provisions of fully accessible lifts will mean that all floors will be universally accessible without the need of supervision or assistance. Therefore, it is considered that the development will be accessible to all and is considered to be accessible.

Pre-commencement Conditions

In accordance with s100ZA of the Town and Country Planning Act 1990 (as amended) introduced on the 1st October 2018, the City Council gave written notice to the applicant in relation to the intention to include a number of pre-commencement conditions relating to flood risk, drainage, contaminated land, invasive species report and the submission of a construction management plan. A letter was sent to the applicant on the 20th November 2018 and it was confirmed in writing by the agent on the 5th December 2018 that the applicant was happy for all the recommended pre-commencement conditions to be included.

Conclusion

This application is considered to support the strategic aims for the City and this neighbourhood by delivering a high quality scheme in a priority location. The redevelopment of this site with a quality development will bring forward major environmental and regeneration benefits to the neighbourhood. The proposals would bring about the comprehensive redevelopment of the site and will be a major catalyst for further regeneration in this area. It is considered that the scheme would transform this junction on a main radial route in the City with the provision of quality residential accommodation close to existing employment opportunities and a range of locally available services.

The proposal will see the redevelopment of a brownfield site where the site is currently underused, within the heart of one of Manchester's key regeneration areas and positioned along a main radial route in the City. A total of 115 spacious residential units will be created which will contribute to the City's residential growth strategy and help support neighbourhoods of choice by introducing affordable accommodation. Careful consideration has been given to the siting, scale and appearance of the development to ensure it provide a high quality development along with minimising the impact on existing residents. Matters of car parking, cycle parking, highways, noise, ecology, flood risk and sustainability have all been considered along with ground conditions, designing out crime and waste management.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations)

have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

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

Recommendation APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this development where early discussions took place regarding the scale, design and appearance of the development, accommodation type and mix along with highway impacts. Further work and discussions have taken place with the applicant through the course of the application, particularly in respect of the highway related matters, external noise, and the waste management strategy, 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.

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:

L0300 REV C
L0303 REV B
L0301
L0 310 REV B
L0302 REV D
L611-B
L612-B
L613-B

L610-B
L1607
001A / 1, 2, 3 REV A
AFFORDABLE HOUSING STATEMENT
AIR QUALITY ASSESSMENT
BIODIVERSITY SURVEY AND REPORT
DAYLIGHT OR SUNLIGHT ASSESSMENT
FLOOD RISK ASSESSMENT
PHASE 1 PRELIMINARY RISK ASSESSMENT
04 REV A
03 REV A
02 REV A
01 REV B
LANDSCAPE STRATEGY DOCUMENT
ACOUSTIC PLANNING REPORT
OPEN SPACE ASSESSMENT
PLANNING STATEMENT
L0002
L0003
L0110 REV A
L0120 REV D
L0140
L0145 REV A REFUSE STRATEGY
SIGNAL RECEPTION IMPACT SURVEY
L0001
TRANSPORT ASSESSMENT
TRAVEL PLAN
TREE SURVEY OR ARBORICULTURAL IMPLICATIONS
CRIME IMPACT STATEMENT
MANAGEMENT AND MAINTENANCE PLAN
Stamped as received by the Local Planning Authority on the 12th October 2018

Email from OMI Architects received 19th December 2018

L1643 REV C
L1642 REV C
L1641 REV C
L1640 REV C
L1633 REV C
L1632 REV C
L1631 REV C
L1630 REV C
L1623 REV C
L1622 REV C
L1621 REV C
L1620 REV C
L1613 REV C
L1612 REV C
L1611 REV C
L1610 REV C

L1609 REV A
 L1608 REV A
 L1607 REV A
 L1606 REV A
 L1605 REV A
 L1604 REV A
 L1603 REV A
 L1602 REV A
 L1601 REV A
 L1600 REV A
 L0311 REV C
 L0140 REV A
 L0106 REV D
 L0105 REV G
 L0104 REV G
 L0103 REV G
 L0102 REV G
 L0101 REV H
 L0100 REV K

ACOUSTIC PLANNING REPORT REV 2

Stamped as received by the Local Planning Authority on the 3rd January 2019

Drawings numbered:

L1700 Rev A
 L1701 Rev A
 L1702 Rev A
 L1703 Rev A

Environmental Standards and Sustainability Statement

Stamped as received by the Local Planning Authority on the 11th January 2019

Email from OMI dated 1st February 2019 relating to boundary treatments

Email from OMI dated 1st February 2019 relating to Electric Vehicle Charging Points

Email from OMI dated 1st February with attached Waste Management Strategy

Plan numbered L0100 Rev L received 4th February 2019

Email from OMI dated 4th February 2019

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) Based on the principles of the materials outlined within the Design and Access Statement, prior to the erection of the above ground structure 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 then be constructed in accordance with the approved 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, EN1 and DM1 of the Core Strategy.

4) a) The development shall be completed in accordance with the Phase 1 Preliminary Risk Assessment by Curtins dated 27 July 2018, stamped as received by the Local Planning Authority on the 12th October 2018.

b) 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.

c) 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.

5) Prior to the commencement of the development, a scheme for the drainage of surface water from the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. The development shall then be constructed in accordance with the approved details, within a previously agreed timescale. Prior to the first occupation of the development a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site in order to

minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

6) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of a sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

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

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, details are to be provided that further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

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

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

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

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

8) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the new dwellings hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Core Strategy.

9) Prior to the first occupation of the development hereby approved, full detailed designs (including specifications) of any necessary off site highways works to mitigate the impact of the development (including any pedestrian crossing improvements to the Gorton Lane / Pottery Lane junction, any additional TRO's, footpath resurfacing, the closure of any redundant crossings and the creation of new vehicle cross overs and pedestrian routes), shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, prior to the proposed accommodation first being brought into use.

Reason - In the interests of highway safety due to the increased traffic flow generated from the development, pursuant to policy T1 of the Core Strategy for Manchester.

10) The provision of space and facilities for bicycle parking spaces within the development shall be completed in accordance with the Design and Access Statement and drawing numbered L0100L REV L received by the Local Planning Authority on the 3rd January and 4th February 2019. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

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

11) Prior to the first occupation of the development hereby approved, full details in relation to the provision of electric charging points shall be submitted to and approved in writing by the Local Planning Authority. The proposed electric vehicle charging points shall then be fully implemented in accordance with the approved scheme prior to the first occupation of the development.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Core Strategy for Manchester, and Greater Manchester Air Quality action plan 2016.

12) The development hereby approved shall be operated in accordance with the Travel Plan completed by Curtins stamped as received by the Local Planning Authority on the 12th October 2018.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item the

approved commitment to surveying the travel patterns of residents during the first three months of use of the development and thereafter from time to time, shall be submitted to and approved 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 to the development, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

13) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on the Landscape drawings by DEP Landscape Architecture Ltd ref 01 Rev B, 02 Rev A, 03 Rev A and 04 Rev A, stamped as received by the Local Planning Authority on the 12th October 2018, shall be implemented not later than 12 months from the date of commencement of works. 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) No trees shall be felled, or have any works undertaken on them, during the bird nesting season (March to July inclusive), unless prior consent is granted by the City Council as Local Planning Authority.

Reason - To ensure the protection of wildlife habitats in the locality, pursuant to policy EN15 of the Core Strategy for the City of Manchester and National Planning Policy Framework.

15) 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.

16) 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.

17) Prior to the occupation of the development hereby approved, a scheme for delivering biodiversity enhancement at the site as outlined within the Ecological Assessment by Urban Green, stamped as received by the Local Planning Authority on the 12th October 2018, shall be submitted to and approved in writing by the City Council as the local planning authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Core Strategy.

18) Prior to the commencement of development (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To prevent the spread of Japanese Knotweed, which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

19) The development hereby approved shall be carried out in accordance with the Environmental Standards and Energy Statement completed by Element Sustainability stamped as received by the City Council, as Local Planning Authority, on the 11th January 2019. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

20) The development shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police dated 6th July 2018, stamped as received by the City Council, as Local Planning Authority, on the 12th October 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.

21) a) The development hereby approved shall be completed in accordance with the revised noise assessment prepared by Lighthouse Acoustics ref 0405/APR1 Revision 2, stamped as received by the City Council, as Local Planning Authority, on the 3rd January 2019, in relation to the acoustic treatment of the residential accommodation and external areas of the development hereby approved.

b) Prior to the first occupation of the development hereby approved, acoustic test data for the proposed glazing and full details in relation to the background ventilation systems, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the accommodation.

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).

22) The development hereby approved shall be completed and operated in accordance with the Waste Management Strategy contained with the Design and Access Statement received on the 3rd January 2019, the plan numbered L1045 Rev A received on the 12th October 2018 and the City Council's Waste Management Proforma stamped as received by the Local Planning Authority on the 1st February 2019 in relation to the waste strategy for the residential accommodation hereby approved. The refuse arrangements shall be put in place prior to the first occupation of the development and remain in situ for as long as the development is in use.

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

23) a) The development hereby approved shall be carried out in accordance with the Air Quality Assessment prepared by SLR stamped as received by the City Council, as Local Planning Authority, on the 12th October 2018. Good practice principles should be applied to the operational phase of the development. The approved details shall then be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Core Strategy for Manchester, and Greater Manchester Air Quality action plan 2016.

24) 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 development 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.

25) The development hereby approved shall be completed in accordance with the Pre-Construction Signal Reception Impact Survey was conducted by Astbury received by the Local Planning Authority on the 12th October 2018 in relation to the assessment of the impact of the development on television signal reception within the potential impact area. The measures identified in the report 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.

26) The positions, heights, and type of boundary treatment around the development hereby approved shall be erected in accordance with the plans numbered L0140 Rev A stamped as received by the Local Planning Authority on the 3rd January 2019 and the email from OMI Architects dated 01/02/2019. The approved scheme shall be implemented in full before each particular property is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of

the Core Strategy, and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

27) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

28) 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.

29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions shall be erected onto the new build properties within the development hereby approved other than those expressly authorised by this permission.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and 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: 121537/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.

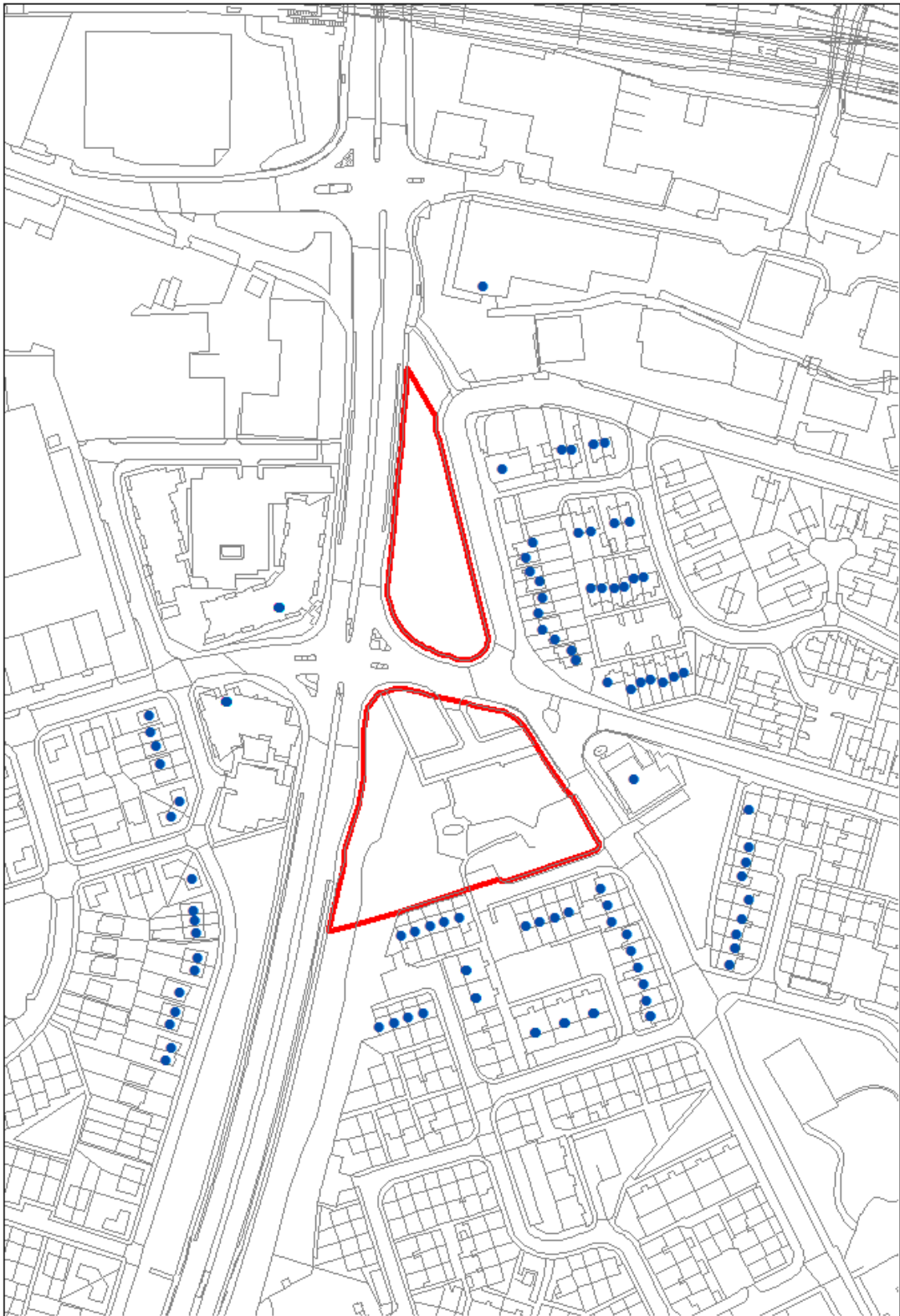
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health

Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
United Utilities Water PLC

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

Relevant Contact Officer : Jeni Regan
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 Application site boundary  Neighbour notification
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