



Planning and Highways Committee

Date: Thursday, 14 March 2019
Time: 2.00 pm
Venue: Council Chamber - Manchester City Council, Level 2,
Town Hall Extension, Albert Square.

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

There is no public access from the Lloyd Street entrances of the Extension.

Filming and broadcast of the meeting

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

Membership of the Planning and Highways Committee

Councillors

Ellison (Chair), Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, 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 14 February 2019.

7 - 16

5. 121941/FO/2018 - 6 Meade Grove Manchester M13 0SG

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

Longsight
17 - 28

6. 121809/JO/2018 - 51 Blossom Street Manchester M4 6AJ

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

**Ancoats and
Beswick**
29 - 50

7. 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.

**Ancoats and
Beswick**
51 - 108

There will be a site visit for members of the Committee with the arrangements as follows:-

Meet at the entrance of the Town Hall, Lloyd Street at 9.30am
Arrive at the site at 9.50am
Leave site at approximately 10.10am.

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|-----|--|-----------------------------------|
| 8. | 122183/VO/2018 & 122184/LO/2018 - Manchester Central Convention Complex Windmill Street Manchester M2 3GX.
The report of the Head of Planning, Building Control and Licensing is attached. | Deansgate
109 - 132 |
| 9. | 121857/FO/2018 - 84 Cambridge Street Manchester M15 6BP.
The report of the Head of Planning, Building Control and Licensing is attached. | Hulme
133 - 172 |
| 10. | 121011/FO/2018 - Garages Rear Of 88 School Lane Manchester M20 6GH
The report of the Head of Planning, Building Control and Licensing is attached. | Didsbury East
173 - 194 |
| 11. | 119951/FO/2018 - 10 Whitechapel Street Manchester M20 6UB
The report of the Head of Planning, Building Control and Licensing is attached. | Didsbury West
195 - 208 |

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:

Beth Morgan
Tel: 0161 234 3043
Email: b.morgan@manchester.gov.uk

This agenda was issued on **Wednesday, 6 March 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, 14 February 2019

Present: Councillor Ellison (Chair)

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

Apologies: Councillor Nasrin Ali and Madeleine Monaghan

Also present: Councillors: Hughes, Newman and Wheeler

PH/19/12. Supplementary Information on Planning Applications on this agenda.

To receive the supplementary information on Planning applications on this agenda.

Decisions

To receive and note the supplementary information on Planning applications on this agenda.

PH/19/13. Minutes

To approve as a correct record the minutes of the meeting held on 17 January 2019.

Decision

To approve as a correct record the minutes of the meeting held on 17 January 2019.

PH/19/14. 120302/FO/2018 - Heald Green House Irvin Drive Manchester M22 5LS.

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

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.

Decision

To refuse to grant the application for the following reasons.

1. 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.
2. 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.

PH/19/15. 121709/FO/2018 - 111 Lapwing Lane Manchester M20 6UR.

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.

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

Officers advised that should the Committee be minded to approve the application, an additional condition would be added to ensure that roller shutters would be opened in the morning and remain open throughout the day until the restaurant was open and trading.

The applicant's agent spoke to the Committee and said that the application would bring back to use a currently empty unit, and that the use would be as a Sushi Restaurant which was a unique food offering in the immediate vicinity. He added that Sushi requires very little cooking, which meant that they had been able to reduce the size of the extraction flue following discussion with officers. He added that the unit has not attracted any interest for use as a retail business, and that all enquiries had related to food use.

He also said that the proposed operator had a great deal of experience in running a business of this type, and that the conditions contained in the report would be sufficient to mitigate the concerns raised by local residents. He said that they had worked closely with officers to ensure that the issues raised by residents were fully addressed.

The Committee 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.

Decision

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

PH/19/16. 121410/JO/2018 - McDonalds 312-316 Barlow Moor Road Manchester M21 8AY.

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.

Officers confirmed that an additional condition restricting servicing hours to those approved under the original consent would be added, should the Committee be minded to approve the application.

The applicant spoke to the Committee and said that surrounding businesses of a similar nature, had similar or longer opening hours than those applied for. For example, 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.

She added that customers during the morning hours typically accessed the site as part of their commute, so would be very unlikely to exhibit anti-social behaviour or to create noise nuisance. She also said that the site was on a busy main road, and the longer hours were designed to attract road users, so no increase in traffic was anticipated as the vehicles were already on the road.

The applicant also told the Committee that a comprehensive noise impact assessment had been submitted as part of the application process. 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 applicant also explained that McDonalds was committed to ensuring that there would be minimal impact on residents, and would work proactively to ensure that this was the case.

With regard to resident's concerns about increased litter, she explained that in addition to regular litter picks around the site, they work with local Councillors and undertake a wider monthly litter pick, often alongside the Chorlton Wombles, a voluntary community group, friends of Chorlton Park and volunteers from the restaurants in the area.

She added that the evidence submitted with the application and summarised in the report showed that the grant of permission would not impact on the amenity of local residents, and that the conditions would alleviate their concerns.

The Committee asked if the car parking arrangements, which had been sold on to a 3rd party organisation, could be improved as the current parking officer is very difficult to deal with. Officers advised the Committee that this issue was not a relevant concern with regard to the Planning application, but that officers would discuss this issue with McDonalds.

The Committee also asked for confirmation of the service hours, and officers advised that the standard condition was that servicing should not take place before 8am.

The Committee also commented on the proximity of the restaurant to local schools, and the possibility of an increase in anti-social behaviour with extended hours. Officers confirmed that they expected McDonalds to fully comply with the Noise Management Plan submitted as part of the application. In addition, Greater Manchester Police had 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.

Decision

To approve the application subject to the conditions and reasons in the report and the late representation, and an additional condition restricting service hours to those approved in the original permission granted.

PH/19/17. 121380/FO/2018 - Swan House Swan Street Manchester M4 5DF.

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.

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.

Officers advised the Committee that the late representations contained information about several additional conditions that should have been detailed in the report, but had been omitted in error.

The applicant's agent spoke in support of the proposals and said that the development would enhance the 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.

He added that the development would include several residential amenity improvements, as detailed in the report. 19 units would be reserved for affordable rent at 80% local market rents, the units being spread throughout the development, and would include a mixture of different types of accommodation on offer. He also said that the units would be directly marketed at key workers in Manchester. He explained that there would also be a S106 contribution, as determined by the viability assessment, for improvements to the public realm in the area.

He added that the principle of development accorded with Manchester Policies for growth, in particular the The Unitary Development Plan for the City of Manchester (1995). The construction phase would support over 700 new jobs, with a local labour agreement to be put in place. He added that this was a high quality, well designed development, and would accord with the highest architectural standards and positively connect to the surrounding area. The aim was to minimise car parking provision, but would include 1:1 cycle parking per unit.

Councillor Wheeler spoke regarding the proposals, and while he welcomed the fact that there would also be some on site affordable provision, was disappointed that this would only be 5% of the units developed. He also expressed concerns about eligibility for the affordable units, and questioned how key workers would be defined.

He said that the Council should have nomination rights to the affordable units, so that the Council would determine who was a key worker rather than the developer. He said that similar schemes in other local authority areas often used an ALMO or other local housing provider to determine who should occupy affordable units.

Officers confirmed that the issue of viability had been independently assessed on behalf of the Council, and that the independent assessment had concluded that a 5% provision was appropriate. Officers added that this was the first time that on site affordable housing would be provided in the City Centre for many years. The proposals had been fully tested against all local and regional benchmarks.

The Committee welcomed the provision of on-site affordable housing, but expressed disappointment that the scheme would not provide the Policy level of 20% affordable housing. The Committee also expressed some concern at the height of the Tower, and agreed that the Council, in conjunction with a local housing provider should retain nomination rights to the affordable units. The Committee also asked for more information regarding the proposed tree planting scheme, and asked for clarification as to how many trees would be planted.

Officers confirmed that the height of the tower was not unusual, and that the New Cross Neighbourhood Development Framework (NDF) actually required a tall building on this site. Officers also confirmed that the Policy required a contribution of up to 20% affordable housing, subject to viability. They added that the viability assessment had thoroughly tested the scheme, and the viable number of affordable units was 5%. With regard to the trees, officers said that there would be a minimum of 5, but that the number of trees planted would be limited by the constraints of the site itself.

While the Committee appreciated the provision of affordable housing, they also noted that consideration should be given to the provision of social housing in the city centre, as this was sadly lacking in the city centre environment. The Committee were satisfied that the affordable units would be of benefit to key workers, but commented that housing provision was also needed for the very poorest members of society.

The Committee also asked for clarification as to how the commercial units were assessed as part of the viability assessment, and officers advised that the commercial space is very small, but that this would have been factored in to the viability assessment.

The Committee asked for further clarification as to the provision of outside space and services that would be required for families living in the units. Officers confirmed that there were several green spaces within a short distance, and that further public realm being developed as part of the wider New Cross Neighbourhood Development Framework would add to this. In addition, there is a green roof on the development, which is designed as an amenity space. There is a school within a short distance of the site, and there will be ongoing dialogue with health providers to ensure that health provision is adequate.

Officers confirmed that the provision of disabled parking 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. In addition, there is a condition that will ensure that the developer will address any specific parking issues for residents that may arise.

Decision

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

PH/19/18. 120893/FO/2018 - Land Bounded By Bengal Street, Primrose Street, Radium Street And Silk Street Manchester M4 6AQ.

The Committee received a request for a site visit. The Committee considered that the report did not show the full context of the proposed development in the setting of the area, so concluded that a site visit was necessary.

Decision

To defer the matter to allow a site visit to be carried out.

PH/19/19. 121806/JO/2018 - Cotton Field Wharf 4 New Union Street Manchester M4 6FR.

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.

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:-

<i>Monday to Saturday</i>	<i>08.00hrs - 23.00hrs</i>
<i>Sundays</i>	<i>09.00hrs - 23.00hrs</i>

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 this planning application is being considered.

Officers 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.

Decision

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

PH/19/20. 121537/FO/2018 - Land Bounded By Pottery Lane, Gorton Lane, Belle Vue Street And Polesworth Close Manchester M12 5JD.

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.

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.

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.

The applicant spoke in support of the proposals and said that the development would 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.

He said that the applicant had worked closely with officers to ensure that the scale and design of the proposals were appropriate, and the clarifications within the report would address the concerns of current residents.

The Committee welcomed the proposals, and asked for clarification as to whether older people would be targeted to attract them to the apartment blocks, as there was a current focus on initial home buying rather than older people home buying.

The Committee also commented that they would like to see the Council having at least 50% nomination rights to the properties, and would like to see a mixture of affordable housing, private sale and social housing at social rent.

Officers confirmed that the scheme would be open to anyone to apply for any of the units, and not just targeted at younger residents. In addition, The land is subject to a development agreement, so the Council would not manage the list of nomination through the planning process, but officers would consult with colleagues as to how this could happen in the future.

The Committee asked for clarification as to the arrangements for Waste Management, and officers confirmed that there will be a full Waste Management

Strategy employed, and that the arrangements had been fully tested and found to be adequate.

Officers confirmed that there would be retention of existing trees and additional tree planting, to assist with reducing noise as much as possible, but that the location of the site was already on a busy road, so the increased levels of noise were within acceptable limits.

Decision

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

Application Number	Date of Appln	Committee Date	Ward
121941/FO/2018	6th Dec 2018	14th Mar 2019	Longsight Ward

Proposal Proposed change of use from Class C3 dwellinghouse to C2 residential care home for children

Location 6 Meade Grove, Manchester, M13 0SG

Applicant Miss Gemma Schofield , Engaging-Care Limited, 6 Meade Grove, Manchester, M13 0SG,

Agent

Description

The application site relates to a two storey mid-terraced residential property (Class C3) in a predominantly residential area, with all the properties on the street appearing to be in use as Class C3 dwellinghouses. The property includes a small front private area and a medium sized rear garden area and is of an appearance that is uniform with surrounding properties.

Planning permission is sought to change the use of the property from a Class C3 dwellinghouse to a Class C2 residential care home for children. The property has 4 bedrooms and would accommodate up to 4 residents, aged between 10 to 16 years old. The bedrooms are located on the upper floor with communal rooms (e.g. lounge, kitchen) and ancillary rooms (e.g. staff office) located on the ground floor.

The applicants state that the premises would be a therapeutic residential home for vulnerable children with mental and emotional care needs following experiences of harm, neglect or abuse. They state that children will be individually assessed for a package of support and care which will include day to day care, life skills, sport and recreational activities, counselling, and 1:1 education tuition.

The children would be provided with 24 hour care, seven days a week. On a day to day basis, there would be three members of staff, at all times, during the day and during the night there would be a member of staff who sleeps in and a member of staff that stays awake. The member of staff that is sleeping would do so in the ground floor staff office.

Consultations

Local residents - Five objections have been received, from local residents, for the following reasons:

- This is a very family oriented street and there are many children who live here and this proposal would lead to an unsafe area for children to play and grow up in.

- As well as children this is a street with older residents and there is concern about what might happen if a child, in the care home, struggles to deal with personal issues and exhibits this on the street, possibly in a violent manner or on regular occasions, and what impact this would have on younger and older residents.
- There is concern about what would happen if the care home staff are not able to deal with any anti-social behaviour and what recourse residents would have if the home is not managed effectively and anti-social behaviour significantly increases in the street.
- The proposal would lead to an increase in traffic in the area, due to staff cars and visits from officers of agencies involved in the care of the children, on what is a heavily congested and narrow road. There is already limited parking, on Meade Grove, for the residents of the street.
- The age range of the children at the premises (10-16) is such that they will be coming to and from the premises later in the evening, which would cause disruption for local residents.
- There is a lack of information regarding the needs of children who will be residing at the premises and whether the placements would be short/long term and/or emergency placements, and whether their conditions would warrant specialised care.
- Having a care home on the street would not be beneficial to any of the existing residents, and would only cause problems for residents and disrupt their living area.
- The proposal would impact upon crime and community safety in the area, and a fear is expressed that there would be outbreaks of disturbances from the premises.
- One objector asks that the street be visited so that their concerns can be verified.

Highway Services - No highways objections.

Strategic Area and Citywide Support Manager - No objections, subject to a condition being attached, to any permission, in relation to refuse storage/collection.

Supported Needs Monitoring Group - The application has been shared with the Supported Needs Monitoring Group for their comments and no concerns have been raised. The Strategic Commissioning Manager in Children's Services has provided the following comments:

There is definitely a need in Manchester for this type of home so would fully support the planning agreement. Officers have met with the potential providers and were pleased to discover they were social workers with every intention of providing an excellent service. Children's Services would like to work closely with them to support them to shape and develop the kind of services that children and young people in Manchester are requiring.

Central Neighbourhoods Team - No objections.

Greater Manchester Police - No comments received.

Coal Authority - No objections.

Policies

National Planning Policy Framework (2018) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and 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 visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and

where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

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

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

Make a positive contribution to neighbourhoods of choice including:-

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

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

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

Policy H10 relates to housing for people with additional support needs. It states that proposals for accommodation for people with additional support needs will be supported where:

- There is not a high concentration of similar uses in the area already.
- Where it will contribute to the vitality and viability of the neighbourhood.
- Where there would not be a disproportionate stress on local infrastructure such as health facilities.

Policy EN19 requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

Policy T2 - States that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

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

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

Unitary Development Plan - The site is unallocated in the plan.

Policy DC2 relates to Class C2 rest homes and nursing homes

DC2.1 states that, in determining planning applications for rest homes, nursing homes and other uses within Class C2 of the Use Classes Order, the Council will have regard to:

- a. the effect of the operation of the business on the amenity of neighbouring residents;
- b. the standard of accommodation for the intended occupiers of the premises, including the availability of private outdoor amenity space;
- c. the effect of the proposals on visual amenity;

- d. the availability of adequate, safe and convenient arrangements for car
- e. parking and servicing;
- f. the ease of access for all, including disabled people;
- g. the desirability of avoiding an over-concentration of special needs or housing in any one area of the City; and
- h. the desirability of broadly maintaining the existing character of a residential street or group of adjoining streets.

DC2a.1 states that planning permission will be refused when it cannot be demonstrated that development proposals will contribute to the achievement of the following objectives for the City's local communities:

- i. to ensure a more even spread of "special needs" accommodation within local areas and across the City as a whole, in order to encourage provision closer to where needs arise and avoid the need for people to move from their local community to find the accommodation they require;
- ii. to ensure the protection of the residential character and amenity of family housing within established communities;
- iii. to avoid the unnecessary loss of the bigger dwelling houses available for larger and extended families;
- iv. to help local communities accommodate a range of special needs without the risk of social stress;
- v. to avoid stigmatising a particular neighbourhood or a particular type of accommodation;
- vi. to create and retain a positive perception of all areas of the City as a contribution towards the goal of maintaining stable and self-sustaining communities;
- vii. to attempt to sustain the vitality and viability of local economies, by encouraging a wide diversity of social groups to live within all parts of the City;
- viii. to avoid creating disproportionate stress on local services, such as health and education; and
- ix. to avoid additional pressure on primary and secondary health care provision in parts of the City where there are already identified concerns about adequacy of services.

DC2b.1 states that, in deciding whether or not to grant planning permission for the kinds of housing accommodation described in the above proposed strategic city-wide policy the Council, in consultation with other competent agencies, will from time to time assess whether or not localised parts of the City have already reached their effective capacity to accommodate further special housing needs, in the terms set out above.

In addition to the social and economic criteria set out above, the Council will only grant planning permission for special needs housing proposals where it can be demonstrated that the proposals will not have an adverse impact on the character of the street or the locality in respect of:

- i. displays of signs and notices;
- ii. additional car parking space involving the loss of mature trees and landscaping, especially in front gardens;

- iii. design of vehicular cross-overs to parking spaces in front gardens;
- iv. provision of external fire escapes and lift shafts;
- v. positioning of paladin bins;
- vi. construction of links between what would otherwise be separate dwelling houses;
- vii. additional comings and goings from officials and professional visitors;
- viii. more intensive use of upper floors, which become main living accommodation.
- ix. This can reduce privacy to adjoining gardens and lead to noise transmission problems through party walls; and
- x. the quality and maintenance of external areas.

DC2.2 states that there will be a general presumption in favour of Class C2 uses within residential areas, subject to other relevant policies of the Plan.

DC2.3 states that, notwithstanding policy DC2.2, the Council will require any development in this category to:

- a. meet the Council's current approved accommodation standards for developments of this kind;
- b. provide usable external amenity space.

With regards to development and noise Development Control policy DC26 states that 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 the new development proposals, which are likely to be generators of noise.

Issues

Principle - The City Council welcomes the development of appropriately designed accommodation, which enables people with additional support needs to maintain an independent lifestyle. In assessing these types of application the Council would also seek to avoid an over concentration of people with additional support needs in any one particular area.

In assessing the proposed development, consideration has been given to the provision of supported housing within the locality of the site and the impact that the development would have on the character of the area.

In this case, the proposal is supported by the Council's Supported Needs Monitoring Group, and Children's Services, and it is considered that the proposed development would add to the supply of a much desired facility that would respond to the needs of individuals requiring comprehensive residential care.

In this case it is not considered that there is an over-concentration of people with additional support needs in the area and there would therefore be no demonstrable harm to the character of the area.

The development is therefore considered to be satisfactorily related to Core Strategy policies SP1, DM1, and H10 and saved policies DC2a.1 and DC2b.1 of the Unitary Development Plan.

Residential Amenity - The proposed use is of a residential nature and given the residential context of the neighbourhood the proposed use would be appropriate. The use entails the provision of 4 bedrooms and therefore the amount of accommodation and resulting activity is considered to be consummate with a typical dwellinghouse.

The concerns of residents largely relate to a perception of problems that will be caused by the behaviours of the occupiers of the property. Whilst understanding that residents may be apprehensive about a change in the nature of the occupation of the house, these fears are based on suppositions about worst case scenarios. It is considered that the level of staffing proposed is such that there will be comprehensive management of the premises and the individuals and the home would be overseen by two qualified and experienced social workers, with the goal being to integrate these children into society, and to manage behaviours that might compromise relationships with their neighbours. It is not considered that there is evidence to suggest that the use presents an added risk of crime or anti-social behaviour, in the neighbourhood, as suggested by residents.

Some residents refer to the age range of the children, suggested that this may lead to late night comings and goings and noise disruption. It is not considered that this would be any more disruptive than the behaviours of other children, of that age, who live on the street.

Impact on the Highway - It is not expected that occupants of the proposed facility will own a car and it is expected that visitor numbers, including from officers of agencies involved in the care of the children, would typically be of a low number and of a relatively low frequency. Staff will be employed at the site, but, overall, it is not expected that demand for car parking, at the site, would be significantly different to occupation of the property by a typical family. The site is also in a sustainable location, close to Stockport and Dickenson Road, with good public transport links

Highway Services do not raise any concerns about the proposal and it is considered that any vehicular activity and on-street car parking, associated with the site, can satisfactorily be absorbed within the existing highway.

Waste Management - The site has ample space, within its curtilage, where bins can be stored. It is not expected that the proposed use would generate a level of waste that would be significantly different to the previous use of the property, or that the existing arrangements would change. A condition is, however, recommended in relation to submission of the proposed waste management arrangements.

Conclusion – The concerns of residents are noted, but it is considered that these are largely based on perceptions of what might occur in a worst case scenario, rather than on actual experiences. It is considered that a use of this nature is most appropriately located in a residential area, as this provides the best setting to enable the residents, of the premises, to integrate into society. This is a much needed facility and it is not considered that there is an over- supply, of this type of facility in the area.

A sufficient number of staff members will be present on site and it is considered that the right conditions are provided to allow residents of the premises to develop, without adversely impacting on the amenity of surrounding residents.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, negotiations took place in relation to clarification of the floor layout, particularly the ground floor arrangement and staff accommodation.

Conditions to be attached to the decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Site location plan, stamped as received by the City Council, as Local Planning Authority, on 26 November 2018.

Supported Needs Request for Further Information Document, stamped as received by the City Council, as Local Planning Authority, on 18 December 2018.

Proposed floor plans stamped as received by the City Council, as Local Planning Authority, on 4 March 2019.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Prior to first use of the premises as a residential care home for children 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 approved scheme shall be implemented prior to the first use of the premises as a residential care home for children and thereafter retained and maintained for as long as the development remains in use.

Reason - In the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

4) The premises shall be occupied by a maximum of 4 children and all necessary medical, support and ancillary staff needed in conjunction with the use of the premises as a residential care home for children (Class C2).

Reason - In the interests of residential amenity and to ensure that provision of accommodation of satisfactory quality pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall be used for a residential care home for children (Class C2) only. No part of the building shall be used for any other purpose (including any other purpose in Class C2 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).

Reason - In the interests of residential amenity and highway safety, pursuant to policies DM1 and SP1 of the Manchester 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: 121941/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

MCC Supported Housing Monitoring Group
The Coal Authority

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



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121809/JO/2018	13th Nov 2018	14 th March 2019	Ancoats and Beswick Ward

Proposal Variation of planning condition 21 of planning permission 111742/FO/2016/N1 to allow the commercial units to open until 23:30 Sunday to Thursday and 00:30 on Friday and Saturdays

Location 51 Blossom Street, Manchester, M4 6AJ

Applicant Mr Hodgson , C/o Agent,

Agent Ms Ema Klevan, Mace Group, Unit 5 Royal Mills, Redhill Street, Manchester, M4 5BA

Description

The application site relates to a part 8 storey, part 5 storey mixed use building known as 'Smiths Yard' that was granted planning permission in 2016 under planning permission reference 111742/FO/2016/N1. The building consists of 99 residential units and 4 ground floor commercial units which were granted permission for use classes A1 (retail) A2 (professional/financial services) A3 (restaurant/café) B1 (business) and D1 (non-residential institutions) with association car parking, landscaping, amenity space, vehicular access from Bengal Street and other associated works. The units are not yet occupied however are expected to be occupied by a variety of businesses within the permitted use classes.

The development is located on Blossom Street, within the Ancoats conservation area and the surrounding area is largely a mix of residential and commercial developments. To the south of the site lies cutting room square and the Grade II listed St Peter's church, the Fairbairn Building, and the Ice Plant. These are a mixture of new and converted residential blocks fronting the square, with ground floor commercial units.

To the west of the plot, along George Leigh Street, is the Grade II Listed residential building Victoria Square which was one of the first municipal housing blocks in Manchester.

The City Centre is within approximately 15 minutes walking distance of the application site providing access to a wide range of amenities and public transport facilities.

The Proposal

The submitted application seeks to vary condition 21 attached to planning permission 111742/FO/2016/N1.

Condition 21 states

The commercial units hereby approved, as indicated on drawing 1823-FCBS-A-2000 stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016, shall not be open outside the following hours:-

<i>Monday to Saturday</i>	<i>08.00hrs - 23.00hrs</i>
<i>Sundays</i>	<i>09.00hrs - 23.00hrs</i>

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

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

The application seeks to vary the operating hours of the commercial units as follows:

<i>Sunday to Thursday</i>	<i>08.00hrs - 23.30hrs</i>
<i>Friday and Saturday</i>	<i>09.00hrs - 00.30hrs</i>

Consultations

Local residents were notified and a total of 3 objections and 1 letter of support were received.

A site notice was displayed at the application site together with an advertisement in the local press due to the site being located adjacent to a listed building and within a conservation area.

Comments made following neighbour consultation can be summarised as follows:

Objects -

- Concerns raised with regards to increased noise and disturbance from the units extending their opening hours causing disamenity to nearby residents.
- Concerns that the extension of the opening hours will cause the area to cater to the evening economy rather than a residential neighbourhood.

Supports -

- Operating hours should be considered on a case by case basis with no blanket policy.
- The area has always been mixed use and is on the city centre fringe therefore a certain level of noise should be expected.
- Extending the hours will help support local business which are largely independent.

Policy

National Policy

National Planning Policy Framework (2019)

The NPPF sets out the national governments planning policies for England and how these should be applied. The document states that the purpose of the planning system is to contribute to the achievement of sustainable development. In order to achieve this there are three objectives that must be pursued: an economic objective, a social objective and an environmental objective.

The framework states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The following specific sections of the NPPF are considered to be particularly relevant to the proposed development:

Section 6 'Building a strong, competitive economy'

Paragraph 80 states that 'planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt' It goes on to state that the approach taken 'should allow each area to build on its strengths, counter any weaknesses and address any challenges for the future'.

Section 8 'Promoting healthy and safe communities'

Paragraph 80 states that 'planning policies and decisions should aim to achieve healthy, inclusive and safe places'. This includes promoting social interaction, achieving places which are safe and accessible, so that crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion and enabling and supporting healthy lifestyles.

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.

Local Policy

Manchester Core Strategy (2012)

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The following policies are relevant for this application:

Policy SP1 (Spatial Principles)

Policy SP1 sets out the key spatial principles which will guide the Strategic Development of Manchester along with the Core Development principles.

Policy SP1 states that development in all parts of the City should:

Make a positive contribution to neighbourhoods of choice including:

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

Policy DM1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case 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 to ensure that development has regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- Community safety and crime prevention;

- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection.

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. It has largely been replaced by the Manchester Core Strategy, however 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)

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 areas and, at ground level, in local shopping parades of more than 8 shops or offices.

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

Policy DC26 (Noise)

Policy DC26 seeks to reduce the impact of noise generating development. This policy states that the Council will consider the effect of new development proposals and the implications of new development being exposed to existing noise sources. Developments likely to result in unacceptably high noise levels will not be permitted.

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 master plan 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. The SRF states that no licences will be granted after 11pm.

Issues

Principle of Development

The principle of commercial units being located at the ground floor of the Smiths Yard development was established when planning permission was granted under application 111742/FO/2016/N1. The application sites immediate surroundings are largely mixed use developments with commercial ground floor units including the adjacent Ice Plant and nearby Fairbairn Building that front on to Cutting Room Square.

As such, the principle aim of providing ground floor commercial uses was to support the objectives of the Ancoats and New Islington Framework which makes it clear that the aspirations for the Ancoats Core where the application site is located is that it becomes a mixed use residential and commercial neighbourhood.

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 of the neighbourhood and viability of the development in order to satisfy the aims of the Ancoats and New Islington Neighbourhood Strategic Regeneration Framework.

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 open until 23:30 on weekdays 00:30 at weekends.

Additionally, it should be noted that a number of commercial premises clustered around Cutting Room Square adjacent to the application site, have been granted later opening hours in line with those proposed on this application. A summary of these can be found in the table below:

Table 1

Unit 2 The Ice Plant 33 Blossom Street Manchester M4 7EP	CDN/18/0245	Discharge of condition (operating hours) -Sunday to Thursday 0800 - 2330 -Friday and Saturday 0800 – 0030	APPROVED 04/10/2018
Fairburn Building 55 Henry Street Manchester M4 5BF	120298/JO/2018	Variation of condition to allow deliveries, servicing and collections Monday to Saturday 07:30 to 22:00 and Sundays/Bank Holidays 09:00 to 22:00 and opening hours Sunday to Thursday 08.00 - 23.30 and Fridays and Saturdays 08.00 - 00.30	APPROVED 24/08/2018
Cotton Field Wharf 4 New Union Street Manchester M4 6FR	121806/JO/2018	Variation of planning condition 23 to allow the commercial unit to open until 23:30 Sunday to Thursday and 00:00 on Friday and Saturdays	APPROVED 14/02/2019
5 Murray Street Manchester M4 6HS	121807/JO/2018	Variation of planning condition 21 of planning permission 110077/FO/2015/N1 to allow the commercial unit to open until 23:30 Sunday to Thursday and 00:30 on Friday and Saturday	APPROVED 21/01/2019
One Cutting Room Square 16 Hood Street Manchester M4 6WX	121808/JO/2018	Variation of planning condition 22 of planning permission 109593/FO/2015/N1 to allow the commercial unit to open until 23:30 Sunday to Thursday and 00:30 on Friday and Saturdays	APPROVED 08/01/2019
Unit 3 The Ice Plant 39 Blossom Street Manchester	120565/P3CP A/2018	Prior Approval for a Change of Use from retail (Class A1) to Restaurant (Class A3) (Hours - Sunday to Thursday 0700 - 2330 Friday and Saturday 0700 – 0030)	APPROVED 05/09/2018
Unit 4A The Ice Plant 39 Blossom Street Manchester M4 6AP	CDN/18/0457	Discharge of condition (operating hours) -Sunday to Thursday 0800 - 2330 -Friday and Saturday 0800 – 0030	APPROVED 23/08/2018
Unit 1 31 Blossom Street Ancoats Urban Village	109019/FU/2015/N1	Change of use from cafe (Use Class A3) to drinking establishment (Use Class A4) (Hours - Sunday to Thursday 12.00 to 23.30 and Friday to Saturday 12.00 to 00.00)	APPROVED 28/07/2015

Alterations to the opening hours are considered acceptable in principle subject to there being no unduly harmful impacts on residential amenity of nearby residents as a consequence of any changes.

Residential Amenity

Given that there are residential properties immediately above and surrounding the application site, it is imperative to consider the impacts of the development on the amenities of local residents. The residential properties identified to be most affected by this development are those within the Smiths Yard development, particularly those which are situated directly above the commercial units as well as residents at neighbouring Sawmill Court and The Ice Plant to the South and West of the application site.

Condition 21 attached to planning permission 111742 restricted the opening hours of the commercial units to 23:00 to reflect the development principles of the SRF for Ancoats and New Islington, which seeks to ensure the emergence of the area as a residential neighbourhood of choice, not dominated by night time uses.

This hours restriction sought to minimise noise and disturbance created by the premises together with ensuring that noise transfer between the commercial and residential accommodation was not unduly harmful.

Since the granting of this permission, regeneration efforts have led to a cluster of commercial uses to spring up within the immediate location of the application site, now occupying previously vacant ground floor units of the Ice plant and Fairburn building in addition to new units of Sawmill Court. It is considered that these new uses have contributed to the vibrancy of the area as well as offering residents of the mixed use developments a wider range of amenities.

It has become apparent that operating hours until 23:00 is too restrictive and could be detrimental to commercial success of the local businesses and the vitality of the Ancoats Regeneration Area 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.

Noise and disturbance associated with the use of the commercial units including comings and goings and noise breakout, is a key consideration in determining the appropriateness of the extension to the opening hours.

As can be seen from Table 1, there are a number of commercial premises within the immediate vicinity that have been recently granted these later operating hours. It is therefore reasonable to state that there is an existing level of noise and disturbance in the area associated with this cluster of predominantly A3 uses. It is therefore not considered that the extension of hours would have an unduly harmful impact on residential amenity as background noise levels will remain raised until the operating hours of nearby units cease. It should be also noted that no A4 uses are permitted

as part of the original permission, therefore should any commercial unit, once occupied, wish to operate an A4 use then they will need to apply to the City Council, as Local Planning Authority, accordingly and the impacts of this would be assessed.

Notwithstanding this, a number of conditions were attached to the original planning permission, in order to minimise disturbance to future residents from internal noise, together with ensuring that noise transfer between the commercial units and residential accommodation does not have any unduly harmful impacts.

The residential accommodation has been acoustically insulated to the satisfaction of Environmental Health as part of discharging the corresponding planning condition on the original planning permission. The condition relating to the commercial units has not yet been discharged given the units are not currently occupied. However it is recommended that this condition be re-imposed in the event of any approval of this application, to reduce noise disturbance impacts to nearby residents once the units are in operation.

In addition, the original planning permission contained a condition relating to dispersal in the event the premises is occupied as an A3 use (restaurant/café). This condition required the following:

- Scheme for the management of patrons and control of external areas.
- Mechanism for ensuring windows and doors remain closed after 9pm

The requirements of this condition seek to reduce the impacts of noise outbreak associated with A3 uses. Furthermore, no outside seating areas were approved as part of the original application. Should any commercial unit, once occupied, wish to operate an outside seating then they will need to apply to the City Council, as Local Planning Authority, accordingly and the impact of this on residential amenity would be assessed.

Taking into account the above considerations, it is therefore recommended that condition 21 should therefore be altered as follows:

The commercial units hereby approved, as indicated on drawing 1823-FCBS-A-2000 stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016, shall not be open outside the following hours:-

<i>Sunday to Thursday</i>	<i>08.00hrs - 23.30hrs</i>
<i>Friday and Saturday</i>	<i>09.00hrs - 00.30hrs</i>

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

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

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/agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Reason for recommendation

Conditions to be attached to the decision

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

Drawings

1823-FCBS-A-3100, 1823-FCBS-A-2801, 1823-FCBS-A-2822, 1823-FCBS-A-2802, 1823-FCBS-A-2821, 1823-FCBS-A-2800, 1823-FCBS-A-2700, 1823-FCBS-A-2008, 1823-FCBS-A-2007, 1823-FCBS-A-2006, 1823-FCBS-A-2005, 1823-FCBS-A-2004, 1823-FCBS-A-2003, 1823-FCBS-A-2002 and 1823-FCBS-A-2001 stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016

Drawing numbers 1823-FCBS-A-2820 Rev T2 and 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016.

Supporting Information

Ecology appraisal prepared by Arup (235055-42), drainage strategy prepared by Arup (235055-00), operational recycling and waste strategy prepared by Arup (235055-00), television reception study prepared by Taylor electronic systems engineers (10040C/Rev1) Archaeology statement prepared Arup (235055), construction management plan, crime impact statement prepared by Greater

Manchester Police (Version C 1st March 2016), ventilation statement prepared by Arup (235055-00), Travel Plan prepared by Arup (235055), Residential management statement, daylight and sunlight report prepared by GIA, Transport statement prepared by Arup (235055), noise assessment prepared by Arup (235055-45), Arboricultural statement prepared JCA (12662/PH), Energy and Environmental Standards statement prepared by Arup (235055-00), statement of community involvement prepared by Deloitte, The former Smiths Arms demolition justification statement, heritage statement prepared by KM Heritage, planning statement prepared by Deloitte, design and access statement and preliminary geotechnical report prepared by Arup (ref. 235055-00) stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016.

Schedule of consultee comments stamped as received by the City Council, as Local Planning Authority, on the 20 May 2016

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) Notwithstanding the drainage strategy prepared by Arup stamped as received by the City Council, as Local Planning Authority on the 31 March 2016, within 1 month of this permission, 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. Within 1 month of this permission, a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

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

3) The ground conditions at the development have been carried out in accordance with the following information:

- Preliminary geotechnical report prepared by Arup (ref. 235055-00) stamped as received by the City Council, as Local Planning Authority, on the 16 September 2015
- Calibration certificate Gas data Limited dated 16.07.2015 stamped as received by the City Council, as Local Planning Authority 10 May 2016
- Remediation verification report Blossom Iron Ancoats Hydrock Reference BLO-HYD-XX-RP-GE-005 dated 26 July 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 development shall be carried out in accordance with the following materials specification:

- Email and drawings containing materials specification stamped as received by the City Council, as Local Planning Authority, on the 18 October 2018.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

5) The development shall be carried out in accordance with the following drainage strategy:

- Maintenance plan stamped as received by the City Council, as Local Planning Authority, on the 24 July 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 - 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) The landscaping at the development shall be carried out in accordance with the following submitted details:

Drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016.

Drawings MLBI_DEP_XX_XX_DR_L_0001 Rev P03, MLBI_DEP_XX_XX_DR_L_0006 Rev C00, MLBI_DEP_XX_XX_DR_L_0003 Rev C02, MLBI_DEP_XX_XX_DR_L_0007 Rev C00, MLBI_DEP_XX_XX_DR_L_0008 Rev C00, MLBI_DEP_XX_XX_DR_L_0009 Rev C00, MLBI_DEP_XX_XX_DR_L_0005 Rev C00 and MLBI_DEP_XX_XX_DR_L_0002 Rev C00 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2018.

The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied.

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.

7) The boundary treatment at the development should be carried out in accordance with the following submitted details:

Drawing MLBI-JMA-ZZ-GF-DR-A-(90)2000 Rev P03 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2018

The approved details shall then be implemented prior to the first occupation of the residential element of the scheme hereby approved and shall thereafter be retained and maintained in accordance with these details.

Reason - To ensure that the pedestrian entrance and boundary treatment is appropriate in terms of visual amenity, and the impact on the Conservation Area, and is secure pursuant to comply policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy.

8) The Environmental Standards agreed and approved for this development is contained within the Post construction statement stamped as received by the City Council, as Local Planning Authority, on 17 December 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.

9) The external plant should be carried out in accordance with the following information:

- Air conditioning equipment stamped as received by the City Council, as Local Planning Authority, on the 24 July 2018
- Email from Carl Brierley dated the 22 August 2018.

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

Notwithstanding the above submitted details, details of any external plant equipment associated with the commercial units must be submitted for approval in writing by the City Council, as Local Planning Authority, prior to first use of the units. The approved scheme shall be implemented prior to the first use of the commercial units 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).

10) Notwithstanding the noise assessment prepared by Arup (235055-45) stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016, prior to the first use of each the commercial units, the units shall be insulated in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall thereafter be retained and maintained in situ for as long as each commercial unit remains in use.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and

DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11) The residential element of the development shall be acoustically insulated in accordance with the following submitted information:

- Noise assessment prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority, on the 16 February 2018
- Further information stamped as received by the City Council, as Local Planning Authority, on the 6 April 2018

The approved scheme shall thereafter be retained and maintained in situ for as long as the development remains in use.

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

12) Prior to the first occupation of the residential accommodation and first use of the commercial accommodation hereby approved, the refuse arrangement and waste management strategy, as indicated on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016 and the operational recycling and waste strategy prepared by Arup (235055) stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016, shall be implemented and made available.

The approved scheme shall thereafter be retained and maintained in situ for as long as the development remains in use.

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

13) Prior to the first use of each of commercial units, as indicated on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016, 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 use of each of the commercial units and thereafter retained and maintained in situ.

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

14) Prior to the first occupation of the commercial units as indicated on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City

Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the commercial units and thereafter retained and maintained in situ.

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

15) The lighting at the development shall be carried out in accordance with the following submitted information:

- Lighting specification stamped as received by the City Council, as Local Planning Authority, on the 2 May 2018

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.

16) 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.

17) Commercial deliveries, servicing and collections including waste collections (both residential and commercial) shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections (excluding domestic servicing/removals)

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

18) The commercial units hereby approved, as indicated on drawing 1823-FCBS-A-2000 stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016, shall not be open outside the following hours:-

Sunday to Thursday	08.00hrs - 23.30hrs
Friday and Saturday	09.00hrs - 00.30hrs

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

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

19) The 4 commercial units as shown on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016, 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.

20) The commercial units, as indicated on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016 can be occupied as A1, A2, A3, B1 or D1 (with the exception of a place of worship) . The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 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 .

21) In the event that any of the commercial units, as indicated on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016, are occupied as an A3 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

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

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

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

22) In the event that any of the commercial units, as indicated on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016, are occupied as a D1 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

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

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

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

23) The residential management of the building shall be carried out in accordance with the following information:

- Management and tenancy agreement stamped as received by the City Council, as Local Planning Authority, on the 24 July 2018

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

24) The development hereby approved shall be carried out in accordance with the Travel plan framework prepared by Arup (ref. 235055) stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016.

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

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

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning

Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

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

25) Prior to the first use of the building, the provision of 192 cycle, as indicated on drawing number 1823-FCBS-A-2000 Rev T3 stamped as received by the City Council, as Local Planning Authority, on the 23 May 2016 shall be implemented and retained and maintained in situ for as long as the development remains in use.

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

26) The car park layout shall be laid out, demarcated and made available in accordance with the following submitted information:

- Drawing MLBI_DEP_XX_XX_DR_L_0003 Rev D2 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2018
- email from Simon Law dated the 30 April 2018

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).

27) The development has been carried out in accordance with the local labour agreement stamped as received by the City Council, as Local Planning Authority, on the 17 December 2018

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

28) The access and vehicular entrance for the development from Bengal Street shall be carried out in accordance with the following submitted information:

- Drawing MLBI_DEP_XX_XX_DR_L_0003 Rev D2 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2018
- email from Simon Law dated the 30 April 2018

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

Reason - In the interest of highway and pedestrian safety in order to ensure that the vehicular entrance is safe and secure pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

29) The offsite high way improvement works for the development shall be carried out in accordance with the following submitted information:

- Drawing MLBI_DEP_XX_XX_DR_L_0004 Rev C01 stamped as received by the City Council, as Local Planning Authority on the 16 February 2018

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

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

30) The waste collection for the commercial and residential elements of the development shall be carried out in accordance with the following submitted information:

- Drawing MLBI_DEP_XX_XX_DR_L_0003 Rev D2 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2018
- email from Simon Law dated the 30 April 2018
- email from Dan carter dated 2 May 2018

The approved details shall be implemented as part of the development and thereafter retained and maintained for as long as the development remains in use.

Reason - There are existing pay and display bays situated on the north side of the proposed access on Bengal Street. In the interest of securing adequate visibility and available on street capacity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

31) The doorways for the development shall be carried out in accordance with the following submitted details:

Drawing MLBI_DEP_XX_XX_DR_L_0003 Rev D2 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2018

The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained for as long the development remains in use.

Reason - To provide a satisfactory pedestrian environment pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

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

33) The development should be carried out in accordance with the following submitted details with regard to TV reception:

- TV reception survey, stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016
- Post construction survey stamped as received by the City Council, as Local Planning Authority, on the 24 July 2018

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) The Smith Arms features strategy shall be carried out in accordance with the following submitted details:

Drawing MLBI-JMA-BLB-GF-DR-A-(40)4010 Rev C09 stamped as received by the City Council, as Local Planning Authority, on the 6 September 2018.

The strategy shall then be implemented within a timescale to be agreed with the City Council.

Reason - To preserve the historic fabric and provide evidence of the previous use at the application site pursuant to policy SP1, EN1, EN3 and DM1 of the Manchester Core Strategy (2012).

35) Within one month of the date of this permission, details of a permanent bat roost for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved bat roost shall be implemented/installed within three months of approval and thereafter retained and maintained in situ.

Reason - To ensure a suitable alternative bat roost can be provided in mitigation of the loss of the bat habitat at the Smiths Arms Public House pursuant to policy EN15 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: 121809/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:

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 March 2019	Ancoats and 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 and 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. It includes a surface car park and a part single, part two storey industrial building used 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

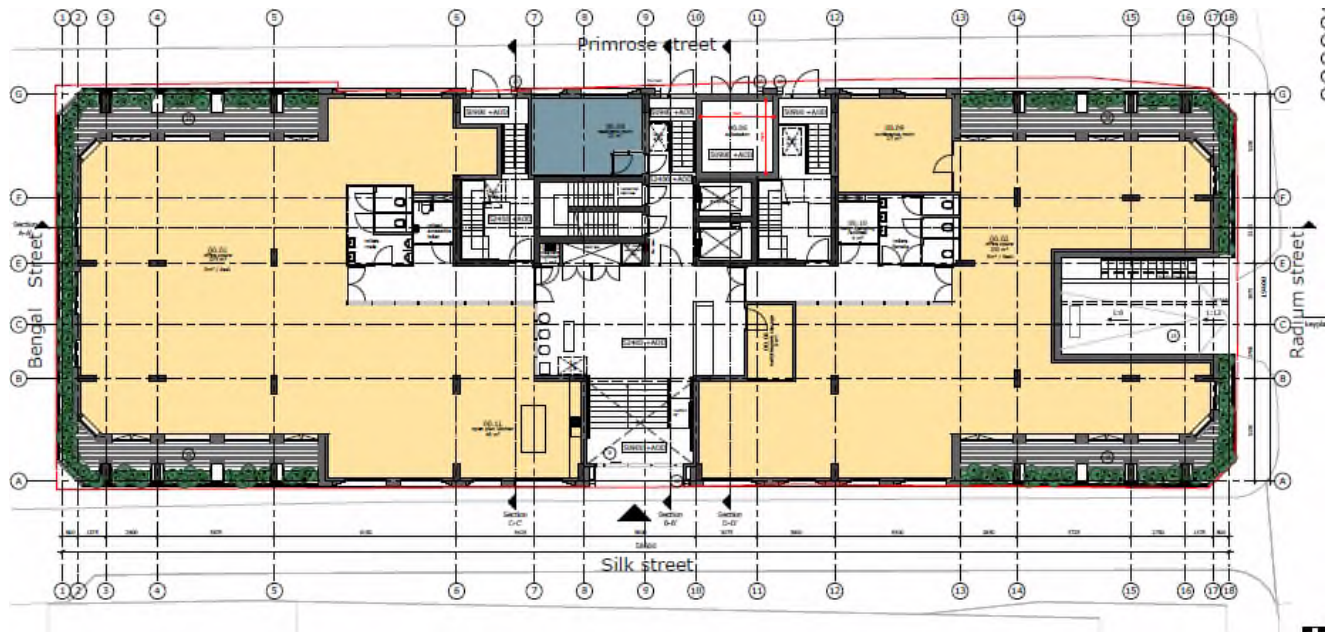
The site is in the Ancoats Conservation Area and the Ancoats and New Islington Strategic Regeneration Framework (SRF). The delivery of new homes is a key objective in the regeneration of Ancoats to support its vitality and support economic and population growth. The site is within the City Centre and Regional Centre for planning and regeneration purposes.

Ancoats has seen a significant level of development over the last few years with new homes built around George Leigh Street, Cutting Room Square and Jersey Street. The surrounding area contains a mix of residential and commercial developments.

Victoria Square to the west and is grade II listed municipal housing. The Mustard Tree centre to the north and the two storey The Shamrock Public House with its beer garden is to the south. This site also contains an electricity substation. On the opposite side of Silk Street is a vacant site.

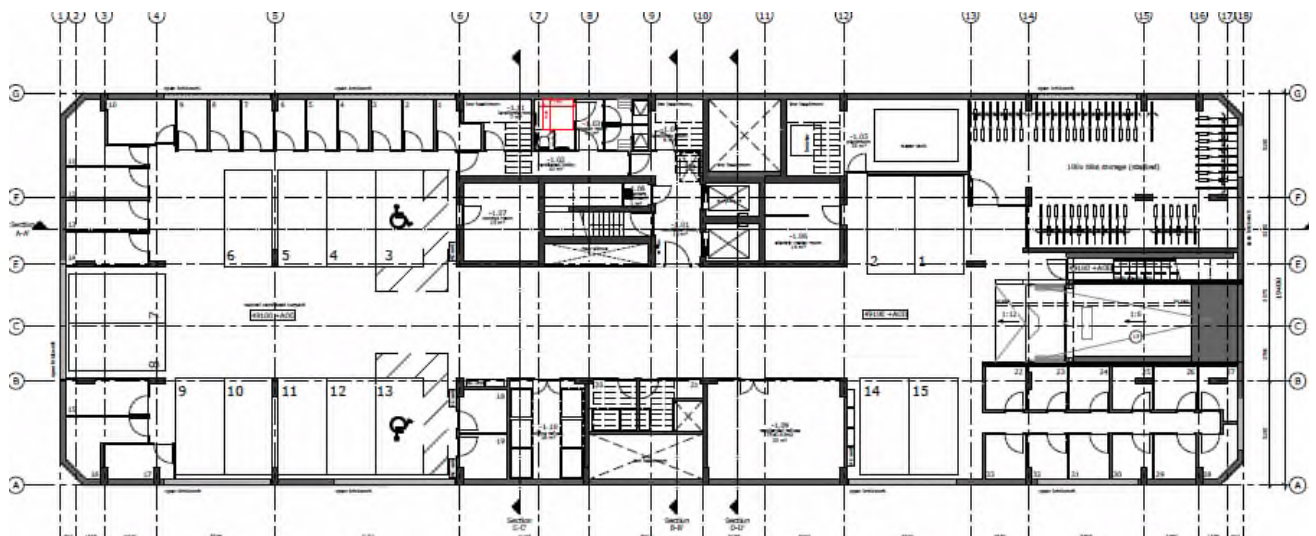
The site is a short distance from Cutting Room Square which is an area of public space within the heart of the conservation area. A range of shops, café/restaurants and other amenities are clustered around George Leigh Street, Cotton Street and Hood Street.

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.



Ground floor plan showing 'cut outs'

Pedestrian access would be from Silk Street with vehicular access from Radium Street. A basement would provide 17 parking spaces, 5 of which would have electric charging points and 100 cycle spaces. The waste management arrangements would be in the basement and collected from Radium Street.



Basement layout

The building would be 9 storey's with the top floor set back. This allows a communal roof top garden to be created with an amenity room and landscaping.



Elevation - Primrose Street

Elevation to Primrose Street (Victoria Square on the right)



Elevation - Silk Street

Elevation to Silk Street (Victoria Square on the left)



Elevation to Bengal Street (Shamrock public house to the right)

Consultations

Local residents/public opinion - The proposal has been advertised as a major development, of public interest, affecting the setting of a conservation area and a listed building. Site notices were displayed around the site and local residents and businesses were notified. 4 objections were received which 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 could be absorbed in the network. Vehicular access would be from Radium Street. This work, together with re-instatement of redundant crossovers will need to be agreed. A construction management plan should be prepared as part of the development. The travel plan framework has been considered which should be developed into a full travel plan when the development is occupied.

Environmental Health – Further site investigation and a remediation strategy are required and 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. Full details of dust emissions during earthworks and construction would be required.

Further information would be required in relation to acoustic insulation and a post completion verification should be provided. Details of plant should be agreed as part of any planning approval. The waste management arrangements are acceptable.

Historic England – The Ancoats conservation area is one of England's first industrial suburbs and holds an important place in the history of global industrialisation and urbanisation. The area developed rapidly 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. Later residential re-development included Victoria Square, which is grade II listed, and there are a number of unlisted warehouses and a school are nearby. .

A more varied building form, height, massing, architecture and materials should be promoted that closely reflects the local character. The development should reflect the local spatial hierarchy and acknowledge that the site is a secondary location, away from principal streets. The scheme should not exceed 7-8 storeys with lower parts to break the scale down and assimilate with the local historic and spatial character.

The proposal would relate poorly to its surroundings and the height and monolithic form would be harmful to the conservation area. The scale 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.

This development would cause 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.

Greater Manchester Archaeological Advisory Service (GMASS) – The heritage report does not provide a 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.

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 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. They advised that the site could have a bite taken out of it to retain the existing 1950s block.

They noted that an adjacent development on George Leigh Street has been constructed in two blocks reducing down to five storeys and does not dominate. This proposal is too dominant and monolithic and is out of context.

The top floor is weak and does not appear to be an integrated part of the building. They would prefer to see a strong plinth with more doorways directly on to the street.

Greater Manchester Ecology Unit – There are no significant ecological constraints and the building has negligible bat roosting potential. A precautionary approach should be taken during demolition and an informative imposed on the planning permission in this regard. 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 site appears to have been the subject of past industrial activity which poses a medium risk of pollution to controlled waters and consideration should be given to the impact of the scheme 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 - sustainable development should contribute to halting climate change. This development would be in a highly accessible location and reduce the need to travel by car.

SO2. Economy - seeks to spread the benefits of economic growth to reduce economic, environmental and social disparities, and create inclusive sustainable communities. The scheme would provide employment space, construction jobs and housing near to employment opportunities.

SO3 Housing - supports high quality housing at sustainable locations throughout the City, to address demographic needs and support economic growth. Manchester's population grew by 20% between 2001 and 2011. Economic growth requires the provision of homes for prospective workers so that they can contribute to the economy.

SO5. Transport - sustainable transport networks enhance function 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 for workers and residents to travel by private car and make the most effective use of public transport facilities.

SO6. Environment - the development would seek to protect and enhance 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 Development should help to create neighbourhoods where people choose to live. Well designed places should enhance or create character, make a positive contribution to residents health, safety and wellbeing of and consider the needs of all members of the community regardless of .disability. The built and natural environment should be protected. The proposal would be highly sustainable and provide economic, commercial and residential development. It would be close to sustainable transport provision, would enhance the built and natural environment and would enhance and create character.

Policy EC1 – Land for Employment and Economic Development – The proposal would support the City’s economic performance, spread the benefits of growth and help to reduce economic, environmental and social disparities, creating inclusive sustainable communities. The site is near to transport infrastructure and could promote walking, cycling and public transport use. The City Centre is a key location for major employment growth and the proposal would create new jobs in appropriate sectors and contribute to economic growth. The development would use the site efficiently, enhance the sense of place, be accessible to all transport modes and reduce opportunities for crime. This would benefit residents and employees.

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. This dense commercial and residential development would contribute towards the City housing growth.

Policy CC1 – Primary Economic Development Focus (City Centre and Fringe).- The commercial space would support economic growth..

Policy CC3 ‘Housing’ City centre residential development should comprise apartment schemes. The Council encourages high quality accommodation which is suitable to a range of occupants in terms of room numbers and size. This proposal offers a mixture of property types with larger accommodation suitable for families and consistent with adopted space standards.

Policy CC5 ‘Transport’ supports proposals that improve pedestrian safety, improve air quality and improve public realm. The policy also seeks to ensure that developments have adequate car and cycle provision. This proposal would include footway improvements at the site with on-site cycle provision and a packages of measures to improve access to alternative forms of transport.

CC6 ‘City Centre high density development’ Land in the City Centre should be used efficiently and will generally be of a high density. Its scale, massing and height will significantly exceed what is appropriate elsewhere. The density and scale proposed would use the site efficiently.

Policy CC9 ‘Design and Heritage’ requires that new buildings is of the highest standard in terms of appearance and function. Development should preserve or enhance heritage assets, including listed buildings, conservation areas and

scheduled ancient monuments. The Council supports high density and mixed use development, but developers must recognise the specific challenges that must be overcome to ensure complementarity of function and form. The proposal is considered to be of high design quality and provides 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’ supports the delivery of a sustainable, high quality, integrated transport system to encourage modal shift 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 and would encourage as cycling, car sharing and car clubs.

Policy T2 ‘Accessible areas of opportunity and needs’ This is a highly sustainable location, close to all forms of public transport and would have a minimal impact on the local highway network. It would encourage the use of sustainable forms of transport.

Policy EN1 ‘Design principles and strategic character areas’ The design and appearance of the scheme would enhance the regeneration of the area.

Policy EN2 ‘Tall Buildings’ must be of excellent design quality, appropriately located, contribute to 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 and would have a positive impact on views and the regeneration of the area.

Policy EN3 ‘Heritage’ proposals that complements and takes advantage of the distinct historic and heritage features are encouraged. These 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 impact on heritage assets is set out clearly 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 both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land.

This is a dense commercial and residential scheme in an area identified for housing growth. The varied accommodation sizes would meet a diverse range of housing needs and a large number of the properties would have 2 and 3 bedrooms.

Policy H8 ‘Affordable Housing’ sites of 0.3 hectares and 15 units or more should contribute towards affordable housing provision. The scheme is deliverable in its current form and further information is provided below.

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’ developments over 1000 sqm should meet targets of the policy unless if it is viable. The function of the building would reduce energy demands and its fabric would ensure that energy costs remain low.

Policy EN9 ‘Green Infrastructure’ development should maintain the quantity, quality and function of green infrastructure and should create and improve linkages to and between areas of green infrastructure. There is little green infrastructure at the site and it is of limited quality. The roof terrace and terrace cut outs will provide some soft landscaping provision at the site and it will also be explored whether street trees can provided within the footways around the application site and/or in the immediate vicinity of the application site.

Policy EN14 ‘Flood Risk’ surface water runoff should be minimised and a Flood Risk Assessment (FRA) is required on sites of over 0.5ha within critical drainage areas. A scheme that minimises surface water runoff would be agreed.

Policy EN15, ‘Biodiversity and Geological Conservation’, developers should where possible enhance, restore or create new biodiversity, either on or adjacent the site and contribute to linkages between valuable or potentially valuable habitat areas. The site has little ecological value.

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 impact on the surrounding water courses including those which may be under ground would be minimised.

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

EN19 'Waste' proposals must be consistent with waste hierarchy principles (prevention, reduction, re-use, recycling, energy recovery, and disposal). A waste management strategy would ensure recycling principles are followed and this would 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.

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 consideration 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.

Principle of the proposal and the schemes contribution to regeneration

Regeneration is an important planning consideration. The City Centre is the regions primary economic driver 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 workspace is required as the Citys economy continues to grow.

The site is in the City and Regional Centre for planning and regeneration purposes and Ancoats is a key regeneration priority. It has an established residential community and is a growing destination, particularly for creative and tech based companies. It will be important for the success of the area that space is created for small businesses, including those in the creative and technology sector together with the promotion of live/work arrangements.

The Ancoats and New Islington Neighbourhood Development Framework (NDF) envisages that employment and commercial space would be delivered alongside, or as part of, new housing schemes and would help to maintain activity throughout the day. Some recent residential schemes have included ancillary commercial space which has increased the areas vitality.

The application proposes 3124 sqm of office space (use class B1) over 3 floors alongside 75 homes. This would use the site efficiently and help to meet the City's employment and housing needs.

Manchester's population continues to grow and is expected to increase considerably by 2030. This and changes in household formation, requires additional housing. The proposal would contribute to a target of providing around 2500 homes each year. It would provide larger accommodation with over 65% having two and three bedrooms and would be suitable and attractive to families. The new homes would be consistent with growth priorities and would meet the objectives of policies H1 and H3 of the Core Strategy.

It is necessary to provide a critical mass of office accommodation to make the commercial proposition viable, manageable and cost efficient. This would require around 30,000 sq ft over 3 floors to achieve maximum efficiency. This space would meet the needs of, and would be targeted at SME and start-up businesses as part of growing the areas commercial offer, particularly within the innovation sector. The office space could create between 174-188 jobs when fully occupied. The space would operate in a similar manner to similar space owned by the applicant at Jactin House. This is co-working space and serviced offices, which range from 14 sqm to 279 sqm, aimed at SMEs who wish to start and grow their business in Ancoats. The space is affordable and all-inclusive in a modern setting. Occupiers can choose from day passes, a monthly arrangement comprising either a floating or fixed desk, or a private office. There are meeting rooms which can be booked. Occupiers can increase/decrease their desk requirements on a monthly basis as required, which lends itself to start-ups and SMEs. Regular networking events and workshops encourage tenant collaboration.

This would meet a key aspiration of the NDF by providing space for creative, cultural and digital industries and professional services. This would support key growth sectors and the overall employment function of the City.

The development would create construction jobs and a local labour agreement would ensure that Manchester residents benefit from these jobs. This would be secured through a condition of any approval. The provision of homes close to the city centre, would reduce commuting 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, H3, 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 requires that development should contribute to the City-wide target that 20% of new housing is affordable. 20% is used as a starting point for calculating affordable housing and homes should be available for social or affordable rent or affordable home ownership. If this is not provided on site, an equivalent financial contribution should be made to off-site provision.

The level of affordable housing required should reflect the type and size of the development and take into account 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.

Should a viability assessment demonstrates that a scheme cannot deliver affordable housing, the applicant may request an exemption from providing affordable housing, or provide a lower proportion, a variation in the mix of affordable housing, or a lower commuted sum. 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 in an area where regeneration and the provision of new homes is a priority. The proposal would develop a brownfield site 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. It also delivers a significant component of employment space that affects the overall viability of the scheme. All these matters have an impact on the scheme's overall viability.

A viability report that has been independently assessed and verified on behalf of the Council, demonstrates that it is not possible to provide a contribution towards affordable housing in this instance. This is based on a site value of £750,000 which is considerably below true market value. Construction costs are £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 concluded that construction costs would be £17,243,359 with total costs at £22,000,616. This gave a profit figure of 3.52%.

These figures very clearly demonstrate that the scheme is at best marginal and would become unviable should an affordable housing contribution be required.

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 specific period. Should the applicant sell any of the homes within this period, it would be subject to a 'clawback' mechanism. Should a viability appraisal show at that time there has been

an uplift, a full or partial contribution towards the affordable housing requirements within policy H8 would 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 development proposed is appropriate. At 9 storeys, this could be interpreted as being tall in its immediate context and as such it has been assessed against Core Strategy Policies that relate to Tall Buildings and the criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABI. Historic England's Advice Note 4, 2015 updated the CABI and English Heritage Guidance published in 2007, responding to the National Planning Policy Framework and the increase in proposals for new tall buildings. The Advice Note identifies a series of steps that should be undertaken at pre-application for tall buildings which have been addressed.

A Townscape and Visual Impact Assessment has examined the impact the proposal would have on its context including established Townscape Character Zones, significant Heritage Assets and views. It uses established methodologies and practices and 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 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 affect views and people who live, work in and visit Manchester. A Visual Impact Assessment (VIA) has assessed where it 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 adopts the methodology outlined in their document, "Seeing the History in the View: A Method for Assessing Heritage Significance within Views" (May 2011).

The following key viewpoints were identified and agreed with Historic England:

- *Viewpoint 1 – looking south westwards down Oldham Road towards the City Centre*
- *Viewpoint 2 – from within the Ancoats conservation area 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 assessment concludes that the partially vacant nature and poor quality street frontages at the site detract from the quality of the street scene and historic environment and that development provides an opportunity to reinstate a dense urban block to the street edges.

The proposal at 9 storeys would be taller than some buildings in its immediate context, but the quality of the design and architecture would complement the conservation area and the adjacent listed buildings. The street scene would be activated by the office accommodation on the lower floors whilst the residential accommodation above would have well detailed elevations and brick work.

Impact of the historic environment and cultural heritage

The site is in the Ancoats Conservation Area. Its significance is derived from its industrial heritage and it was laid out in a grid pattern which created a dense urban form with 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 building on the site is not listed but does contribute to the significance and historical evolution of the conservation area.





It is necessary to determine whether the impact of its demolition on the significance of the Conservation Area would be acceptable. Not all elements of a conservation area contribute to its significance and the level of harm caused by the loss of a building which makes a positive contribution to the significance of the conservation area, would depend on its significance and its contribution to the significance of the conservation area as a whole.

The building is a heritage asset and has social, architectural and historical significance. It represents the redevelopment and evolution of the area in the 1950s when this type of building was constructed following clearance of domestic terrace housing from the late 18th and early 19th century in the 1940s. It was originally occupied by an electricity contractor.

There should be a clear and convincing justification for any harm caused. The building has minimal heritage value in built heritage terms, and its interest lies in the history the terraced housing that occupied the site and the grid plan form of the road network which surrounds it. The 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. The building is seen alongside more dominant heritage buildings and contributes to the variety and juxtaposition of building heights across the conservation area and wider townscape.

The buildings loss would cause some harm and impact on the setting of the Conservation Area would be permanent and irreversible. But, the harm would be minor and Historic England has not raised any objections to its loss. This harm would be less than substantial and therefore it is necessary to assess whether this harm is outweighed by the public benefits that would be delivered.

There is currently one business occupier within the existing building with the rest of the site vacant and cleared of any development. The development of a high quality building providing employment space and new homes would deliver significant public benefits and would outweigh the harm to the conservation area. These public benefits are discussed in further detail elsewhere within this report.

The following listed buildings are nearby.

- 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).

The Shamrock public house 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 or 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 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. 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 key listed and heritage assets most affected are Victoria Square and the Shamrock public house. Key views within the conservation area would be affected which include some of the listed buildings mentioned above. These form part of the wider character and have been considered within the townscape and visual impact assessment.

Victoria Square is a municipal housing block occupying a prominent position on Oldham Road. It is architecturally and socially significant representing an example of a new concept in social housing at the time of its construction. It occupies a city block and responds to the grid iron pattern of the conservation area. It has a central courtyard and provides a more spacious offer than the dense terrace properties that once dominated the area.

The heritage assessment identifies 7 key view points from within and around the conservation area which allowed the impacts on the historic environment to be identified.

Viewpoint 1 – looking south westwards down Oldham Road towards the City Centre

Victoria Square is clearly evident together with the boundary of the conservation area. The characteristics of the conservation area are evident in this view, but it is fragmented by other newer development.



The proposal would form a significant new feature and can clearly be seen rising above the low rise building along Oldham Road. It can be seen within the setting of Victoria Square and provides a new feature to the boundary of the conservation area from Oldham Road. The impact of the block is reduced by the set back from Oldham Road which makes it less dominant scene. The view of the North West corner of Victoria Square from Oldham Road remains unimpeded.

There would be some low level impacts on this view, particularly on the setting of the Victoria Square.

Viewpoint 2 – from within the Ancoats conservation area are junction with Radium Street and George Leigh Street

The west elevation of Victoria Square dominates this view which is seen in front of the cleared site and substation situated to the rear of the Shamrock public house.



The proposal would be a large new feature but the view of Victoria Square is largely unimpeded and can still be appreciated. The proposal would have a positive impact

on the setting of the conservation area as it would reinstate a perimeter block development to the grid patterns which has become fragmented over recent years.

The proposal would 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

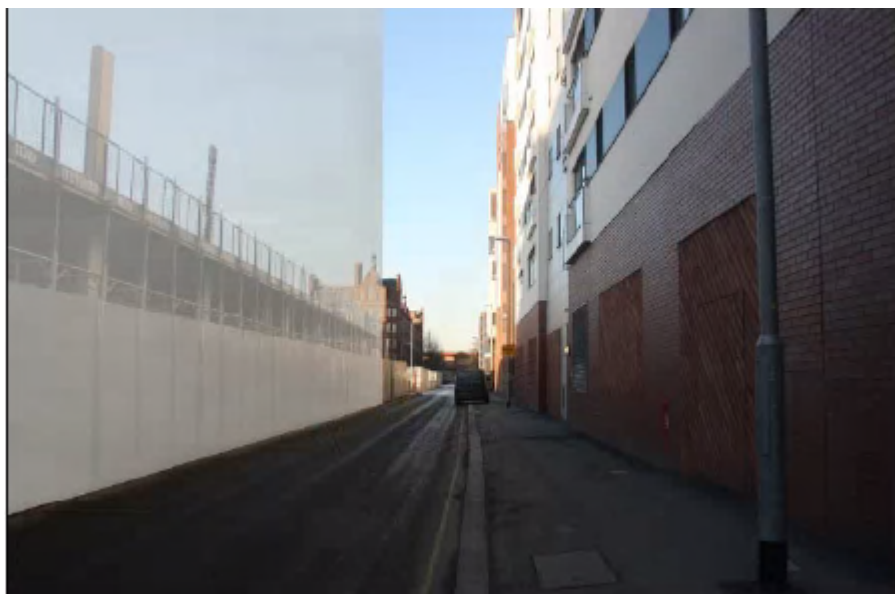
This view is dominated by Beehive Mill and a range of other Victorian brick built industrial buildings all of which make a positive contribution to the conservation area in that they are dense developments built to the footway edges offering a tight urban grain.



The completed development would have minimal impact on this view with the listed building and other key buildings being largely preserved. The built form to Radium Street would be a positive addition to the conservation area.

Viewpoint 4 – junction of Bengal Street and Jersey Street

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 proposal would have a limited impact on the listed building and the conservation area and would just be visible in the background. It would respond positively to the blocks of development fronting Bengal Street. Overall the impact on the setting of the conservation area and the setting of Victoria Square 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 site is obscured by a recent development. As such, there will be no impact on the setting of the conservation area or nearby listed building.

Viewpoint 6 – view from Marshall Street

This view is taken from within New Cross looking towards the conservation area. It 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 is the grade II listed former ambulance and police Station and there is a long ranging view of Victoria Square.



The proposal would be just visible behind Victoria Square and this would have a modest impact on the setting of Victoria Square. It is not considered that there will be any impact on the fire station.

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 facing onto Oldham Road. The key characteristics of the conservation area are clearly evident with a change in scale of the built form. The proposal would not be visible and would not impact on the setting of the conservation area.

Impact Assessment

The level of harm to the conservation area as a result of the loss of the existing building is considered to be low. The scale of the proposal on the conservation area and on adjacent listed buildings would impact, but this is considered to be less than substantial, as defined in NPPF. In these circumstance, the NPPF requires that the public benefits should mitigate against this harm and these are considered in detail below.

The proposal would regenerate this partially vacant brownfield site within the Ancoats conservation area. The new homes and high quality office accommodation would support economic growth and allow access to high quality homes and employment opportunities.

The building that fronts Bengal Street does make a modest contribution to the significance of the conservation area, and helps preserve the setting of the adjacent listed building. The remainder of the site is vacant, over grown and secured by boundary treatment of inappropriate quality. The condition of the site has, at best, a neutral impact on the setting and character of the conservation area.

This proposal would comprehensively develop the site and provide a development to all street frontages, improving the street scene and wider context which is a key requirement of the NDF. It would deliver 75 homes, with the emphasis being on larger accommodation suitable for families. The office space would provide space for start-ups and small businesses looking for flexible and reasonably priced office accommodation.

Historic England consider that the site would be better suited to a more modest form of development that could add to the variety of building heights in the conservation area. This would be a maximum of 8 floors with a more fragmented form.

A viability appraisal has demonstrated that this quantum of development is required to deliver these key outcomes in a manner that is viable. A minimum of 3 floors of office space is required in order to be manageable, cost efficient and viable. 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 it is accepted that this quantum of development is necessary to make this proposal viable. Any reduction in height or loss of space would render the scheme unviable and the regeneration benefits would not be realised.

Various design options have been considered and the siting, scale and appearance now proposed would respond to many of the key characteristics of the conservation area. The proposal would address the impact of the poor vacant frontages to Radium Street, Primrose Street and Silk Street. The development to back of pavement, would activate the street edges and re-enforce the grid pattern and re-instate a key feature of the conservation area and 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 its overall height.

The approach proposed would reflect a similar form of development to the older mill buildings within the conservation area which are large, robust and built to back of pavement. Other recent developments in the area have established a height parameter of around 8 storeys. However, there are other examples of taller buildings within the conservation area which exceed this such as NQ4. These buildings were built to create a cohesive form which complements the characteristic of other large, older and newer developments in the area. The dense and uniform form proposed, situated to back of footpath, would not be unusual in this context. The set back at the ninth floor would minimise the overall impact and the lightweight materials at this level would re-inforce this. The verified views shown above demonstrate that its impact would be negligible.

Historic England believe that the secondary nature and narrowness of the roads around the site would make the development feel oppressive. The narrowest part of

the site fronts Bengal Street and Radium Street which are key roads within the conservation area. It is important that these frontages are developed to animate the street scene. The building would not be overly dominant in this context.

The development would be prominent along Silk Street and Primrose Street owing to their narrow nature. 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 a high quality and add positively to 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 relate to many of the features found on older buildings in the conservation area, whilst utilising modern construction techniques and materials.

Taking the above benefits of the proposal into consideration, a low level of harm will be caused to the setting of the conservation area, Victoria Square and other buildings such as the Shamrock public house as a result of the scheme.

The level of harm is considered to be less than substantial and it is necessary to assess whether the 'public benefits' would outweigh the identified harm. In assessing this, consideration must be given to para 8 of the NPPF which outlines the objectives to achieve sustainable development.

The public benefits of the scheme are derived from redevelopment of a highly sustainable brownfield site within the conservation area. The removal of the largely vacant site will allow for the site to be comprehensively developed with a high quality development which responds positively to all the surrounding streets.

The massing of the building and the elevational treatment would be high quality and follow many of the characteristics of the conservation area. In particular, the creation of a cohesive, uniform development, and well detailed elevations including deep window reveals, will ensure the development is of the highest quality. The overall height of the development is minimised by the setting back of the 9th floor.

The scheme would therefore enhance the setting of the conservation area and the setting of the listed Victoria Square together with the removal of the vacant site which at presents is largely inactive to the street scene.

The 75 homes would meet demand in Ancoats and the flexible accommodation could accommodate changing family needs. Apartment sizes meet space standards and the overall quality of the development would encourage residents to stay longer term and create a community. Roof terraces and communal spaces would add to its attractiveness. The proposal would be safe and secure and provide natural surveillance and vitality to the street scene.

The high quality office space is a major component of this mixed use scheme and SME business and start-ups within innovation sector would be targeted as part of

growing the commercial offer in the area. The office space could accommodate around 180 jobs.

The applicant operates a similar offer Jactin House which has co-working space and serviced offices which start from 14 sqm to 279 sqm. It offers affordable and all-inclusive spaces to SMEs who wish to start and grow their business in Ancoats in a modern, well designed and professionally operated setting.

Occupiers can choose from day passes, a monthly arrangement comprising either a floating or fixed desk, or a private office. There are bookable meeting rooms. Space can be increased/decreased on a monthly basis. Regular networking events and workshops encourage tenants to collaborate.

This development would operate in a similar way and provide a mixed use scheme that would support the economic growth of Ancoats and deliver a key aspiration of the NDF.

In order to realise the public benefits around the office space, the permitted developments rights which exist that permits the change of use of office space to residential (once the offices have been occupied) are recommended to be removed and form part of the list of planning conditions below.

The proposal would create 294-352 FTE jobs during the construction process.

The proposal is viable and deliverable in its current form. It would cause a low level of harm which would be less than substantial harm and would be outweighed by the considerable public and regeneration benefits that have been detailed above.

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 could be archaeology on the site associated with domestic terrace properties. GMAAS consider that it would appropriate to undertake a programme of works on any remains and ground excavations to record the archaeology which would be affected. They recommend that a survey is carried out 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 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 perimeter and create a strong building line to all the surrounding streets with strong corners.

A series of terraces to the commercial space would provide recreational space and allow soft landscaping to be introduced and this would help to activate the street scene.



Corner of Bengal Street and Silk Street – terraces areas at ground level

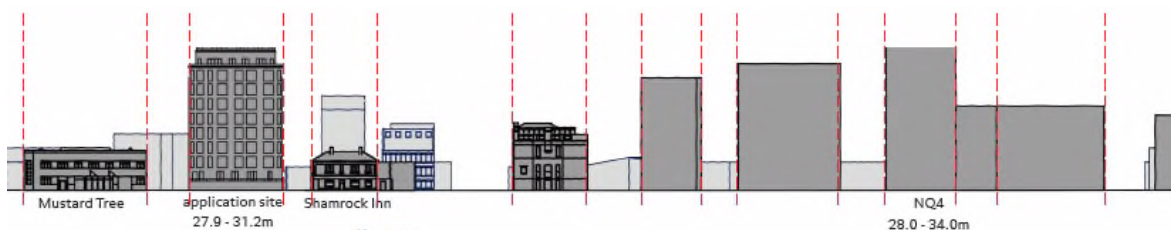
The main entrance to the residential and commercial space would be from Silk Street. The entrance to the car park would be from Radium Street.



Main entrance from Bengal Street

The scale, massing and proportions is similar to some of the older buildings in the conservation area and to some recently scheme. It would be a large building in its immediate context and would be 8 storeys (27.9 metres) across the site with a 9th floor set back from the building edge. This gives an overall building height of 31.2 metres.

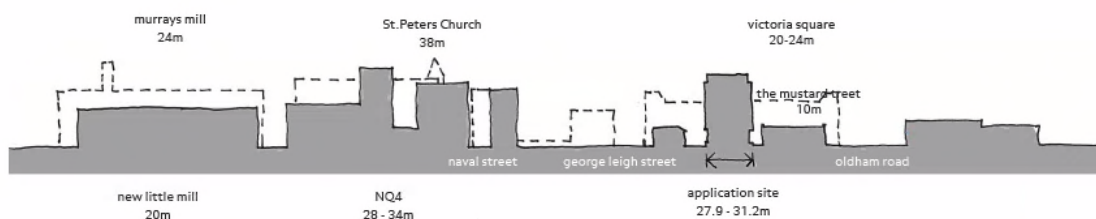
The Ancoats framework advises that future development should respond to the surrounding context. The scale would relate to other development on Bengal Street and the cross section below shows how its height would sit within the street scene. It would have the type of relationship with smaller buildings nearby which is characteristic of the conservation area. The tallest element of the NQ4 complex is 34 metres.



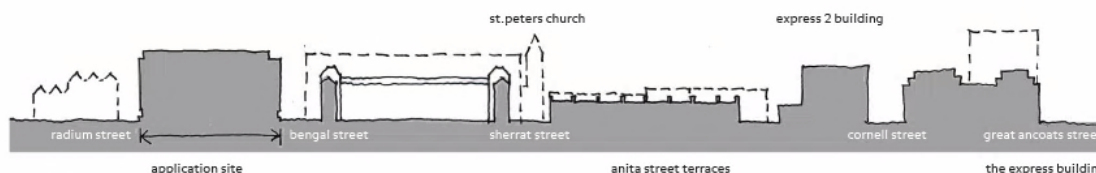
Cross section along Bengal Street

The development add to the variety to building heights in the area, particularly along Bengal Street, and would reinstate the street edge. It would situated between the Mustard Tree and the Shamrock public house which are much lower buildings thereby providing the contrasting building heights that help to define the area.

Victoria Square ranges between 20-24 metres in height. The impact on it would be minimised as the narrowest element of the building would front onto it and it would be separated by the width of Bengal Street. It would not therefore be overbearing or overly dominant and the cross section demonstrates that it would appear slender and elegant adjacent to the listed building, despite the difference in height between the buildings.



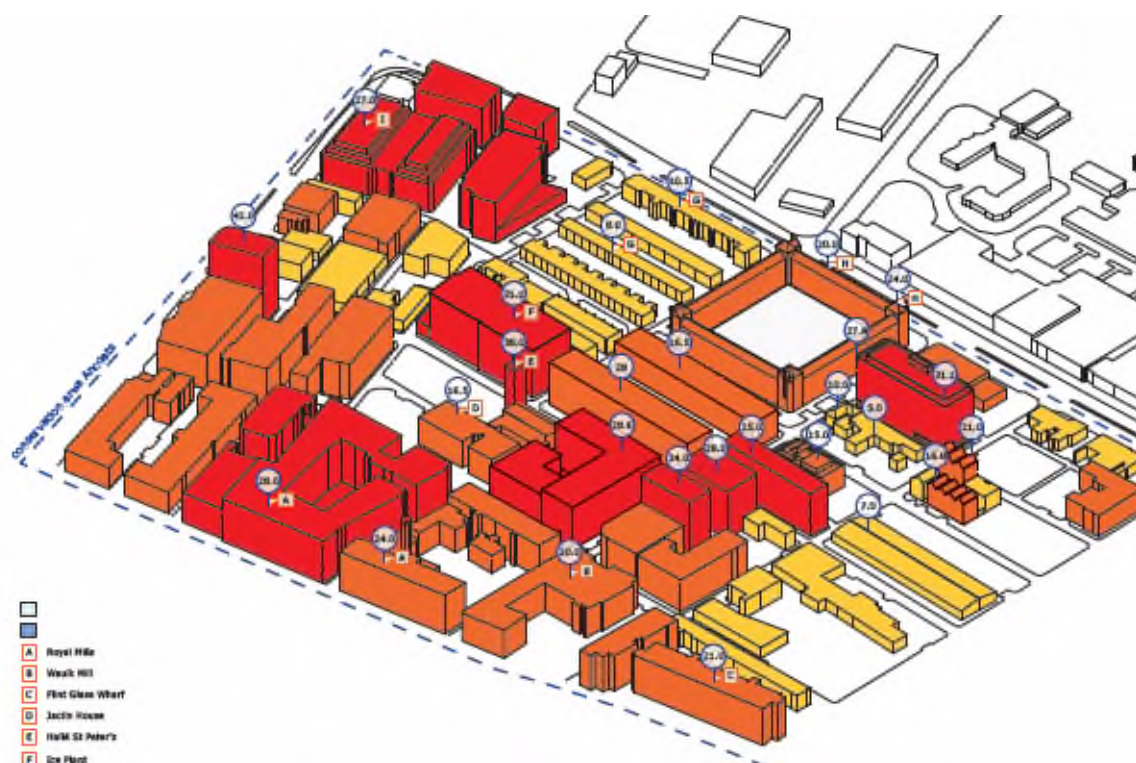
section cc: proposed



Cross sections through George Leigh Street/Oldham Road and Radium Street/Bengal Street

The diagram below shows the wider pattern of development and illustrates that the proposal would not be out of context and would enhance the urban grain in this part of the conservation area.

Recent developments of a similar scale have enhanced the area and have provided an updated context. These include Smiths Yard, 16.5 to 28 metres, Sawmill Court 28 metres and Ice Plant 31 metres. These are alongside older historic buildings such as Murray Mill at 28 metres, Waulk Mill at 24 metres. The spire of St Peters at 38 metres would remain dominant. All of these developments add to the wide variety of building heights within the conservation area.



Wider context (red blocks are recent developments)

The appearance would respond well to and reflect that found elsewhere in the conservation area and would ensure that it complements and enhances the characteristics of the historic environment. The building would be constructed of red brick. The lighter cladding to the 9th floor would minimise the impact of the upper level. The windows would be arranged within a regular grid format which would be similar to other buildings within the conservation area. Their deep reveals and detailing would add interest to the buildings appearance.

The design would add to the overall quality of the area. 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 would 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

The footways around the site would be enhanced and would improve the setting of the building and the conservation area. The setting of the building would be enhanced through the provision of cut out terraces on the ground floor. This would provide recreational space, opportunities for planting and provide activity and interest at street level.

The proposal includes private and shared amenity space for residents. The eight floor apartments would have private roof terraces created where the building is set back. A communal roof terrace would be available to all residents.

Loss of trees

The proposal involves the removal of 6 out of 8 low quality trees (category C) in and around the site. These are protected as they are in the conservation area. The application includes a notice of the applicant's intent to remove these trees within the conservation area.

New developments should wherever possible maintain existing green infrastructure. Policy EN9 states that should the benefits of a proposal outweigh the loss of green infrastructure, the developer should demonstrate how this would be mitigated in terms of quantity, quality, function and future management.

The loss of the trees is regrettable but their impact is neutral and the regeneration benefits of the proposal would outweigh any harm caused by their removal. The proposal includes soft landscaping within the roof garden. In addition, a condition would require that the opportunity to plant street trees should be explored.

Impact on Ecology

An ecological appraisal 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 should highlight that should bats be found, works should cease until the site has been inspected by a suitably qualified individual. A condition is recommended to prevent vegetation clearance within bird nesting season.

The proposals provide an opportunity to enhance biodiversity and the landscaped roof garden would contribute to green infrastructure and biodiversity at the 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 effects of the proposal on the amount of daylight received by surrounding properties. There is no requirement to consider sun light as none of the effected properties are 90 degrees of due south. Consideration has been given to any instances of overlooking which may result in a loss of privacy.

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) and the following residential properties were assessed:

- Victoria Square – windows which face onto Bengal Street;
- Shamrock public house – upper floor residential accommodation;
- German Warehouse – residential windows fronting Silk Street and Radium Street.

The NPPF states that 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.

114 windows were assessed at Victoria Square. For VSC, 98 would 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.

The impact in terms of daylight on the German Warehouse development will be mainly on the windows facing onto Silk Street and Radium Street. It should be noted that a large number of the windows at first and second floor on the Silk Street elevation are onto recessed balcony areas. As such, the daylight in the living/dining room areas is already reduced. The assessment of impact of the development demonstrates that there will be a modest reduction in daylight to these windows as a result of the development but will not be significant and certainly not overcome the fact that the daylight is already limited to these balconies due to their recess nature.

At the third, fourth and fifth floors, the windows are all dual aspect facing the open car park site on Silk Street. The windows at this level along Radium Street, together with the first windows on Silk Street may experience a slight reduction in daylight. However, as the proposed development sits diagonally opposite the application site, rather than parallel or adjacent to these windows, any reduction in light is considered to be modest.

In terms of impact on sunlight to the German Warehouse development, the study demonstrates that there is only a very minimal impact on this development given the position of the proposed development located diagonally onto the north/north west of the German Warehouse.

The impact on the available daylight to the windows in these buildings would be minor adverse. The area is generally occupied by dense blocks arranged around a tight street pattern and this inevitably means that impacts arise. These impacts are not unusual in this type of area and a balanced judgement has to be formed about the extent of the harm. The gap between the proposal and Victoria Square would allow a perceived sense of space between the two blocks. The impact on the public house would be more acute but given the scale of the pub, any development is likely to cause the same level of harm to these windows. There will be some modest impacts on the German Warehouse but given the position diagonally to the application site, the recess nature of a large number of windows and dual aspect of others the impacts are not considered to be harmful.

It is considered that the effects are acceptable in this context and do not warrant a refusal 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;
- German Warehouse – 13.6 metres.

These distances are not unusual in the area and the proposal would be separated from these properties by the existing road network. The other buildings that surround the site are commercial and would not be impacted to the same degree.

The gap to Victoria Square is not considered to be unusual for this context and would not give rise to any unduly harmful impacts from overlooking. The gap to the

Shamrock is narrow but it is offices that would overlook the habitable windows which would minimise the harm.

In terms of any overlooking to the German Warehouse development, the application site sits diagonally to this development and is separated from the proposal by the corner of Silk Street and Bengal Street. Any overlooking would therefore be oblique and not give rise to any loss of privacy to this development.

(b) 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. Any impacts 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 whether mitigation is required.

(c) Air Quality

The application is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor. An air quality report explains that there would be inevitable impacts on air quality during the construction phases from dust from earth works/construction and vehicle emissions. The applicant would follow good practice to minimise any impacts 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 would be 100 cycle spaces 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 plant and construction activities, together with the need to limit noise ingress from external noise, particularly from nearby roads.

The surrounding area is a densely populated residential neighbourhood so noise and disruption from construction activities would be noticeable. It would be necessary to impose appropriate operational and delivery hours and to require a perimeter site the hoarding that has acoustic properties, equipment silencers and regular communication with nearby residents.

Noise from nearby traffic could impact on the homes and there could be noise from the commercial space below. The glazing specification would address traffic noise and a restriction on the operating hours of the commercial units and the roof terrace would minimise any impact.

Subject to all of the above, the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Waste management

There would be separate waste management arrangements for the residential and commercial elements and it would be stored in the basement. Residents would store and segregate waste in their apartment which they would then take to the basement store. The waste stores would comply with the Council standards.

The office space will have a store room of 18 sqm containing 3 x 1100 litre general refuse containers and 3 x 1100 litre recycled bins. This would be collected on a weekly basis. Servicing and refuse collection would take place from a dedicated loading bay on Radium Street.

Accessibility

The building will be fully accessible and comply with the relevant requirements for building regulations. All of the apartments would be wheelchair accessible and lobby areas, terrace space and shared spaces would have level thresholds. A platform lift would be installed which would ensure that the building is fully accessible. There would be 3 disabled parking spaces in the basement with space for mobility scooters.

Flood Risk/surface drainage

The site is located in flood zone 1 'low probability of flooding'. It 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.

A drainage statement has been considered by the City Council's flood risk management team who require further consideration of how the drainage systems would work to prevent surface water run off along with an examination of the implementation of sustainable urban drainage principles 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

The site is accessible to all sustainable forms of transport. A transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

15 parking spaces, including 2 for disabled people and 5 electric car charging points, are proposed in the basement, which equates to 20% provision. Highway Services have no objection to this in light of the highly sustainable location. This level of parking accords with the guidance in 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. There is sufficient space to safely and securely store mobility scooters.

There would be 100 cycle spaces in a dedicated secure store in the basement. A travel plan would provide support the travel needs of residents including the availability of offsite parking. This should be a condition of the any approval with the ongoing monitoring of the travel plan.

The applicant would improve the kerb radii on Radium/Primrose Street to ensure that it is safe for use when the development is operational. The pedestrian entrance would be from Silk Street which would be made a 'one way' to minimise the amount of traffic using it. This would allow the footway to be widened to create a safer and more pleasant pedestrian environment.

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 GMPolice, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition is imposed to require the full implementation of the CIS and that Secured by Design Accreditation is achieved.

Ground conditions

A ground conditions report provides existing conditions and further details are required about a risk assessment and remediation strategy. The implementation of the agreed remediation strategy should be confirmed through a verification report. This should form a condition to comply with policy EN18 of the Core Strategy.

Public opinion

The comments received relate to the scale of the building. This is dealt with extensively in the report above. There would 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 unusual for this context.

Construction management

The work would take place close to homes and comings and goings from the site are likely to be noticeable. However, these impacts should be short in duration and predictable. A condition requires a construction management plan to be agreed which would include details of dust suppression measures, highways management plan and details of use of machinery. Wheel washing would prevent any dirt and debris along the road and beyond.

Limited information has been provided about routing but servicing vehicles are likely to use Great Ancoats Street and Oldham Road which should minimise disruption on the local network. There is unlikely to be any cumulative impact from construction activity. There is a large amount of activity in the local area but the proximity of Great Ancoats Street should help to minimise disruption 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.

Permitted Development

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

The residential properties which will be available on a PRS basis, the applicant has provided a draft residential management strategy. This details how properties will be managed. The development of this strategy should form part of the conditions of the planning approval.

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

In order to realise the public benefits required where less than substantial harm arises to a heritage asset, it is also recommended that the permitted development rights are removed which would normally permit the change of use from offices to residential accommodation. The offices are an important component of this development and will be targeted at start up business and other small businesses. In order to realise these public and regeneration benefits it considered appropriate to remove what would otherwise be a permitted change.

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 help to regenerate Ancoats and provide good quality homes. It would develop a partially vacant, poor quality site in the conservation area. It would result in the loss of a designated heritage asset contributes to the significance of the area. The new building would be of a high quality which would positively contribute to the conservation area through its materials, elevational treatment and how it addresses street frontages.

The scale of the proposal would cause some a low level of harm to the significance of the conservation area and the setting of Victoria Square and this would be outweighed by the public benefits that the scheme would deliver. There would be some localised impacts on amenity at Victoria Square and the Shamrock in terms of daylight but these are not considered unusual in this type of context.

The level of harm would be less than substantial and would be outweighed by the public benefits 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 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 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 stamped as received by the City Council, as Local Planning Authority, on the 4 February 2019

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).

32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). 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.

33) Notwithstanding the provisions Class O of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the three floors of B1 office accommodation (as indicated on drawing BS-100 stamped as received by the City Council, as Local Planning Authority, on the 4 February 2019 and BS-101 and BS-102 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018) shall be retained for the purposes of Class B1 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 B1.

Reason – To safeguard the office accommodation as part of maintaining the supply of suitable and sustainable office accommodation in this part of the City particularly

accommodation suitable for small business pursuant to policies SP1 and EC1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

34) Prior to the first use/occupation of the office or residential elements of the scheme (whichever is first) a signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason – In the interest of visual amenity pursuant to policies SP1 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 Applns	Committee Date	Ward
122183/VO/2018	28th Dec 2018	14th Mar 2019	Deansgate Ward
122184/FO/2018			

Proposal Erection of memorial to commemorate the 200th anniversary of the Peterloo Massacre

Location Manchester Central Convention Complex , Windmill Street, Manchester, M2 3GX

Applicant Manchester City Council, C/o Agent,

Agent Miss Katie Delaney, Maybern Planning and Development, Beehive Lofts, Beehive Mill, Jersey Street, Manchester, M4 6JG

Description

The applications relate to the forecourt of Manchester Central. The Complex, consists of three main buildings: the former Central Station (Grade II* Listed); the Manchester International Convention Centre (MICC); and the Seminar Centre. There are landscaped forecourts at the upper and lower level, the lower one being the former station approach which fronts onto Windmill Street. The complex is bounded by Watson Street/ the Great Northern Tower residential building, Windmill Street, Great Bridgewater Street and Lower Mosley Street. Surrounding the site are the Bridgewater Hall and the Grade II* Listed Great Northern Warehouse, Radisson Edwardian Hotel and Midland Hotel. The complex is raised above street level and is separated from Lower Mosley Street by the Metrolink viaduct.

The former Central Station was designed in 1875-80 by Sir John Fowler for the Midland Railway Company. It is rectangular on plan and has a substantial footprint. The elevations are faced with red brick and contain regular rows of windows with bays divided by brick buttresses. The elevations are partially obscured by modern extensions, however much of the Lower Mosley Street elevation and the network of cast iron lattice grids of the front and rear elevations remain exposed. The roof structure spans 64 metres and is vaulted. Internally, the building retains its large open vaulted space has retained its character and grand form.

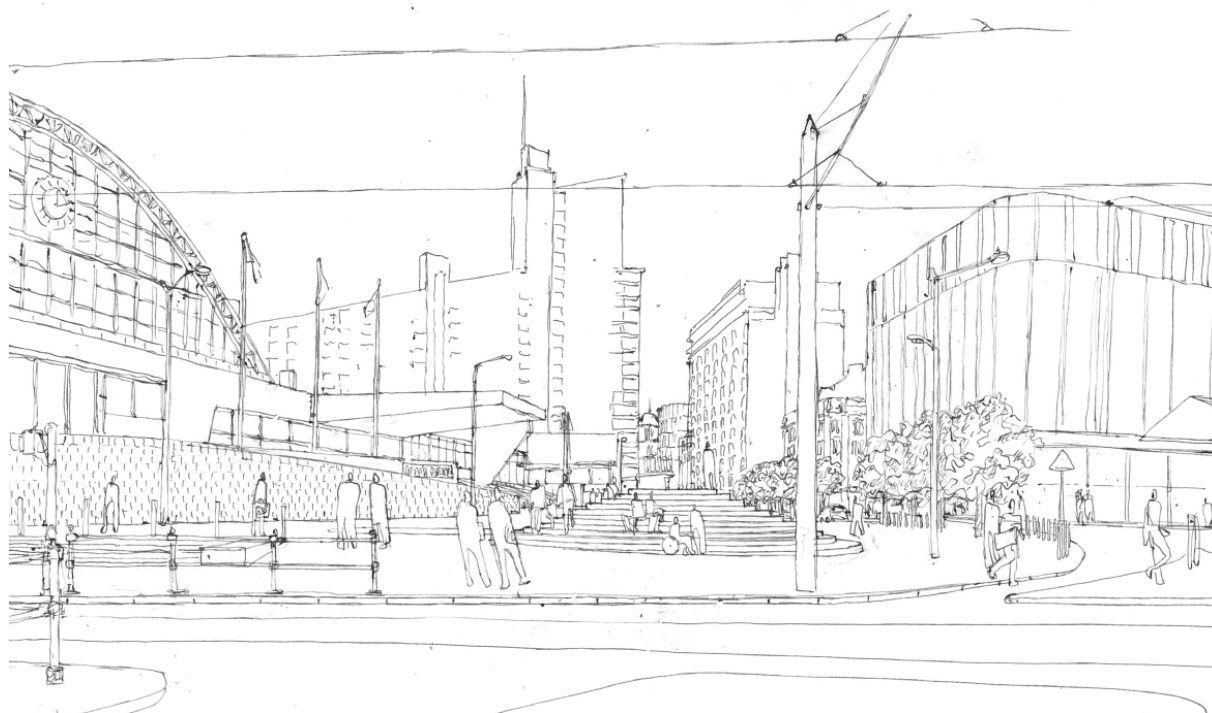
The station was historically and physically linked to the Grade II* Listed Midland Hotel, which provided accommodation for passengers arriving at the station. The site is not within a conservation area, but is adjacent to the St Peters Square and Deansgate Conservation Areas. The City Council is a majority shareholder in the complex.

The forecourt is paved and is surrounded by Windmill Street, Lower Mosley Street, the station building and tram tracks. The Windmill Street edge is lined with trees and the forecourt has freestanding advertisements, cycle hoops and stairs to the upper forecourt area.

The memorial would be constructed of different stones with each step/band a different material comprising Burlington Slate Broughton Moor, Peakmoor Sandstone, Cove Red Sandstone, Whitworth Blue Millstone Grit, White Granite De Lank, Copp-Crag Sandstone, Scottish Dolerite, St. Bees Sandstone, Colourful Fletcher Bank Millstone Grit, Cwt-y-Bugail Welsh Slate, Corennie Pink Granite and Greenmoor Millsone Grit. These materials have been sourced from all regions of the United Kingdom. It would provide a bright range of colours with names, emblems and motifs etched into the stones that refer to the bold celebratory graphics of the banners calling for social reform that protestors traditionally held up. The text on the risers would contain the names of the victims and the villages, positioned according to their geographic location in relation to Manchester. These would be hand carved and painted.

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from street level. The stepped structure would incorporate a handrail to assist access.



The memorial would be located on a site that the massacre was viewed from. It was higher ground and about 68 metres from the edge of the outskirts of the crowd. Its circular form is intended to act as a compass, locating places in Manchester and the wider world and it would be a focal point for participation, gathering and commemorative events associated with the massacre.

On Monday 16 August 1819, a 60,000 crowd walked to St Peter's Field in Central Manchester, from as far afield as Wigan, Rochdale, Saddleworth and Altrincham to call for parliamentary representation. Shortly after the meeting began, and before the orator Henry Hunt finished his address, local government forces charged into the crowd on horseback and, with swords drawn, injured 700 people and killed 18 men, women and children. It was a pivotal event in working-class politics, and linked to Chartism, the rise of Trade Unionism and the formation of the Labour Party. The political and cultural significance of the Peterloo Massacre, its association with Greater Manchester, and the continuing resonance and meaning of the events of 1819, makes commemorating the bicentenary of Peterloo in Manchester particularly important.

Peterloo was notable for the role of women reformers during June and July 1819. Of the eighteen people killed at Peterloo, the first was a small child with its mother. Depictions of women protestors under attack from mounted guards became poignant visual images associated with anti-government political propaganda and marked a turning point in women's engagement in the suffrage movement.

No external lighting is proposed. The stepped structure would incorporate a handrail to assist access. The existing advertising boards that are currently located on the low

wall, 2no. street trees, an electricity cabinet and pole would be removed to allow the siting of the memorial.

Land Interest

The City Council has a land interest in the site and Members are reminded that in considering this matter, they are discharging their responsibility as Local Planning Authority and must disregard the City Council's land interest.

Consultations

Publicity - The applications were advertised in the local press as an application for listed building consent, as affecting listed buildings and the adjacent conservation areas, as affecting a right of way and as being of public interest. A site notice was displayed on the forecourt and letters were sent to surrounding occupiers. One objection has been received and is summarised as follows:

The commemoration of the event is a most sensitive and important matter, but the choice of location is at odds with the use of the space outside a facility dedicated to hosting large events. Spaces such as this are vital for events and displays, many of which have a direct and ongoing benefit to the economy and vibrancy of the city.

The loss of an important part of the forecourt to a permanent static memorial limits the use of a vital aspect of the facility's ability to fulfil its mandate. Flexible unimpeded forecourt spaces are absolutely essential to the success in mounting events for the Convention Centre.

Perhaps there is a space in the city that is not in conflict with the dynamic space requirements of the City Centre.

Historic England –The “Peterloo Massacre” is an important aspect of Manchester’s social and political history. It is fitting that a monument is now proposed to be erected to commemorate this event, on its 200 year anniversary, and remember the tragic loss of life. The public space in front of the station is an entirely appropriate location for the monument. They have no objection to either application.

National Amenity Societies – No comments received.

Manchester Historic Buildings and Conservation Areas Panel – noted that the location was not on the site of the Peterloo Massacre which was unfortunate and could lead to confusion. They felt that it should ideally be positioned within the area where the massacre took place, although they noted the need to have it in a more open location.

They were concerned about the availability and suitability of the different types of stone. Sandstone is a weak material that would weather and erode and they suggested that more robust stones such as granite and millstone grit be used. The variety of colours could look too garish and would affect it as a place of tranquillity, they also felt that these would weather poorly and look somewhat duller over time.

The inclusion of other worldwide events was queried and it should retain a Manchester focus related to Peterloo itself rather than being global. The proximity to the tram lines could be a health and safety issue for large crowds of people. Other health and safety issues need to be considered to avoid retro-fitting clutter such as handrails. The location next to the trams could be noisy and not suitable for public gatherings and speeches. Damage could be caused by skateboarding and BMX bikes.

They supported a monument but wondered whether it should be a more figurative sculpture which would be more accessible and understandable by visitors, or alternatively a circular wall that could be entered. The Panel stated that it was important to properly interpret the massacre on information boards nearby.

The Panel noted that the location had been compromised by the desire to keep the front forecourt of Manchester Central open and suggested that the memorial should be relocated more centrally to the forecourt, perhaps to the axis with Albert Square.

The design had resulted from too many outside influences and that it was trying to be overly sophisticated and needed a simplification, especially in the materials. They also felt that rather than two circles being used that it would be better to have a single more accessible feature.

Corporate Property - No comments received.

City Centre Regeneration – No comments received.

The Peterloo Memorial Campaign Group – No comments received.

Flood Risk Management - Confirmed that the Lead Local Flood authority does not have any drainage or flood risk comments on the proposed development.

The Head of Neighbourhood Services (Highway Services) – Advised that the proposals are acceptable and advised that there may be requirements for licensing, hoarding/scaffolding, skips, and any associated temporary traffic management arrangements.

Transport for Greater Manchester – Should the Memorial become the focus of events, there is concern that large gatherings of people may overspill onto the adjacent footway of Lower Mosley Street and onto the Metrolink tramway. This has potential to be detrimental to pedestrian safety and also impact on tram operations. A strategy to deal with such scenarios would be required.

The proposals show the removal of some of the steps from the Manchester Central Convention Complex forecourt to the footway. This leaves a single large step, identified in red on the image below. Any person falling off this rise is unlikely to impact on Metrolink operations, due to the lateral separation, however, consideration should be given as to whether this drop need to be protected. Recommended conditions to require the submission and agreement of a construction Management Plan and a pedestrian management strategy.

Greater Manchester Police - Recommend that a condition to reflect the physical security specifications set out in the Crime Impact Statement should be added, if the application is to be approved.

Greater Manchester Archaeological Advisory Service – Confirmed that there is no reason to seek to impose any archaeological requirements upon the applicant.

Greater Manchester Pedestrian's Society - No comments received.

Ward Councillors – No comments received.

ISSUES

Relevant Local Policies

Adopted Core Strategy - The proposal is consistent with the following policies within the Adopted Core Strategy for the City of Manchester and specifically:

Policy SP 1 - Spatial Principles - The location would be accessible for walking, cycling and public transport. It would make a positive contribution to the surrounding area.

Policy CC4 - Visitors, tourism, culture and leisure - The memorial is intended to be a focal point for participation, gathering and commemorative events associated with the massacre.

Policy CC9 - Design and Heritage - The memorial would be within the curtilage of the Grade II* Listed Manchester Central Station and adjacent the St Peter's Square Conservation Area and within the setting of the Deansgate Conservation Area and would be within the setting of the Grade II* Listed Midland Hotel and former Free Trade Hall and the Grade II Listed Royale Club. It would have a high standard of appearance and function, would be in keeping with the surrounding environment and would preserve and enhance these heritage assets.

Policy CC10 - A Place for Everyone - The proposals would appeal to a wide range of people and all information on the stepped element would also be visible on the adjacent circle on the forecourt.

Policy T2 - Accessible Areas of Opportunity and Need - The location is accessible for walking, cycling and public transport. It would make a positive contribution to the surrounding area and the information would be accessible for disabled people due to inclusion of an element flush with paving of the forecourt.

Policy EN1 - Design Principles and Strategic Character Areas - The proposal involves a good quality design and would enhance the overall image of Manchester. The City's heritage has been fully considered and the proposals would contribute positively to nearby listed buildings and conservation areas.

Policy EN 3 - Heritage - The memorial would be within the curtilage of the Grade II* Listed Manchester Central Station, adjacent the St Peter's Square Conservation Area

and within the setting of the Deansgate Conservation Area, the Grade II* Listed Midland Hotel, former Free Trade Hall and the Grade II Listed Royale Club. The memorial would complement and take advantage of the distinct historic features of its location and would preserve and enhance the historic environment within which it would be located.

Policy DM1 - Development Management - The proposals would comply with this policy for the following reasons:

- The siting, layout, scale, form, massing, materials and detail of the proposals would be appropriate;
- The effects on amenity would be acceptable;
- The proposals would be fully accessible to disabled people, and accessible by sustainable transport modes.
- The proposals would be acceptable in relation to community safety and crime prevention.

The reminder of this report fully addresses how the scheme is consistent with this policy.

Unitary Development Plan -The following saved policies of the Unitary Development Plan for the City of Manchester (UDP) are of relevance to these applications:

Saved Policy DC18.1 - Conservation Areas – The memorial would be adjacent the St Peter's Square Conservation Area and within the setting of the Deansgate Conservation Area. It would be in keeping with the appearance of the surrounding environment including the existing materials and would preserve and enhance the setting of surrounding buildings and the square within which it would be located.

Saved Policy DC19.1 - Listed Buildings - The memorial would be within the curtilage of the Grade II* Listed Manchester Central Station and would be within the setting of the Grade II* Listed Midland Hotel and former Free Trade Hall and the Grade II Listed Royale Club. The memorial would preserve and enhance the setting of surrounding listed buildings.

The Guide to Development in Manchester SPD - This Supplementary Planning Document supplements guidance within the Adopted Core Strategy with advice on development principles including on design, accessibility, design for health and promotion of a safer environment. The proposals comply with these principles where relevant.

Relevant National Policy

The National Planning Policy Framework - The NPPF sets out the Government's planning policies for England and how these are expected to apply. The proposed developments comply with the following policies or parts thereof:

Section 4 - Promoting Sustainable Transport - The memorial would be accessed by sustainable transport methods, including walking, cycling, buses and Metrolink. A

cycle route runs along Windmill Street and cycle hoops are provided on the forecourt.

Section 7 - Requiring Good Design - The design and materials would be in keeping with the high quality public realm and its historic environment.

Section 16 - Conserving and enhancing the historic environment -

Paragraph 189 - an applicant should submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site has the potential to include, heritage assets with archaeological interest, the developer should submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 190 - LPAs should identify and assess the significance of any heritage asset affected by a proposal, including the setting, taking account of the available evidence and expertise. They should take this into account when considering the impact of the proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 192 - LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 194 - Advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 196 - Where proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The memorial would be within the curtilage of the Grade II* Listed Manchester Central Station, adjacent the St Peter's Square Conservation Area and within the setting of the Deansgate Conservation Area, the Grade II* Listed Midland Hotel, former Free Trade Hall and the Grade II Listed Royale Club. The memorial would have a high quality appearance and would be in keeping with the surrounding environment, would enhance the setting of these heritage assets and make a positive contribution to local character and distinctiveness. It would also commemorate the historic importance of the site.

Manchester City Centre Strategic Plan - This plan presents a vision for the City Centre and sets out the strategic action required to work towards achieving this over the period from 2015 - 2018. The Plan considers the contribution to be made towards achieving the overall vision by each of the district components of the City Centre and

recognises the key role of Manchester City Centre in providing a positive image and framework for inward investment and explains that its continued strong economic performance within a high quality urban environment will be fundamental to the prosperity of both Manchester and its city region.

The site of the applications falls within the area designated as the Central Business District, which is the focus for the largest regional concentration of financial and professional services and is along with Spinningfields and the Central Spine crucial to providing a diverse commercial product within the City Centre.

The key priorities for this area are:

- Encouraging the supply of more Grade A office floor space;
- Co-ordinating the major transport work in the area with the commercial and public realm developments taking place;
- Implementing a strategy to continue to attract major conferences to Manchester Central and investigating and encouraging further development and investment at the centre;
- Delivering the redevelopment outlined within the Strategic Regeneration Framework for St Michael's.
- Working collaboratively with partners to finalise regeneration proposals and bring forward development at the Grade II Listed Great Northern Warehouse.
- Delivering the Peterloo Memorial within the Civic Quarter prior to the 200th anniversary of the event.

The proposal would allow the delivery of the Peterloo Memorial within the Civic Quarter prior to the 200th anniversary of the event and could contribute to achieving these priorities by enhancing this environment.

Conservation Area Declarations

St Peter's Square Conservation Area

The St Peter's Square conservation area is situated in Manchester city centre and is bounded by Windmill Street, Lower Mosley Street, Peter House, George Street, Dickenson Street, Manchester Town Hall Extension, Manchester Central Library, Central Street, South Street, Peter Street and Museum Street. It is an area which contains a mixture of commercial, cultural and civic buildings. The name derives from St. Peter's Church, which stood in the centre of St Peter's Square from 1788 to 1907.

The main characteristic of St Peter's Square conservation area is primarily one of civic grandeur, but it also contains some commercial property. The earliest building in the conservation area is the Friends' Meeting House on Mount Street, designed by Richard Lane and completed in 1830. It is in Greek Classical style with Ionic pedimented portico and replicates the Temple of Ilissus in Attica, a province of Greece. There are also a number of other listed buildings surrounding the square, including the Midland Hotel (Grade II* Listed), which is the epitome of the grand style in late Victorian architecture.

When opened in 1934 by King George V, the Central Library (Grade II* Listed) was the largest public library in the country. It is a Classical-style building in Portland Stone which takes inspiration from the Pantheon in Rome, with its circular plan and the central lantern light at the top of the dome. Its huge portico, supported by six Corinthian columns, emphasises the importance of St Peter's Square. The Central Library and the Town Hall Extension were designed at the same time, and together they form a single composition with a walkway between them.

Scope for improvements around St Peter's square are limited to refurbishment of listed buildings and redevelopment of the others. Any proposals should relate to the existing building context in form, scale, height, massing and material, and be complementary to the character of adjacent listed buildings.

Deansgate Conservation Area

Deansgate Conservation Area includes much of the area surrounding Peter Street and the junctions of Deansgate with both Quay Street and Bridge Street. The area is situated on ground which is mostly flat, although there is a gentle slope down Peter Street in a westerly direction towards the river. Peter Street, and its continuation into Quay Street, is the most important junction in the area. Acute and oblique angles affect the plan form of buildings; since land in the city centre is at a premium, buildings totally cover their site and as a result more interesting buildings occur, many with corner entrances which are typical of Manchester.

Generally, buildings in the area display the Manchester characteristic of a tri-partite subdivision of the elevations, consisting of an over-large ground floor, a less highly modelled middle section and a varied top level seen against the sky. Buildings on Peter Street, Quay Street and part of Deansgate are of different ages and styles, but retain a positive relationship with one another.

Where redevelopment proposals are put forward, the City Council will seek designs which are consistent with the character of surrounding buildings.

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 of the Listed Building Act provides that in considering whether to grant planning permission for development that affects a listed building or its setting the local planning authority 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 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area,

special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

S149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Development decisions should accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance.

Impact on the Character and Appearance of the affected Heritage Assets

The memorial would be adjacent the St Peter's Square and the Deansgate Conservation Areas, within the curtilage of the Grade II* Listed Manchester Central Station and within the setting of the Grade II* Listed Midland Hotel and former Free Trade Hall and the Grade II Listed Royale Club.

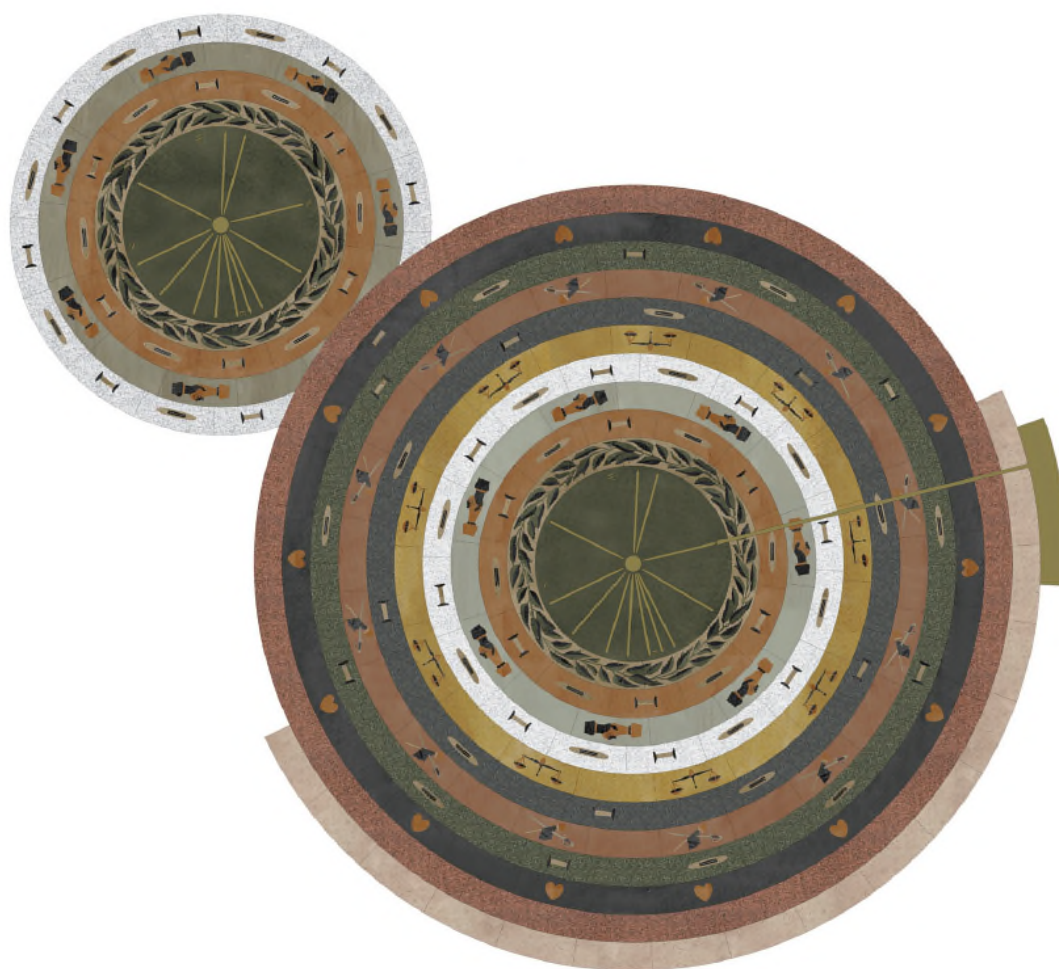


The surface of the forecourt of Manchester Central is modern and has a neutral impact in its curtilage and on the setting of the listed buildings and it allows uninterrupted views of the surrounding heritage assets. The memorial would

contribute positively to the experience, would enhance the forecourt and would complement the distinct historic features and history of the location.

The memorial would change the setting of these heritage assets. However, its simple design, its location on modern landscaping and given the adjacent modern features would have a minimal but positive impact. It would be a high quality piece of art that would use natural materials consistent with the character of the area and would relate well to its sensitive location and the surrounding listed buildings.

The proposals would provide a raised vantage point from which these important buildings and the conservation areas can be viewed. A maintenance plan has been submitted in support of the application.



The memorial would have cultural significance and would celebrate an event that helped shape the socio-economic and political development of Manchester.

It would also be viewed in context with the Emmeline Pankhurst Statue establishing an important pair of monuments within the City Centre with socio-political significance.

Given the above the proposals are considered to be in accordance with policies SP1, CC9, EN3, EN1 and DM1 of the Core Strategy for the City of Manchester and the Design principles of the Guide to Development in Manchester SPD.

Principle of the development

The memorial would have cultural significance and would be an accessible cultural attraction for visitors, including Manchester residents. It is the realisation of a lengthy public campaign for a permanent commemoration of the Peterloo Massacre in Manchester City Centre.

Given the above the proposals are considered to be in accordance with policies CC4, SP1 and DM1 of the Core Strategy for the City of Manchester.

Full Access

The stepped element of the memorial would include a handrail for people who need support descending the monument. The steps of the memorial would have a very shallow gradient and are low rise, so that they are comfortable to sit on; their dimensions comply with points 8.7 and 8.8 of 'Design for Access 2'.

Each step is a different type of stone sourced from the UK, and this will result in some varying contrast between adjacent risers.

The surface will be treated to achieve good slip resistance.

The steps do not overlap and have a solid riser, as indicated in points 8.9 and 8.13.

It is not considered that the memorial would be a barrier to access throughout and across the square to surrounding facilities and streets.

The design also incorporates another element that replicates the information on the stepped memorial and is flush with the surrounding paving.

Given the above the proposals are considered to be in accordance with policies SP1, CC10, T2, and DM1 of the Core Strategy for the City of Manchester and the Design and Accessibility principles of the Guide to Development in Manchester SPD.

Safety and security

The application is supported by a Crime Impact Statement the recommendations of which would be required to be implemented by condition.

The shape of the structure which includes a strip of rumble paving would discourage misuse, preventing skaters or cyclists from gaining speed on the approach to the memorial.

During special events at the complex it is proposed to fence off the memorial and only allow controlled access with marshals employed to regulate pedestrian movements and ensure that health and safety measures are put in place.

Given the above the proposals are considered to be in accordance with policy DM1 of the Core Strategy for the City of Manchester and the Community Safety and Crime Prevention Principle of the Guide to Development in Manchester SPD.

Transport Issues / Relationship to Transport Infrastructure

The proposal would not impact on the sustainable modes of transport, including walking, cycling, buses and the Metrolink system that operates adjacent the forecourt subject to compliance with conditions.

Pedestrian access onto and across the forecourt and into Manchester Central Convention Complex would not be prevented by the siting of the Memorial.

The conditions recommended by Highway Services and Transport for Greater Manchester would be applied to the application.

During special events at the complex it is proposed to fence off the memorial and only allow controlled access with marshals employed to regulate pedestrian movements and ensure that health and safety measures are put in place.

Given the above the proposals are considered to be in accordance with Section 4 of the National Planning Policy Framework, policies SP1, CC4, CC10, T2 and DM1 of the Core Strategy for the City of Manchester and the Design Principle of the Guide to Development in Manchester SPD.

Effect on the Natural Environment

The removal of the trees would have a detrimental impact on the site that would be required to be mitigated by the planting of three semi mature trees to replace each tree removed (total of 6 new trees).

Given the above the proposals are considered to be in accordance with Section 15 Conserving and enhancing the natural environment of the National Planning Policy Framework and policies EN3 (Design and Heritage) and EN15 (Biodiversity and Geodiversity) of the Core Strategy for the City of Manchester.

CONCLUSION

The proposal is in accordance with all relevant Core Strategy policies. Careful consideration has been given to the impact that the works would have on the setting of the surrounding heritage assets and it is considered that 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 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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included advice about the information required to be submitted to support the application.

Conditions to be attached to the decision

Application reference: 122183/VO/2018

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:

The location plan referenced 475_L00_01 received by the City Council as local planning authority on 21 December 2018

The drawings referenced:

475_C90_01_D
475_L11_02_F

received by the City Council as local planning authority on 21 December 2018

475_L12_02_G
475_L15_01_F
475_L15_02
475_L15_03
475_L15_04

received by the City Council as local planning authority on 29 January 2019

475_L14_01_B

received by the City Council as local planning authority on 19 February 2019

The Design and Access Statement prepared by Jeremy Deller and Caruso St John Architects received by the City Council as local planning authority on 21 December 2018

The Construction Method Statement prepared by Conlon received by the City Council as local planning authority on 21 December 2018

The Construction Health and Safety Plan prepared by Conlon received by the City Council as local planning authority on 25 February 2019

The Site Waste Management Plan prepared by Conlon received by the City Council as local planning authority on 31 January 2019

The Peterloo Memorial Vibration Assessment prepared by Martec Environmental Consultants Ltd. received by the City Council as local planning authority on 21 December 2018

The Crime Impact Statement Version A referenced 2018/0949/CIS/01 and dated 4 January 2019 received by the City Council as local planning authority on 25 February 2019

The Maintenance Strategy received by the City Council as local planning authority on 25 February 2019

The Accessibility Statement Revision D prepared by Caruso St John Architects received by the City Council as local planning authority on 6 March 2019

The Architects Statement on Location and Permeability prepared by Caruso St John Architects received by the City Council as local planning authority on 25 February 2019

The Site Investigation Report prepared by Worms Eye received by the City Council as local planning authority on 21 December 2018

The Planning Statement prepared by Maybern Planning and Development received by the City Council as local planning authority on 25 February 2019

The emails from Katie Delaney of Maybern Planning and Development dated 1 March 2019 and 25 February 2019 (10:46)

The letter from Katie Delaney of Maybern Planning and Development dated 25 February 2019

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, T2, CC4, CC9, CC10, EN1, EN3, DM1 and Saved Policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

3) No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Manchester City Council (approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CMP shall provide for: -

- the parking of vehicles of site operatives and visitors;
- the retention of 24hr unhindered access to the trackside signalling and Overhead Line Equipment situated on the adjacent footway of Lower Mosley Street during construction;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- a noise and vibration section that shall base the assessment on British Standard 5228; and
- a community consultation strategy.

Reason - In the interests of highway safety, to safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system in accordance with policies SP1, DM1, T1 and T2 of the Core Strategy for the City of Manchester.

4) The development hereby approved shall be constructed using the following materials as specified on the drawing referenced 475_L14_01_B:

- a. Cumbrian Slate Green
- b. Peakmoor Sandstone, buff
- c. Cove Red Sandstone, red
- d. Whitworth Blue Millstone Grit, grey
- e. White Granite De Lank, white
- f. Copp-Crag Sandstone, yellow
- g. Scottish Dolerite, black
- h. St. Bees Sandstone, red
- i. Colourful Fletcher Bank Millstone Grit, variegated
- j. Cwt-y-Bugail Welsh Slate, black
- k. Corennie Pink Granite, pink
- l. Greenmoor Millstone Grit, buff

Prior to the placing of any decorative stone on site, full details of the jointing, detailing and finishes and treatment of the materials and samples and specifications of any alternative or additional materials to be used shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials and in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect the setting of designated heritage assets and careful attention to building work is required to protect the character and appearance of the conservation area and the surrounding listed buildings in accordance with policies SP 1, CC9, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

5) Notwithstanding the details shown in the approved documents and detailed in condition 2 of this decision and prior to the memorial being made available for public use, full details of a pedestrian management strategy to enable the pedestrian interface with Metrolink to be safely managed when the Memorial is the focus of events and large pedestrian gatherings has been submitted to, and approved in writing by, Manchester City Council (approval to be in consultation with Transport for Greater Manchester).

Reason: To mitigate against crowds of people standing on the tramway or inadvertently being pushed into the path of a tram in accordance with policies SP1, DM1, T1 and T2 of the Core Strategy for the City of Manchester.

6) In the event that any contamination is encountered on the site at any time before the development is completed (during the watching brief), development shall cease until a report detailing the measures, if any, that are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in only in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to and approved in writing by the City Council as local planning authority in order to evidence this within 3 months of the completion of groundworks.

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 Core Strategy.

7) Following the removal of the 2no. trees a minimum of 6no. new trees shall be planted within a timescale and at a location to be agreed in writing by the City Council as local planning authority. Full details of these replacement trees, which shall be at least semi mature in age, shall be submitted to and agreed in writing by the City Council as local planning authority prior to planting.

Reason - In order to protect the character of the area, in accordance with Policies EN3 and EN15 of the Core Strategy for the City of Manchester and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

8) No trees shall be felled and no works shall be carried out to trees and shrubs during the main bird breeding season (March to July inclusive), unless evidence that confirms the absence of nesting birds by a suitably qualified person can be submitted to and agreed by the City Council as 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 in order to comply with Policies EN15 of the adopted Core Strategy for the City of Manchester.

9) The memorial hereby approved shall be maintained in accordance with the Maintenance Strategy received by the City Council as local planning authority on 25 February 2019 for the life of the memorial.

Reason - In the interests of visual amenity and because the proposed works affect the setting of designated heritage assets and careful attention to building work is required to protect the character and appearance of the conservation area and the surrounding listed buildings in accordance with policies SP 1, CC9, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

10) The development hereby approved shall comply with the recommendations contained within sections 4, 5 and 6 of the submitted Crime Impact Statement Version A prepared by Greater Manchester Police and referenced URN:2018/0949/CIS/01 shall be fully implemented and maintained for as long as the memorial is in situ.

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.

Application reference: 122184/LO/2018

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:

The location plan referenced 475_L00_01 received by the City Council as local planning authority on 21 December 2018

The drawings referenced:

475_C90_01_D
475_L11_02_F

received by the City Council as local planning authority on 21 December 2018

475_L12_02_G

475_L15_01_F

475_L15_02

475_L15_03

475_L15_04

received by the City Council as local planning authority on 29 January 2019

475_L14_01_B

received by the City Council as local planning authority on 19 February 2019

The Design and Access Statement prepared by Jeremy Deller and Caruso St John Architects received by the City Council as local planning authority on 21 December 2018

The Construction Method Statement prepared by Conlon received by the City Council as local planning authority on 21 December 2018

The Crime Impact Statement Version A referenced 2018/0949/CIS/01 and dated 4 January 2019 received by the City Council as local planning authority on 25 February 2019

The Maintenance Strategy received by the City Council as local planning authority on 25 February 2019

The Accessibility Statement Revision D prepared by Caruso St John Architects received by the City Council as local planning authority on 6 March 2019

The Planning Statement prepared by Maybern Planning and Development received by the City Council as local planning authority on 25 February 2019

The emails from Katie Delaney of Maybern Planning and Development dated 1 March 2019 and 25 February 2019 (10:46)

The letter from Katie Delaney of Maybern Planning and Development dated 25 February 2019

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, T2, CC4, CC9, CC10, EN1, EN3, DM1 and Saved Policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall be constructed using the following materials as specified on the drawing referenced 475_L14_01_B:

- a. Cumbrian Slate Green
- b. Peakmoor Sandstone, buff
- c. Cove Red Sandstone, red

- d. Whitworth Blue Millstone Grit, grey
- e. White Granite De Lank, white
- f. Copp-Crag Sandstone, yellow
- g. Scottish Dolerite, black
- h. St. Bees Sandstone, red
- i. Colourful Fletcher Bank Millstone Grit, variegated
- j. Cwt-y-Bugail Welsh Slate, black
- k. Corennie Pink Granite, pink
- l. Greenmoor Millstone Grit, buff

Prior to the placing of any decorative stone on site, full details of the jointing, detailing and finishes and treatment of the materials and samples and specifications of any alternative or additional materials to be used shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials and in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect the setting of designated heritage assets and careful attention to building work is required to protect the character and appearance of the conservation area and the surrounding listed buildings in accordance with policies SP 1, CC9, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

4) The memorial hereby approved shall be maintained in accordance with the Maintenance Strategy received by the City Council as local planning authority on 25 February 2019 for the life of the memorial.

Reason - In the interests of visual amenity and because the proposed works affect the setting of designated heritage assets and careful attention to building work is required to protect the character and appearance of the conservation area and the surrounding listed buildings in accordance with policies SP 1, CC9, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

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.

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: 122183/VO/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.

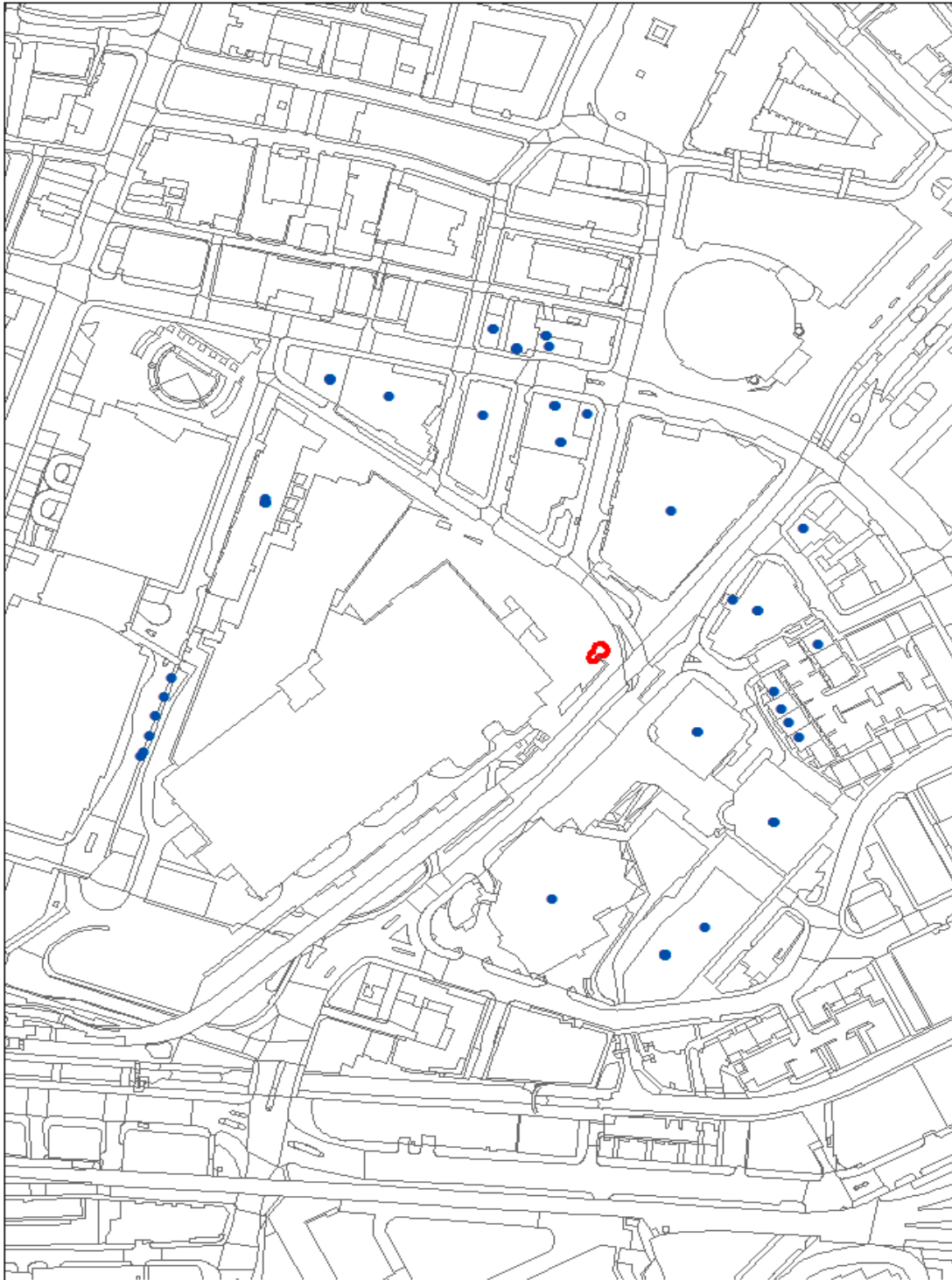
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
 Environmental Health
 Corporate Property
 MCC Flood Risk Management
 City Centre Renegeration
 Greater Manchester Police
 Transport For Greater Manchester
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Pedestrians Society
 Peterloo Memorial Campaign Group
 Historic England (North West)

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 :	Emily Booth
Telephone number :	0161 234 4193
Email :	e.booth@manchester.gov.uk



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121857/FO/2018	15th Nov 2018	14th March 2019	Hulme Ward

Proposal Erection of a twelve-storey purpose built student accommodation building comprising 97 units with roof top terrace and associated landscape and highway works, following demolition of existing structures

Location 84 Cambridge Street, Manchester, M15 6BP

Applicant Alumno Group, C/o Agent

Agent Mr Ryan McTeggart, GL Hearn, Vantage Point, 4 Hardman Street, Spinningfields, Manchester, M3 3HF

Description

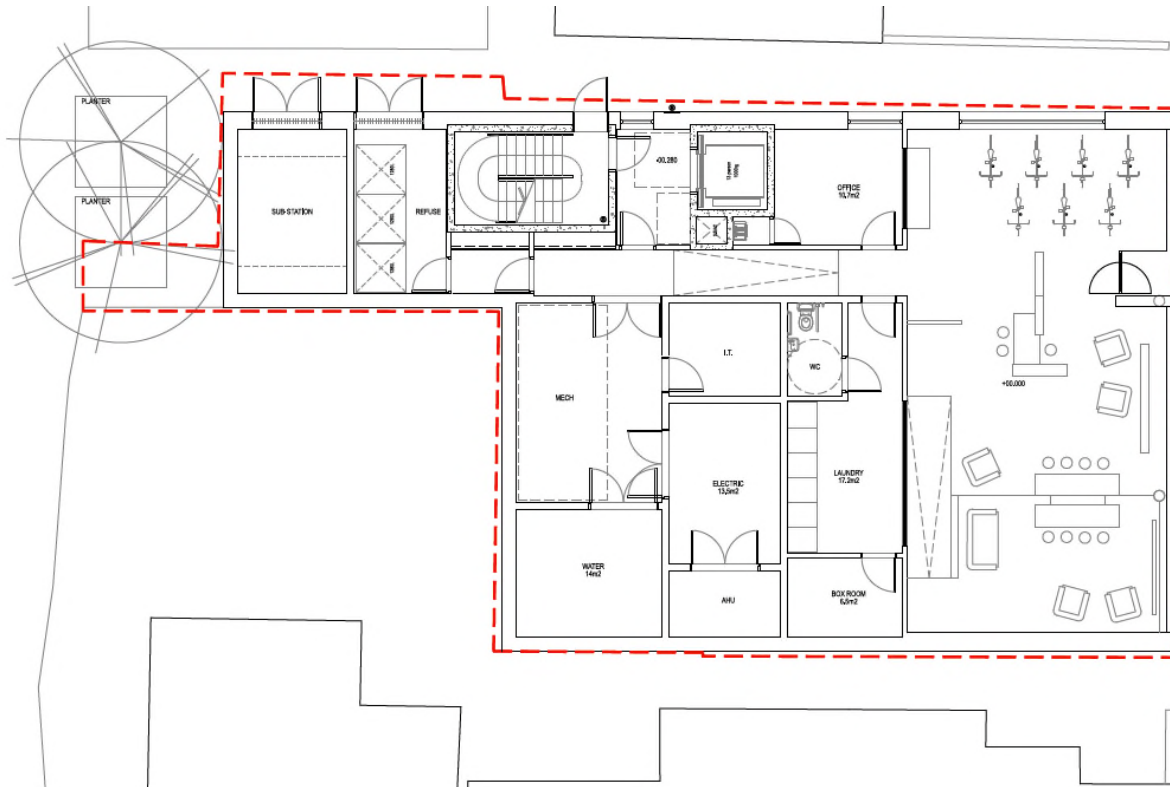
The site lies in on the west side of Cambridge Street in Hulme, just north of the junction with Cavendish Street and to the south of the Mancunian Way. The site is viewed in the context of the Mancunian Way and Manchester City Centre when approaching Manchester from the south.

The site measuring 0.3 hectares comprises a vacant public house known as the Church Inn, the pub closed in March 2016. The site is bounded by student accommodation blocks immediately to the north (Cambridge House) and south (Manchester House), Cambridge Street to the east with Manchester Metropolitan University student accommodation and facilities on the opposite side of the street. To the west lies a housing estate managed by One Manchester, the site immediately adjoins the turning head to Bristle Street and lies in close proximity to property on Elmdale Walk and Dalesman Walk.

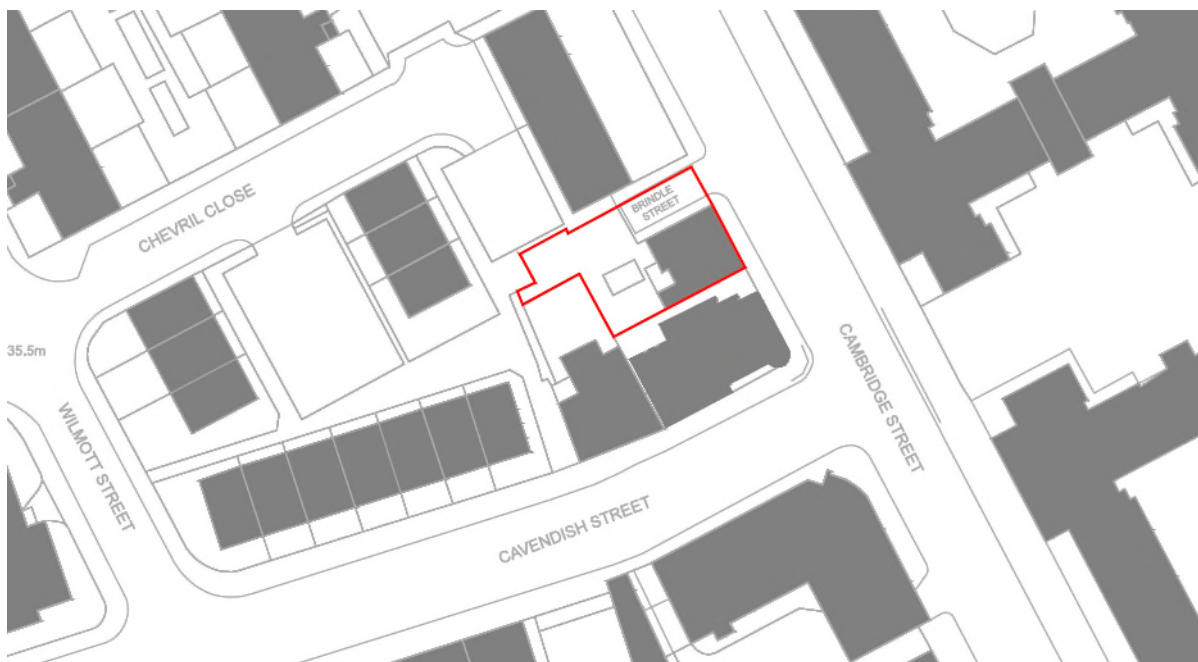
The proposal comprises the demolition of the Church Inn and redevelopment of the site to create a twelve-storey purpose built student accommodation building comprising 97 units with roof top terrace and associated landscape and highway works.

A total of 97 student rooms would be provided within the development, arranged in 25 studios and 36 two bed clusters with en-suite facilities. The development would provide communal areas in the form of a reception, lounge, office, box room, laundry, cycle storage for 16 cycles, toilet and bin store at ground floor and common room with roof terrace to the 11th floor. There would be an electricity substation incorporated to the west of the ground floor.

The proposed building would occupy the majority of the site with the main entrance facing Cambridge Street. It would occupy the unadopted highway known as Brindle Street that sits immediately to the north of the existing Church Inn building to accommodate the building (the applicant is in the process of acquiring this land). The rear garden would also be occupied by development. There are two category B trees (a Wild Cherry and a Grey Elder) to the rear boundary of the site with Elmdale Walk that would be removed as a result of the development proposals.



(Ground Floor Plan)



(Site Context)



(Street View Visualisation)

Consultations

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

Residents

84 letters of objection have been received to the development proposal on the following grounds:

- Loss of historic building, with original features, that will have a detrimental impact upon the character of the area. The frontage should be retained. The building is a heritage asset of community value and the application equates to vandalism of important social fabric as there are too few public houses. MMU own the two nearest pubs and would commercially benefit from the demolition of the Church Inn.
- No more student accommodation, there is a decline in the environment with social disruption and street litter. This development does not provide community benefit. There is a need for social housing. Existing residents are being forced out.
- The dense development is out of scale, the building dwarfs surrounding structures, glass should not be used in construction, the replacement building is not of excellent design quality.

- Impact on privacy and light to neighbouring buildings specifically on Elmdale, Dalesman and Broomwood Walk, where vulnerable occupants (children / elderly) reside and play outside. The levels of loss of light are beyond those acceptable having regard to BRE standards and it is odd that students within the student accommodation blocks to either side apparently deserve less right to light as a transitory population.
- Congestion on roads, too many people in a restrictive area overstretching local services. There will be disruption during construction.
- Servicing entrances to the building are close to the residential area with associated nuisance
- The building does not lie within the City Centre and should not be considered as such.
- The scheme would affect TV reception.
- The loss of the trees takes away an existing screen to the residents to the rear
- The scheme is not policy compliant.
- A site visit is requested by committee members to fully appreciate the local impact.

A petition with 62 signatures has been received stating that:

We the undersigned, ask for permission to be refused on the grounds that the size, scale, mass and density of the proposal would cause an unacceptable loss of amenity to all its neighbours including:

- Reductions in daylight below recommended levels
- Massive overshadowing, overlooking and loss of privacy inside properties and gardens
- No provision for adequate means of access for the increased traffic generation due to servicing the building and parking which would compromise safety
- Noise disturbance and anti-social behaviour of such a dense population of teenagers on local elderly and child residents.

One neutral comment was received stating that student accommodation was highly sustainable and accessible in this location but raised queries in relation to the ground floor facing Cambridge Street which they did not consider to be an active frontage or to provide a community hub as the current facility could. The comment went on to state the Cambridge Street elevation is too thin, and leaves a noticeable large gap in the streetscape, when the planning department should be creating a street 'wall'. The comment also stated that the scheme should consider landscaping, cycle lane, the pedestrian environment and crossing points.

Campaign for Real Ale

Trafford and Hulme branch of CAMRA objects to the above application on the basis that it will involve the loss of a public house in an area that has already seen a number of recent closures (the Junction and the Whalley), leaving just a handful of pubs in the Hulme area. If it is lost, there are only four remaining pubs, the nearest being the Salutation which is in the ownership of MMU and leaves neither significant competition nor a facility specifically catering for non-student local residents. Further afield, there is the 3 Legs of Man, and the Ducie Arms and Old Abbey Taphouse on

the southern fringes of the Hulme area are a significant walk away.

The branch would also disagree with the findings of the historic building report submitted with the application. Whilst the building may not be worthy of listing, its main facade is interesting and attractive, and represents the last vestige of the Edwardian era in an area that has undergone extensive redevelopment over many decades.

GL Hearn's argument that the pub is not viable due to past problems of anti-social behaviour is neither evidenced nor a valid one for changing the use. This is entirely a matter of how the pub and the surrounding area have been managed and there is no reason why the pub could not be viable again given the right approach. In particular, we urge the Council to apply CAMRA's public house viability test (please see attached) to ensure this judgement rests on a proper evidence base. For instance, have there been any serious attempts to market the pub as a going concern?

Despite the fact that the pub has been closed for a few years now, there has been vocal support for it within the Manchester Shield Facebook group, as well as within CAMRA circles, reflecting the fact that its value has not been forgotten.

Finally, a small point but potentially an important one. It is disappointing that the application fails to mention the words 'Church Inn' in its title and therefore deflecting attention away from the fact that this is a proposal involving the loss of a public house, an important local facility. It is notable that at a time when the country has lost a quarter of its entire stock of public houses in the past 10 years and continues to lose them at a rate of 18 per week, forward looking cities such as London are making specific planning policy commitments to preserve the public houses they have left. CAMRA would urge Manchester to do the same.

Highway Services

Directly adjacent to the development site, No Waiting at any time restrictions are operational, with No Loading during the morning and evening peak periods. Adopted highway extends to the building line, with comprehensive footways and street lighting.

For the avoidance of doubt, all external doors (with the exception of fire doors) should be inwardly opening, in order to prevent obstruction to passing footway users.

TRIP GENERATION AND JUNCTION CAPACITY:

It is accepted that the proposed development is likely to generate only a negligible increase in traffic accumulation, given the car-free nature of the development. As such, any slight increase in trips can be absorbed on the existing network with no significant implications.

The Transport Statement indicates that in comparison to the former public house use, the proposed development is anticipated to have a total two way trip generation

of 1 vehicular movement during the PM peak hour and a total daily flow of 14 vehicles, with a significant reduction in vehicle trips across the day.

HFAS (Highway Forecasting and Analytical Services) and UTC (Urban Traffic Control) were consulted in relation to the trip generation and junction capacity assessments and confirmed that trip levels present an accurate assumption.

SITE ACCESSIBILITY:

The site is in a highly sustainable city centre location with a high level of public transport provision including city centre shuttle buses, high frequency local bus services, national coaches, Metrolink trams and local, regional and national train services.

Accident data has been considered which indicates no significant highway safety concerns within the last 5 year period.

OFF-SITE HIGHWAYS WORKS:

All amendments to the adopted highway will be subject to Section 278 Agreement

- **FOOTWAY IMPROVEMENTS:** Highways would recommend that the footway across the perimeter of the site be resurfaced as part of the development.

PARKING:

It is understood from the application and supporting documentation that this development will be car free, therefore there will be no on site provision offered.

Given the nature of this development, low levels of vehicle ownership are anticipated and given its accessible location, this is deemed to be acceptable to the Highways Team. It is recommended that the operator monitors demand for potential leased parking with nearby operators as part of the Travel Planning Strategy.

Car Club provision has been referenced within a walkable radius of the site, the use of which should be fully promoted through a Travel Plan.

The inclusion of one off site disabled bay is considered appropriate for the scale of the development.

Chevril Close currently offers 16 Resident Parking bays (underpinned by associated TRO) in an echelon arrangement to the northern side of the carriageway. In principle, Highways accept the proposed addition of a disabled bay in this location, to replace an existing RP bay.

PICK-UP/ DROP-OFF:

The TS provides no commentary regarding the intended location for vehicles to load and therefore further information is sought.

Given the end users of the site, it is likely that there will be high levels of pick-up/ drop-off activity and therefore it is recommended that a pick-up/ drop-off strategy is agreed with MCC Highways and conditioned to any future consent, in order to cater for these vehicles.

Although some reference has been made to check in/out during key enrolment periods within a Student Management Plan, it is recommended that this be conditioned to any future consent of the application as it is likely to generate increased amounts of vehicular traffic to and from the site.

CYCLE PARKING:

The level of cycle parking is acceptable for the development. There are 28 spaces to be offered on-site (equating to circa 28% provision), with an additional 8 spaces to be provided within the MMU Campus on Brompton Docks (36 spaces equating to 37% cycle parking provision). This is in-line with comparable student residential developments. The indicative location of the cycle storage within the building is accepted.

REFUSE AND SERVICING:

Highways have been in discussion with the applicant to discuss refuse collection and servicing at the application site.

BASEMENT / STRUCTURES:

It is recommended that discussion is held with MCC's Structures Team. Should there be any excavations and former cellars adjacent to the highway.

CONSTRUCTION MANAGEMENT:

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 also requested the applicant provides a dilapidation survey as part of the Construction Management Plan document. The survey should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

It is recommended that the above is conditioned and attached to any planning permission that may be granted.

TRAVEL PLAN:

A framework Travel Plan has been prepared which sets out a list of potential measures that could be implemented to influence modal choice, and a management strategy for producing a full Travel Plan in the future.

A number of sustainable travel initiatives are proposed to encourage against reliance on car travel to access the development. It is important to influence travel patterns at the beginning of occupation. If the Travel Plan is to be successful, it will be dependent on establishing a culture of sustainable travel behaviour at the outset, rather than on changing already established travel practices. The success of the travel plan measures will depend on their effective delivery and commitment from the occupiers and therefore robust arrangements for the implementation and running of the Travel plan need to be included from the outset, in the plan itself, including:

- A travel plan budget and resources for the day to day implementation and management of travel plan measures.
- Appropriate management structures.
- Detailed timeframes for delivery.
- Travel plan handover arrangements when developer responsibility ceases.
- Target and monitoring arrangements.

Should the application be approved, it is suggested that further development, submission, implementation and monitoring of the Travel Plan be attached as conditions of any planning consent.

Highways suggest conditions relating off-site Highways Works, Cycle Storage, Servicing Management Strategy, Student Management Plan (Enrolment periods), Pick-up/ Drop off Strategy, Construction Management Plan and Travel Plan.

Environmental Health

Recommend conditions relating to construction management, external equipment and contaminated land. Environmental Health have assessed the information with regards to lighting, acoustic insulation, refuse and air quality that has been submitted to accompany the application and consider it to be acceptable.

MCC Flood Risk Management

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

Greater Manchester Police

Any comments received will be reported to Committee

Arboricultural Section

Any comments received will be reported to Committee

Greater Manchester Ecology Unit

The ecological assessment of the site has been undertaken by suitably qualified consultants and was to appropriate standards.

The building to be demolished has been assessed as having only low potential to support bats, although not negligible. The recommendation is that as a precautionary

measure any demolition method statement prepared for the development should include specific actions to be taken to avoid any possible harm to bats during demolition. I would support this recommendation and would advise that the details of these measures be required by means of a condition placed on any approval granted to the development. Once approved the demolition method statement must be implemented in full.

The two trees on the application site are not of particularly high quality but they are in an area where tree cover is sparse. Compensation should therefore be sought for any tree losses.

Policies

Relevant Local Policies

Local Development Framework

The relevant development plan in Manchester is the Core Strategy Development Plan Document 2012-2027 (the “Core Strategy”), adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The proposals are considered to be consistent with the following Core Strategy Policies SP1, EN1, EN2, EN3, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12.

Policy SP1 - Spatial Principles. This sets out the key special principles which will guide the strategy. Development in all parts of the City should “make a positive contribution to neighbourhoods of choice including creating well-designed places that enhance or create character, make a positive contribution to the health, safety and wellbeing of residents, consider the needs of all members of the community regardless of disability and protect and enhance the built and natural environment.” The development would reuse previously developed land to improve the built environment and local character.

Policy EN1 - Design Principles and Strategic Character Areas. The site currently has a building on site with a façade that has historic architectural features. However, the building lies empty and has no remaining historical features internally. The building currently has a negative impact and there is an opportunity to enhance the area. The proposal involves a good quality design, and would enhance the character of the area and the overall image of Manchester. The design responds positively at street level. The positive aspects of the design are discussed in more detail below.

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

Policy EN3 – Heritage. The proposal would have an impact on a non-designated heritage asset. This is discussed in more detail later in the report.

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

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

Policy EN 8 - Adaptation to Climate Change. The energy statement sets out how the building has been designed to consider adaptability in relation to climate change.

Policy EN9 - Green Infrastructure. The development includes tree planting and landscaping to a roof terrace.

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

Policy EN15 - Biodiversity and Geological Conservation. The redevelopment would have an acceptable impact upon possible roosting bats and breeding birds on the site subject to conditions.

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

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

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

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

Policy T1 - Sustainable Transport. The development would encourage a modal shift away from car travel to more sustainable alternatives.

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

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all

development should have regard to. Of these, the following issues are or relevance to this proposal:

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

These issues are considered full, later in this report.

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

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.
4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.
5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety

of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.

6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the street scene either from the proposed development itself or when combined with existing accommodation.
7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.
8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.
9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bed spaces.
10. Applicants / developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

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

Saved UDP Policies

DC26 - Development and Noise. States that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

The proposal has been designed to minimise the impact from noise sources.

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

National Planning Policy Framework

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

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

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;

- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

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

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

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Within this context paragraph 110 states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

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

Paragraph 127 confirms that planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which

promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 197 states that 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.

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

Other Material Considerations

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

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

The Manchester Green and Blue Infrastructure Strategy (GandBIS)

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

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

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

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

Central Manchester Strategic Regeneration Framework

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

Oxford Road Strategic Spatial Framework

This Strategic Spatial Framework adopted in March 2018 can be used to guide decision-making on planning applications.

At figure 2 the site is identified as a site for increased density opportunity.

Paragraph 4.15 states that where the density of development increases, it should be noted that a further premium must be placed on the quality of design and public realm. In development management terms, new development must respond to its context, be mindful of the amenity of all users and existing residents, and contribute positively to public realm and permeability including with surrounding neighbourhoods. Higher density development must have particular regard to architectural quality and consider microclimatic effects carefully. Whilst high density forms of development can be inherently sustainable, strategies must be in place to maximise energy efficiency, carbon reduction and to deal with climate change issues such as green infrastructure, drainage / use and ongoing effective maintenance of Sustainable Urban Drainage Systems (SuDs).

Paragraph 4.16 states that any proposals for taller buildings must be able to robustly satisfy the firmly established criteria for assessing the merits of tall buildings within national and local planning policy guidance, including Manchester City Council's Core Strategy Policy EN2 Tall Buildings and Historic England Advice Note 4 on Tall Buildings. In assessing tall buildings, this means that particular emphasis will be placed on:

- Understanding effects on the historic environment through a visual impact analysis and assessment of verified key views.
- Ensuring that microclimatic effects in terms of wind and sunlight / daylight, do not have an adverse effect on the safety, comfort or amenity of the area.
- Proposals for tall buildings will need to be sustainable. In terms of energy use, the City Council's policy standards will be expected to be properly addressed and where possible surpassed.
- Landmark buildings will need to be of the highest architectural quality and have a positive relationship to the City's skyline.
- They should contribute to the legibility of the area, and the provision of public space and high quality public realm.
- The design needs to be credible and therefore demonstrably deliverable.
- Tall building proposals within key city centre regeneration areas such as
- Oxford Road Corridor should have clearly identified regeneration benefits.

Legislative requirements

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

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

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

The proposal is below the thresholds at Schedule 2 of the EIA Regulations and it is not located within a 'sensitive area,' as such, the proposals do not comprise 'Schedule 2 development' and a Screening Opinion was not sought.

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

Issues

Principle of student accommodation

The application site is unallocated previously developed land, located within a sustainable location characterised by a range of types and sizes of residential accommodation and is immediately adjoining Manchester Metropolitan University and its Halls of Residence.



(Photograph of site as existing)

The proposed development is therefore well connected to and in close proximity to the University Campus and would satisfy the requirements of point 1 of Policy H12.

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

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

The site lies on a key gateway route from the south into the City Centre. It currently has a negative impact on the local community and creates a poor quality built environment and issues of crime and safety. The redevelopment of the site would have a hugely beneficial impact on the area, improve the perception of the City at a key location and improve the vitality and safety of the surrounding streets. It is considered therefore that the proposal would meet the requirements of point 4 of Policy H12.

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

The applicant is an established provider of purpose built student accommodation with an understanding of how to appropriately integrate such developments into existing urban areas. A detailed Management Strategy accompanies the application controlling the management and operation of the development. The development would be subject to appropriate acoustic insulation levels. It is considered therefore that the proposal would meet the requirements of point 6 of Policy H12.

There are no listed buildings in the vicinity of the site. The Church Inn building on the site, to be demolished, whilst being a historic building with some features of interest retained to the façade does not have any interior features of historic value retained. The building in its current disused state that is an attractor for anti-social behaviour and does not contribute positively to the street scene or to the character of the local area. Therefore point 7 of Policy H12 is not considered to be complied with.

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

Alumno have demonstrated in their supporting information that there is a need for additional student accommodation, the development would be in the immediate vicinity of the Manchester Metropolitan University campus. Commercial negotiations between MMU and the applicant are ongoing and there is potential for MMU to take a long lease on the building. If agreed, the building would be managed as part of MMU's wider residential portfolio, including 24/7 staffing and security. It is considered that point 9 of policy H12 is satisfied.

In terms of the deliverability of the scheme, Alumno have provided supporting information and have supplied credentials. It is considered that the proposal would meet the requirements of point 10 of Policy H12.

The need for student accommodation

The supporting Study of Needs documentation with this application states that according to the evidence, the gap in provision of bed spaces in Manchester is over 38,000.

This application seeks to accommodate 97 bed spaces. There is an established need for purpose built student accommodation.

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

Consultation

The application is accompanied by a Planning Statement and Statement of Community Engagement that sets out that prior to submitting the application the developer met with local Members and One Manchester Housing Association. They held a focus group with current students at Manchester Metropolitan University and held a public exhibition at Hornchurch Court Community Room, a communications company commissioned by the applicant also conducted door to door visits to local residents. Details of an extensive area for a letter drop that was undertaken and a press release placed in the Manchester Evening News have also been provided.

The City Council have consulted individual properties directly affected by the proposals.

Tall Buildings Assessment

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

Height and Scale



The development proposal would comprise a 12 storey building measuring c.40m in height.

The site currently accommodates a two storey public house, which is conspicuous by its small stature, having regard to surrounding buildings. The student accommodation blocks to the south and north are five storey in height. The halls of residence to the east are four storey with five storey features. To the west the social housing units and the rear of the Best One premises fronting Cavendish Street are three storey in height. Views to the north are dominated by the Mancunian Way and the eight storey Manchester Metropolitan University Business School Building.



(View of the proposed development from Cambridge Street towards the City Centre)



(View of the proposed development from Cambridge Street towards the South)



(View of the proposed development from south towards the City Centre)

To the south stands the Crowne Plaza, a 19 story building located on Booth Street West and to the west the residential Hornchurch Court stands at 15 storeys. Planning permission has also recently been approved for the construction of a part 6, part 11 and part 16 storey building comprising 491 student bed spaces (application 120896/FO/2018) on Stretford Road (Birley Fields Plot E) approximately 160 m to the west of the site.

The site has been identified as a site for high density development in the Oxford Road Strategic Spatial Framework. It is considered that the development proposals will be acceptable in urban design terms having regard to the context of the buildings of varying heights in the skyline associated with the Inner Ring Road, the City Centre and the Oxford Road Corridor.

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

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

On the main Cambridge Street elevation, the building would be red and grey. It is proposed that the walls of the taller element (to the north) is built from a variegated red brick. The lower element (to the south) would be constructed using grey precast concrete. Between these there would be a black brick panel and aluminium composite windows with glazed spandrels.

The facade of the ground floor podium would be predominately glazed. The north and south elevations would predominately comprise red brick and the west elevation would replicate the treatment to the Cambridge Street elevation.

A signage strategy has been submitted which fully incorporates wayfinding into the design of the building in the form of a large feature 84 to the façade and any further signage being incorporated into the ground floor facade glazing.

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

Loss of Public House

A large number of the responses received in relation to the application (including from the Campaign for Real Ale) related to the loss of the Church Inn Public House on site. The premises has not operated as a Public House since March 2016 when it was the subject of a violent armed robbery.

It is important to realise the contribution public houses make to a community. Public Houses are a unique and intrinsic value of British life and in this case, Manchester culture and many are steeped in history and form part of local social and cultural heritage, often forming an essential part of an area's daytime and evening economy.

It is therefore important to protect public houses where they possess a heritage, economic, social or cultural value to local community or where they contribute to wider daytime/evening economic objectives.

In the case of the Church Inn Public House, the premises is not listed by the Council as a 'community asset'. It is understood that the premises ceased trading in 2016 and has been closed ever since.

Whilst it is believed the building was initially marketed for reoccupation, no interest was substantiated and realistically, the building is highly unlikely to be reoccupied for its original use. The building is situated on the edge of the city centre, where a plethora of public houses and bars are present. A feasibility report to this effect has been submitted to accompany the planning application.

In light of the above, it is not believed that the loss of the public house should form a barrier to redevelopment in this instance.

The Heritage of the Public House

The application was accompanied by a Heritage Assessment that was proportionate to the merits of the case. The building was constructed in the c.1820's as a dwelling and was converted to a Public House in 1852. The principal elevation was replaced in 1900, hence the terracotta high level sign stating Church Inn 1900. A two storey extension to the rear was added in 1986. A single storey extension was added in 2007. The findings of the report were that the building frontage had aesthetic value of local interest but did not meet the criteria for statutory listing. The internal ground floor layout of the building is significantly altered and features of a historic nature removed.

The pub has been extensively altered both internally and externally over the years which has severely undermined any original architectural quality or historic value of the building. It is therefore believed that there would be minimal positive benefit in seeking to restore the building and redevelopment offers the most realistic and positive solution.

Paragraph 197 of the National Planning Policy Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an 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.

The loss of the building in this instance to facilitate redevelopment that would offer public benefits by leading to environmental improvements, increased vibrancy and vitality to the street scene and create direct and indirect employment through the

operation of student accommodation and via the construction of the proposed replacement building has been assessed in line with guidance within the NPPF as being acceptable.

The applicant has stated that a feature installation of a model of the Church Inn will be kept in the reception area, a condition requiring that this is adhered to is attached.

Residential Amenity

Loss of Light

The community statement submitted to accompany the application states that the results of the daylight/sunlight study show that residential properties located to the rear of the site on Elmdale Walk will experience no reduction in daylight within the properties' main habitable rooms, such as bedrooms and lounges. The majority of the windows which face the site serve non-habitable rooms, such as bathrooms and hallways, which are not considered within daylight/sunlight studies, while the remaining windows serve kitchens. Kitchen windows (4 windows to 2 – 12 Elmdale Walk) will see a small reduction in daylight, this reduction is marginally lower than the 20% recommended by the Building Research Establishment (BRE). When the nature of the rooms affected is taken into account, the proposals are unlikely to have a substantial impact on daylight in the rooms which are most used in these households.

There are 4 habitable windows affected at No. 44 Cavendish Street. Despite reductions beyond BRE guidelines, the windows would retain VSC values in excess of the 20% which illustrates the potential for a well day lit appearance to be maintained.

While the daylight impact on both Manchester House and Cambridge House will be greater, the affected habitable windows (10 windows) serve student bedrooms where the requirement for natural light is less in comparison to permanent residents. This is because the students occupying these rooms are transient and usually occupy rooms for a maximum of nine months. In addition, students typically follow living patterns that differ from that of a more traditional dwelling.

This is a city centre fringe location and this building would be consistent with the built up urban environment. On the basis of the information provided it is recognised that there would be some loss of light, however this would not outweigh the overall benefits of developing the site and the regeneration benefits for the local area.

Loss of privacy

The community statement submitted to accompany the application states that the Alumno Group recognised that respondents to pre-planning consultations were concerned that adjacent properties could be overlooked by the proposed building on the site of the Church Inn.

The applicant states that the building has been designed in a sensitive manner to ensure that no properties will be directly overlooked. The windows to the north

directly overlook the existing alleyway that provides pedestrian access to Dalesman Walk. Property on Elmdale Walk is visible when viewed at an oblique angle from one window per floor facing out of the rear (western) elevation. The majority of these windows, with the exception of the tenth floor, are likely to serve studio apartments rather than communal areas. As such, only nine residents will look out to the rear of the site at an oblique angle (separated by c. 7.5m from neighbouring residential property), while the impact of windows serving the communal area on the tenth floor is likely to be minimal due to the relative height of this floor. The external amenity spaces to the adjacent housing is currently overlooked by existing windows within Manchester House and to 44 Cavendish Street. It is not considered that the view from windows proposed would cause such an undue impact as would warrant a reason for refusal.

With regard to windows on the south elevation, facing Manchester House, these will overlook the external wall of Manchester House which has ten windows to the westernmost part of the elevation separated by c. 7m. On the opposite side of the building, the north elevation faces Cambridge House which has windows that face toward Cambridge Street. There are some corner windows to communal spaces c. 2m separation from the proposal but this relationship is considered to be appropriate in this context.

Whilst the proposed building will be close to surrounding property, the siting and layout provides an acceptable arrangement. The privacy distances provided in this city fringe context, the response of the building proposed to the heights of the buildings surrounding, and the orientation of each element of the development is considered to be in accordance with policies SP1, EN1 and DM1 of the Core Strategy.

Policy EN1 of the Core Strategy states that opportunities for good design, that enhances 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.

Overall, the development proposed is considered to be beneficial as it would remove a disused site and replace it with a high quality building which has a clear contextual link to the Regional Centre, providing significant regeneration benefits.

Building Management

The application is accompanied by a detailed Management Plan. The applicant works alongside a facilities management company who have other student housing development in Manchester. There will be an on-site point of contact for 24 hours a day. The applicant states that the management company would have robust procedures in place to manage student behaviour. They reiterate that students will not be allowed to bring to the site or park locally (with the exception of students requiring accessible accommodation). During the move in / move out process over two weekends in the academic year arrivals will be staggered and additional staff will be employed to minimise disruption, further details of this will be required by condition. Tenancy agreement will have regards to noise and anti social behaviour. There will be rules and regulations relating to the property, local neighbourhood consideration, parking rules and enforcement measures. Should there be any

serious incidents, ongoing or repeated complaints received from local residents about a student, the student will be treated as having a serious breach of the tenancy agreement which in turn will trigger the landlord to make an application to the court for possession of the accommodation.

Servicing

The applicant wishes to service the building and have waste collection from Cambridge Street during the evening hours. The Highways section have reservations with regards to this strategy and the operation of the Highway network.

Highways have suggested an alternative arrangement of servicing and waste collection from Chervil Close to the west. Both parties agree that deliveries can be directed to Chervil Close.

Whilst this arrangement would have a more measurable impact upon residential amenity, it is not considered that a twice weekly collection of bins and the servicing of the building from this location would have an unduly adverse impact upon residential amenity that would warrant the refusal of planning consent.

A condition recommending a servicing agreement is recommended.

Trees, Landscaping and Public Realm

Two category B trees (a Wild Cherry and Grey Elder) to the rear of the site near Elmdale Walk would be lost as a result of the development. Greater Manchester Ecology Unit comments that they are not of particularly high quality but they are in an area where tree cover is sparse and states that compensation should be sought for any tree losses.

The arboricultural report submitted to accompany the application recommends mitigation for the loss of the trees in the form of tree planting.

Plans now received include 2 trees to the rear which are to be contained in planters, there is also landscaping to the level 11 roof terrace.

The applicant has also stated that they will accept a condition for off site tree planting. A condition recommending that off site street trees are provided is attached.

Ecology

An ecological assessment of the site has been undertaken by suitably qualified consultants and was to appropriate standards. Greater Manchester Ecology Unit recommend a condition requiring a demolition method statement that should include specific actions to be taken to avoid any possible harm to bats during demolition.

Wind

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

The proposed development is aligned such that its south facing façade is exposed to prevailing southerly winds, introducing the potential for flow acceleration at its south-eastern and north-western corners.

This direct exposure to prevailing winds creates a pressure drop downstream. The air is thus forced to gain speed around the corner, leading to increased wind speeds and less comfortable wind conditions.

Given the above the reports concluded that mitigation measures are necessary to provide comfortable and safe wind conditions for all.

The proposal responds to the wind assessment in order to mitigate potential impact through certain design measures including the positioning of the primary entrance on Cambridge Street away from the windiest south-east corner of the site; articulation within the building facades to assist in the surface break-up and deflection of wind; and the provision of a protective screen, pergola and planting upon the roof terrace and 2 trees in planters.

On the basis of the mitigation measures proposed the scheme proposed is considered to be acceptable in relation to the local wind environment.

Noise

A Noise Assessment Report was submitted to accompany the application that assesses noise breakout and the protection afforded to residents of the development from outside noise. This has been considered by Environmental Health who are satisfied subject to the imposition of a condition requiring compliance with the measures set out in the report.

The application also includes a management strategy, which sets out that on signing the tenancy agreement students will have to have regards to noise and anti social behaviour. There will be rules and regulations relating to the property, local neighbourhood consideration, parking rules and enforcement measures. Should there be any serious incidents, ongoing or repeated complaints received from local residents about a student, the student will be treated as having a serious breach of the tenancy agreement which in turn will trigger the landlord to make an application to the court for possession of the accommodation.

Highways

The scheme has been assessed as having an acceptable impact in terms of it being in a sustainable location within walking distance of the City Centre, Oxford Road Corridor and MMU Birley Campus which places no pressure on the highways network. There is no parking at any time on Cambridge Street and there is a residents parking scheme in operation in the area.

Highways suggest conditions relating to off-site Highways Works, to include works to resurface footways and to provide an on street disabled accessible car parking space. Conditions would also be required for a pick up / drop off strategy, for

construction management and to ensure travel planning occurs in line with the Travel Plan submitted (welcome pack, communal noticeboards, email updates, calendar of events, cycle parking provision and encourage use of city car club). The applicant is agreeable to undertaking the works required.

With regards to servicing and deliveries, the applicant has set out that deliveries to the development will be directed to use Chevril Close and students will be informed of this rather than stopping on Higher Cambridge Street. Refuse collection would take place on Higher Cambridge Street and it is proposed to condition this to be outside of peak hours so as not to impede traffic flow.

Highways have set out that servicing from Chevril Close presents the most viable servicing strategy. It is acknowledged that servicing from this location is not ideal, however this is preferred to loading from Cambridge Street. Highways would recommend that all servicing, including refuse collection, is taken from this location as opposed to from Cambridge Street.

A condition requiring the agreement of a servicing strategy is required.

Cycle Parking

Cycle Parking provision was increased from 16% in the originally submitted plans to 28 spaces to be offered on-site (equating to circa 28% provision), with an additional 8 spaces to be provided within the MMU Campus on Brompton Docks (36 spaces equating to 37% cycle parking provision). This is in-line with comparable student residential developments. The location of the cycle storage within the building is accepted. The level of cycle parking is considered to be acceptable for the development subject to a condition requiring maintenance of this level.

Sustainability

The combined use of passive design, energy efficiency building services and low and zero carbon technologies would achieve an overall reduction in regulated carbon emissions of 25%, exceeding the City Council's reduction targets. The inclusion of the air source heat pump would provide 44% of the buildings energy demand. The building would be BREEAM Very Good.

Air Quality

An Air Quality Assessment has been submitted with the application. The Assessment concludes that overall, the construction and operation air quality effects of the proposed development would not be significant. The assessment has been considered by Environmental Health and the development is considered to be Policy EN16 compliant.

Waste

Bin provision will be provided within each cluster kitchen for general food/waste, paper and card and glass and tins. It will be the responsibility of the students to pre-sort the waste into the correct bins. The students will then transfer waste to the

ground floor secure bin store, which is located to the west of the building footprint, regularly, to be inspected by the management company.

The management company will ensure bins are taken to the collection points to be emptied and returned to the bin store. The bins will be collected by a contracted waste transfer company twice weekly. The bin need has been calculated to be will 3 1280 litre bins (2 x General Waste and 1 x Mixed Recycling). Servicing is shown as taking place from Cambridge Street. The level of provision has been assessed by Environmental Health as satisfactory.

Crime and Disorder

A recommendation of the Crime Impact Statement is to secure the pathway connecting Cambridge Street with Elmdale Walk. Gating of this route did not form part of the planning submission. The applicant is hesitant to close the pathway off as it is an existing right of way for residents to access the City Centre. As the pathway constitutes an existing right of way the City Council would not wish for this route to be closed. The pathway will be overlooked by the proposed development and measures will have to be introduced to ensure the security of this route to the satisfaction of Greater Manchester Police.

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

Disabled Access

The development has been designed to take into account the Equality Act and Part M of the Building Regulations. The site is generally flat, all pedestrian routes to the building connect with level access into the building. The development will also incorporate a digital Beacon system approach to aid wayfinding for partially sighted individuals.

An off site disabled car parking bay could be secured through a planning condition.

TV Reception

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

- Interference to analogue television service reception would not be possible
- Whilst widespread interference to Freeview service reception is not expected, the development and use of tower cranes could cause interference to adjacent properties viewing Winter Hill transmissions on Cavendish and Higher Cambridge Street. Antenna betterment / repositioning should restore all services and is the simplest and most cost-effective mitigation solution. If this is required, it is advised that a registered antenna installer undertakes all required work.

- The development and use of tower cranes could cause interference to digital satellite reception within 90m to the immediate northwest of the site. Whilst it was not possible to locate all satellite dishes during the survey as it is expected that most were located on rooftops, dish relocations to positions where views to the serving satellite remain unobscured should restore all services and is the simplest and most cost-effective mitigation solution. If this is required, it is advised that a registered antenna installer undertakes all required work.

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

Drainage / Flooding

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

Infrastructure

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

Conclusion

The scheme for development is of an appropriate scale, mass and design having regards to the site context. It is not considered that the proposals will unduly adversely impact upon the residential amenities of surrounding residential property.

The development would see the demolition of a locally well-loved but undesignated building, that sadly, has suffered due to alterations over time, with the exception of the maintenance of the 1900's façade. Evidence has been supplied that states that the building has no feasible future and the scheme in front of us would reuse previously developed land, improving the appearance and character of this particular part of Cambridge Street, Hulme with a high quality well managed facility.

The development proposals will result in the loss of 2 trees, however, the trees are of low amenity value and the appropriately detailed replacement strategy can maximise high quality site landscaping that will benefit the visual amenity of the local area.

On balance, the proposals are considered to be consistent with Core Strategy Policies SP1, EN1, EN2, EN3, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12 and Saved Unitary Development Plan Policy DC26.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning, Building Control 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. 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

Location Plan – As Existing PL 001
Plans and Elevations – Demolitions PL007
Plan – Level 0 – PL010 Rev A
Plan – Level 1 – PL011
Plan – Level 2 – PL012
Plan – Level 3 – PL013
Plan – Level 4 – PL014

Plan – Level 5 – PL015
 Plan – Level 6 – PL016
 Plan – Level 7 – PL017
 Plan – Level 8 – PL018
 Plan – Level 9 – PL019
 Plan – Level 10 – PL020
 Plan – Level 11 – PL021 Rev A
 Plan – Level 12 – PL022 Rev A
 Elevation East – PL030 Rev A
 Elevation South – PL031 Rev A
 Elevation West – PL032 Rev A
 Elevation North - PL033
 Section A-A – PL040 Rev A
 Section B-B – PL041 Rev A
 Section C-C – PL042
 Section D-D – PL043
 Section E-E – PL044 Rev A
 Façade Detail 1 – Elevation / Section PL050
 Façade Detail 2 – Elevation / Section PL051
 Drainage Strategy 161045-CON-X-00-DR-C1000 Rev P2
 External Lighting Strategy – SK_E001
 Design and Access Statement prepared by Carson and DATED November 2018
 Transport Statement Prepared by TPA October 2018 1804-05/TS/01D
 Travel Plan Prepared by TPA October 2018 1804-05/TP/01B
 Waste Management Plan dated 15/11/2018
 Heritage Statement prepared by Stephen Levrant Heritage Associates dated July 2018
 Ground and Contamination Investigation Summary prepared by Conisbee dated September 2018
 Phase 1 Geo-Environment Desk Study prepared by Wardell Armstrong dated February 2017
 Phase 2 Site Investigation Report prepared by Ground Engineering Limited dated September 2018
 Flood Risk Assessment and Surface Water Drainage Strategy prepared by Conisbee dated 01 November 2018
 Arboricultural Impact Assessment prepared by TEP dated October 2018
 Noise Assessment Report prepared by Cundall dated 02 November 2018
 Wind Microclimate Assessment Design Review prepared by RWDI dated 01 March 2019
 Ventilation Strategy prepared by Cundall dated 24 October 2018
 The Impact of Higher Education on the Economy of Manchester prepared by Alumno Group dated 30 October 2018
 Student Accommodation – Church Inn, Manchester prepared by Alumno Group dated 30 October 2018
 Statement of Community Involvement prepared by Lexington Communications North dated August 2018
 Planning Statement prepared by GL Hearn dated November 2018
 Management Plan prepared by Homes for Students dated October 2018
 Energy Statement prepared by Cundall dated 26 October 2018
 Ecological Assessment prepared by TEP dated May 2018

Daylight and Sunlight Report prepared by GL Hearn dated 01 November 2018
 Crime Impact Statement prepare by Greater Manchester Police reference
 2004/0279/CIS/01 Version A: 28/09/18
 Broadband Connectivity Assessment prepared by Cundall dated 29 October 2018
 Bluetooth low energy beacons for Church Inn, Manchester prepared by Danny Ball
 dated 25 October 2018
 Breeam New Construction: pre-Assessment Report prepared by RPS dated 24
 October 2018
 Baseline Television Signal Survey and Television Reception Impact Assessment,
 Church Inn, Manchester dated 26 October 2018
 Air Quality Assessment prepared by Cundall dated 25 October 2018

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

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

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

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

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

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

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

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

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

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

- a. Verification report providing photographic evidence of construction as per design drawings;
- b. As built construction drawings if different from design construction drawings;
- c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

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

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

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

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

10. Prior to occupation further details of hard and soft landscaping treatment shall be submitted. Landscaping 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. Prior to first occupation of the development the cycle parking shall be implemented in full and made available for use. The approved scheme shall remain available for use whilst the development is occupied.

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

12. Prior to the occupation of the development, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- The footway across the perimeter of the site be resurfaced as part of the development.
- The provision of an on street disabled car parking space (this space shall be retained and permanently reserved for use by disabled persons);

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)

13. Within six months of the first use of the development, a revised Travel Plan which is consistent with the Framework Travel Plan submitted as part of the application and which takes into account the information about travel patterns gathered following the opening of the building 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 building, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

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

in and out of accommodation shall take place thereafter in accordance with the approved strategy.

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

15. Prior to the commencement of the development a detailed construction /demolition management plan (to include details about the protection of bats) and outlining working practices during development shall be submitted to and approved in writing by the local planning authority. 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, EN15, EN19 and DM1 of the Manchester Core Strategy.

16. Prior to the first occupation of the student accommodation, a detailed servicing strategy (including refuse collection) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy, including, shall be implemented and be in place prior to the first occupation of the student accommodation and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

17. 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).

18. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

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

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

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

20. The approved waste management 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.

21. Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

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

22. When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and

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.

23. Assess the impact of the development on television signal reception within the potential impact area identified in the Pre-Construction Signal Reception Impact Survey within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To ensure that the development at least maintains the existing level and quality of television signal reception, pursuant to Policy DM1 of the Core Strategy for the City of Manchester.

24. No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs.

Reason - In the interest of visual amenity, pursuant to policy DM1 of the Core Strategy.

25. Before first occupation of the development hereby approved a strategy for the planting of street trees including details of overall numbers, size and species, planting specification and maintenance, shall be submitted to and approved in writing by the City Council as local planning authority.

Any approved tree planting shall be implemented not later than 12 months from the date the proposed building is first occupied.

Reason - Pursuant to Core Strategy policies EN9, EN15 and DM1.

26. Prior to the first occupation of the use hereby approved, the applicant will display a model of the former Church Inn within the reception area. The model shall be displayed for so long as the use is in operation.

Reason - To commemorate the history of the site by means of model, pursuant to Policy SP1, EN1, EN3 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: 121857/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
MCC Flood Risk Management
Greater Manchester Police
Arboricultural Section
Greater Manchester Ecology Unit

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

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



Application site boundary
 ● Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
121011/FO/2018	5 th Sep 2018	14 th Mar 2019	Didsbury East

Proposal Erection of a part 2/part 3 storey terrace of four dwellings (3 bedrooms) and one detached 2 storey dwelling (3 bedrooms) following demolition of existing commercial buildings and garages

Location 88 School Lane, Manchester, M20 6GH

Applicant Mr Marc Silcock , Kamani Property, 6 Tariff Street, Manchester, M1 2FF,

Agent Mr Harry Calder, Calder Peel Architects, 20 - 24 Market Court Church Street , Altrincham, WA14 4DW

Description

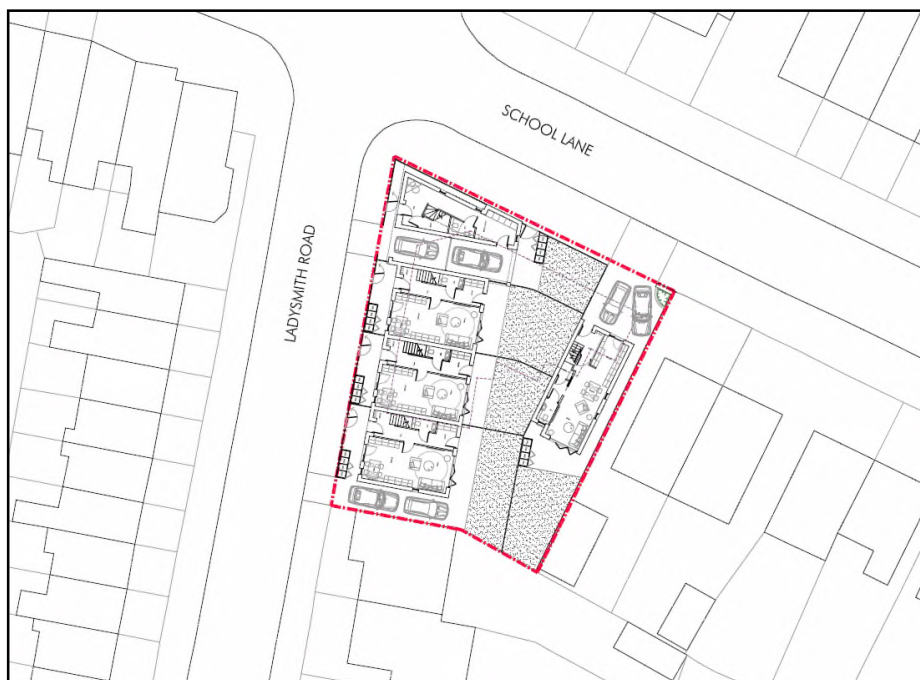
88 School Lane is a commercial property located at the junction of School Lane and Ladysmith Road. The property is denoted by a white X on the photograph below. The property is currently vacant and the site has been secured with hoardings.

Immediately adjoining the site there are residential properties, namely nos. 90 School Lane and no. 3 Ladysmith Road. On the opposite side of Ladysmith Road and School Lane there is a combination of dwellings and commercial properties with residential uses above.



The applicant is proposing to erect a part two/part three storey terrace of four dwellings at the corner of School Lane and which extends down the Ladysmith Road frontage. The properties will be three bed dwellings, two of which will have off-street parking provision for two cars each. The remaining two dwellings will have no off-street parking facilities.

In addition, to the terrace of four dwellings, the applicant is also proposing to erect a detached two storey dwelling which will front School Lane and be sited to the side of no. 90 School Lane. That property will also have three bedrooms and off-street parking for two vehicles. The proposed layout is shown below:



Originally, the applicant proposed to erect a terrace of five 3 storey dwellings and one detached three storey dwelling on the site but following concerns about the size of the proposal and the number of units proposed the scheme was amended to that now before the committee.

The applicant has previously obtained planning permission at appeal (APP/B4215/A/09/2110844, allowed on 3rd February 2010) for the erection of a 3 storey building to form shops on the ground floor with three self-contained flats above. That permission was never implemented.

Consultations

Local Residents – Six letters of objection have been received, two of which relate to the revised scheme, the points raised in relation to the revised scheme have been detailed below:

- The proposal will sit in front of the established building line on Ladysmith Road. While the applicant has made a number of concessions it is still considered that the proposal will be over bearing.
- Being located in front of the recognised building line the development creates a blind spot outside of no. 3 Ladysmith Road, this will reduce security.

- The size, nature and density of housing proposed is not in keeping with the area and still constitutes overdevelopment. The living space footprint has not changed significantly from the original proposal. The proposed size and density of the properties would therefore still seem likely to develop a feel of overcrowding and perhaps introduce a lower standard of living due to the increased density of people within a significantly reduced land footprint.
- Vehicles accessing the proposed parking spaces will prove a danger to pedestrians. The only comparable 'town house' development in the area has arranged its parking set back around 15 feet from School Lane, respecting the existing building line and perhaps in recognition of the need for a higher level of safety whilst negotiating entry or exit of the integrated garages onto a pavement space used extensively by school children.
- The provision of parking spaces is welcome. However, if the new buildings are rented out there could be a 'parking overspill' into Ladysmith Rd which is already difficult/impossible to park on. If the tenants in the planned properties could be advised to use their drives to park when they are available it would go some way to helping the situation that already exists with the present neighbours.

Comments received in relation to the original scheme are detailed below:

- The proposal will restrict sunlight into nearby gardens and dwellings and have an impact on privacy.
- The proposal will exacerbate existing parking problems and cause congestion.
- The proposal would constitute overdevelopment as the number of units proposed is too great for the side of the site.
- The three storey nature of the building is out of character with the area.

Ward Members – A letter of objection in relation to the original scheme has been received from Councillor Andrew Simcock, his concerns are as follows:

- The proposal constitutes overdevelopment of the site.
- The development is not attuned to the local street scene. The houses should be facing School Lane not Ladysmith Road. There are good examples of houses and flats of a similar height on School Lane but not on Ladysmith Road.

Highway Services – Highway Services have made the following comments:

- The vehicle movements generated by the proposal are considered unlikely to impact highway operation or safety.
- The revised scheme indicates that the two central properties offer no in-curtilage parking. It is acknowledged that the surrounding highway network is already subject to high demands for on-street car parking. Ideally, each property should provide in-curtilage parking, however given the previous use at the site, it is accepted that a similar level of on-street parking will be generated.
- It is acknowledged that the houses will have sufficient secure amenity space to store bicycles if required.

- Should the planning application be approved, the applicant will be required to enter into a Section 278 agreement to reinstate redundant vehicular crossing and provide new ones.
- A Construction Management Plan is recommended for this development.

Environmental Health – Suggests the imposition of two conditions concerning waste management and contaminated land.

Greater Manchester Ecology Unit (GMEU) – GMEU have made the following comments:

Bats – The buildings comprise a two storey commercial building with a pitched gable roof together with two garages. The buildings were inspected internally and externally on 27th July 2018 and no bats or signs of bats were found during the survey. However, potential bat roosting features were identified and a further emergence survey was recommended. A dusk emergence survey was carried out on 1st August 2018, no bats were seen to emerge from the buildings at the time of the survey and only a low level of Common pipistrelle activity was recorded in the locality. No further bat surveys are therefore considered necessary at this time and work can commence with a low risk to roosting bats.

Notwithstanding the above, bats are mobile in their habits and can and do turn up in the most unlikely places. If bats are found or suspected at any time during the works, work should cease immediately and advice sought from a suitably qualified bat worker. GMEU suggest that an informative to this effect be placed on any permission.

Birds – The buildings were considered to have some potential to support nesting birds, although no nesting birds were seen during the surveys. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). GMEU therefore recommend that demolition should not be undertaken in the main bird breeding season (March-July inclusive), unless nesting birds have found to be absent, by a suitably qualified person. GMEU recommend that a condition to this effect be placed on any permission.

Biodiversity Enhancement – In line with Section 11 of the NPPF, it is recommended that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Native tree and shrub planting

United Utilities Water PLC – Suggests the imposition of a number of drainage conditions.

Policies

The National Planning Policy Framework (February 2019) – The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

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

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.

Paragraph 59 states that 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.

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 102 states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 105 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

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

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

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 1, *Design Principles and Strategic Character Areas* – This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance 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 H6, *South Manchester* – South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance 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.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.

- Vehicular access and car parking.
- Effects relating to biodiversity and landscape.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

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

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

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

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

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

Manchester Residential Quality Guidance 2016 – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

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

Guide to Development in Manchester Supplementary Planning Guidance –

Adopted in 2007, the guidance states in paragraph 2.13 that the scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings. Projections and setbacks from this line, such as bays, foyers and entrance halls, can help to create visual emphasis; they should not, however, reduce safety by creating hidden areas, or accessibility by making obstructions, nor detract from the visual continuity of the frontage.

Paragraph 2.14 states that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.15 states that 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. In established residential areas, significant variation in height may not be appropriate.

Issues

Principle of the Proposal – While the predominant character of the area is of two storey dwellings, it is noted that there are a number of examples of three storey dwellings and apartment buildings located along School Lane, most noticeably in this instance nos. 97 to 105 School Lane, which are diagonally opposite the application site. Given this, the residential nature of the area and the fact that the three storey element of the proposal is located at the corner of School Lane and Ladysmith Road, the principle of the proposal is considered acceptable. Furthermore, the provision of family housing complies with Policy H6, which promotes the provision of such accommodation outside of District Centres.

Notwithstanding this, consideration must be given to the proposal's impact upon the existing levels of residential and visual amenity enjoyed in the locality of the site, particularly by those residents who adjoin the site, and upon the levels of pedestrian and highway safety enjoyed along School Lane and Ladysmith Road.

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

The amount of floor space proposed for each dwelling, all of which are 3 bed properties and that required under the NDSS is detailed below:

- House type A, 2 storey – 90.56m² (NDSS - 84m²)
- House type B, 3 storey – 154.65m² (NDSS - 90m²)
- House type C, 2 storey – 95.25m² (NDSS - 84m²)
- House type C+, 2 storey – 95.25m² (NDSS - 84m²)

The proposal complies with the space standards.

Design – Though the proposal will utilise traditional materials, the design of the dwellings is contemporary in nature and takes its design cues from nos. 97 to 105 School Lane, a terrace of 3 storey flat-roofed dwellings and the flat roofed apartment block, which is also 3 storeys high, at nos. 106 to 110 School Lane.

The brick elevations, a mix of red and lighter brick, are punctuated with recessed vertical glazing, enclosed by grey aluminium frames, and dark metal cladding panels. This variety of materials and planes adds interest to the elevations. The use of flat roofs, evident elsewhere on School Lane, allows the provision of generous accommodation whilst also keeping the overall height of the development below the ridges of the dwellings on Ladysmith Road. Siting the three storey element at the School Lane and Ladysmith Road junction provides a focal point and this is emphasised further by the inclusion of brick detailing panels on this element.

This design approach is welcomed and can be seen below:



Detached dwelling, School Lane elevation



Terrace of four dwellings, School Lane elevation



Terrace of four dwellings, Ladysmith Road elevation

Residential Amenity – The eastern elevation of the proposed detached dwelling is located approximately 1 metre away from the boundary with no. 90 School Lane and 3 metres from the property itself. Located within this elevation are three windows – two lounge/diningroom windows on the ground floor and one obscurely glazed bathroom window at first floor. The southern elevation of proposed detached dwelling is located approximately 11 metres away from rear boundary garden with no. 3 Ladysmith Road. Given these distances and the presence of existing and proposed obscurely glazed windows, it is not considered that the erection of the detached dwelling will impact on the level of privacy enjoyed by the residents of no. 90 School Lane and no. 3 Ladysmith Road.

The side elevation of the proposed terrace would be located approximately 2.6 metres away from the side elevation of no. 3 Ladysmith Road. Within that elevation there would be two narrow windows, one to the ground floor lounge and the other to the first floor bathroom, with the latter being obscurely glazed. Given the nature of the proposed windows and that fact the one at first floor will be obscurely glazed, it is not considered that they will lead to a reduction in the levels of amenity enjoyed by the residents of no. 3 Ladysmith Road.

The front elevations of the terrace and detached dwelling will be sited 18½ metres and 21½ to 27½ metres away from the dwellings on the opposite side of Ladysmith Road and School Lane respectively. These elevations consist of a mix of habitable and non-habitable rooms. Given the distance between the proposed and existing dwellings and the fact that both elevations overlook over the public realm, it is not considered that the windows in the front elevations will lead to a reduction in privacy and subsequently existing levels of residential amenity. This relationship across a highway is similar to many others within this area of Didsbury.

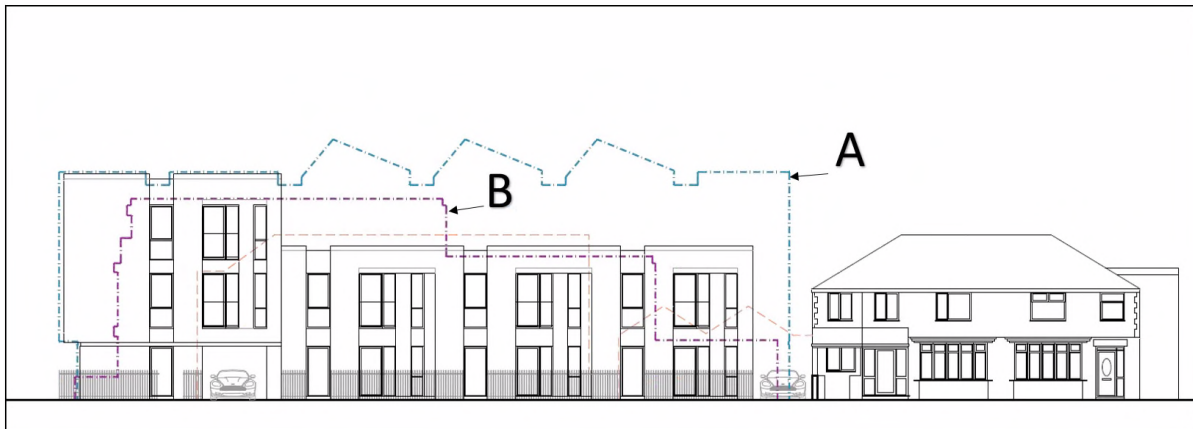
Local residents have raised concerns about overshadowing. While it is acknowledged that the proposal is closer to no. 3 Ladysmith Road than the existing building, it is considered that as the development is only 2 storeys high in this location it will not lead to undue overshadowing of no. 3 Ladysmith Road. In terms of the impact on no. 90 School Lane, given the orientation of the proposed detached dwelling and the fact that it is also only two storeys in height, this element of the development would not lead to undue overshadowing.

In conclusion, it is considered that the siting of the dwellings in the location proposed, along with the type and number of windows in all of the elevations, will ensure that there is no undue loss to the levels of privacy enjoyed by the residents of no. 90 School Lane and no. 3 Ladysmith Road nor lead to undue overshadowing.

Permitted Development Rights – In order to further reduce the impact of the proposal upon neighbouring residents and to prevent the overdevelopment of the site, it is proposed to attach conditions removing Permitted Development Right for domestic extensions/outbuildings and to prevent the conversion of the dwellings into Houses in Multiple Occupation.

Scale and Massing – Concerns have been raised about the three storey nature of the proposal and how this is at odds with the scale of dwellings in the area. While Ladysmith Road is made up solely of two storey dwellings, three storey dwellings and apartments blocks are located on a number of sites along School Lane. Given that the three storey element of the proposal is located at the junction of School Lane and Ladysmith Road, it is considered that siting the three storey element at this location is acceptable and not at odds with the overall character of the area.

Originally the applicant did propose to erect a three storey terrace along the Ladysmith Road frontage. However, following concerns about its scale when compared with the neighbouring dwellings the applicant reduced the proposal to two storeys, in addition to also reducing the number of units proposed. The drawing below is of the Ladysmith Road frontage and compares the scale of the scheme as now proposed, the original proposal (A - blue dotted line) and the apartment scheme approved at appeal (B - purple dotted line). As can be seen the overall height of the proposal has been significantly reduced along this frontage and is now more in keeping with the scale of the existing dwellings.



In terms of the massing, this has been broken up by using contrasting and recessed panels of cladding and brick and vertical glazing. This can be seen in the elevational drawings located earlier in this report.

Siting – The proposed detached dwelling respects the established building line that runs along the southern side of School Lane. The terrace of four dwellings follows the Ladysmith Road building line though it does sit forward of the one on School Lane. However, as the element that does sit forward is located at the corner of those two roads and is 3 storeys in height, thereby forming a focal point, this is considered acceptable. It should also be noted that the existing building sits forward of the School Lane building line.

Visual Amenity – Given the design and siting of the proposed dwellings and the fact that they have been reduced in size and massing to that originally submitted, it is not considered that they will have an unduly detrimental impact upon the levels of visual amenity enjoyed along School Lane and Ladysmith Road.

Amenity Space – Sufficient private amenity space would be provided for the future occupants of the proposed dwellings with each house incorporating rear gardens areas.

Boundary Treatment – Originally railings were proposed along the School Lane and Ladysmith Road frontages but as boundary walls are the predominant feature in this neighbourhood the applicant has been requested to amend the proposal accordingly.

Ecology – It is considered prudent to attach a condition limiting the demolition of no. 88 School Lane to outside of the bird nesting season, unless further surveys reveal an absence of nesting birds. In addition, a condition requiring the use of bat bricks and/or bird boxes within the dwellings and the site is also suggested.

Landscaping – The applicant has been requested to explore the provision of a number of street trees along School Lane if none can be accommodated within the site itself.

Pedestrian and Highway Safety – It is not considered that the additional dwellings would generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed along School Lane and Ladysmith Road. It is also considered that any traffic movements generated by the residential development would be less than the previous commercial uses (deli, gym and shop) that have operated from the site in previous years.

Car Parking – Three of the proposed dwellings would have two off-street parking spaces each, while the remaining two dwellings would not have any in curtilage parking spaces. Given the proximity of the site to the Didsbury Village Metrolink station and the Didsbury District Centre, through which regular bus services run, this level of parking provision is considered acceptable in this instance.

Cycle Parking – As acknowledged by Highway Services, sufficient space exists within all five dwellings for the storage of cycles.

Waste Storage – Environmental Health have confirmed that the submitted waste management strategy is acceptable and have requested that it be conditioned to ensure future compliance with it. The strategy states that four separate 240 litre recycling wheelie bins for each dwelling will be provided and will provide facilities for the recycling of garden/food waste, glass, metal, plastics, paper/cardboard and general household waste. In addition, internal facilities in the form of waste food caddies (23 litres) will be provided to aid further recycling.

At present three of the proposed dwellings show refuse bins stored at the front. While storage at the rear is always preferred there is no objection in principle to storage at the front if a) the bins are stored within a suitable housing and b) they do not compromise fire safety by being stored under a window. While the bins are not sited below a window they are not stored within a suitable structure. The applicant has been requested to address this and a suitably worded condition is suggested to ensure that the design of the bin store is acceptable. It must also be noted that the bin store would be located behind the boundary treatment.

Accessibility – The site is nominally flat and wheelchair access from School Lane and Ladysmith Road is unobstructed. In addition to the level access, the interior layout of the proposed dwellings is considered acceptable. The level threshold leads to a hallway, off which stands a W.C., the kitchen, lounge and dining areas, while the upper floors offer spacious circulation space.

Given the above and the fact that the development has been design in accordance with Part M of the Building Regulations the accommodation is considered acceptable in terms of accessibility.

Crime and Disorder – Concerns have been raised about the siting of the proposal and the impact this has upon the security of no. 3 Ladysmith Road. As the development lines up with the forward most part of no. Ladysmith Road it is not considered that the proposal will lead to the creation of any “blind-spots” and as a result compromise safety.

The standard Secured by Design condition is suggested in this instance.

Environmental Standards – The dwellings will be constructed to Part L of the Building Control regulations, which equates to level 4 of the Code for Sustainable Homes scheme. In addition, the dwellings will be fitted with ducting to enable the future provision of vehicle electrical charging points.

Air Quality – The erection a five dwellings in this location will not have an unduly detrimental impact upon the air quality experienced in the vicinity of the site. A construction management plan condition will be attached to any consent granted to ensure that dust suppression measures are implemented while the development is being built.

In terms of the running of additional households in this location, it is not considered that the comings and goings associated with the dwellings will have an unduly detrimental impact upon air quality.

Sufficient space exists within the curtilage of the site to allow for the storage of cycles while the integral garage and other dwellings will have an electrical connection, therefore allowing for the future connection of a vehicle electrical charging point. Both of these measures reduce reliance on the traditional motor vehicle.

Conclusion

The siting and massing of the proposed dwellings is comparable with that in existence on School Lane and Ladysmith Road. While the design is of a style not seen on Ladysmith Road, contemporarily designed dwellings can be found on a number of sites along School Lane. As a result it is not considered that the proposal will have a detrimental impact upon the character of the area or existing levels of visual amenity. In addition to the above, given the siting of the proposal it is not considered that the proposal will give rise to disamenity or overlooking.

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

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

Conditions to be attached to the decision

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

- a) Drawing no. 18075 (PL) 001B, stamped as received on 30th January 2019
- b) Drawing no. 18075 (PL) 170, stamped as received on 30th January 2019
- c) Drawing no. 18075 (PL) 181, stamped as received on 30th January 2019
- d) Drawing no. 18075 (PL) 182, stamped as received on 30th January 2019
- e) Drawing no. 18075 (PL) 200B, stamped as received on 30th January 2019
- f) Drawing no. 18075 (PL) 210A, stamped as received on 30th January 2019
- g) Drawing no. 18075 (PL) 250B, stamped as received on 30th January 2019
- h) Drawing no. 18075 (PL) 251B, stamped as received on 30th January 2019

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy (2012).

4) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

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

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

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

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

7) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 5th September 2018 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

8) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and/or bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy (2012).

9) Demolition works shall not 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 the building for active birds' nests immediately before the building is demolished 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 in order to comply with policy EN15 of the Manchester Core Strategy (2012).

10) Before first occupation the first floor windows in the eastern elevation of the detached dwelling and the southern elevation of the terrace shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification) no part of any dwelling shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1, H7,H8 and DM1 of the Manchester Core Strategy (2012).

12) Above-ground construction works shall not commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy (2012).

13) Above-ground construction works shall not commence until a landscaping treatment scheme, including tree planting and boundary treatment, has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the dwellings 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 Manchester Core Strategy (2012).

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

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN08 and EN14 in the Manchester Core Strategy (2012) and national policies within the NPPF and NPPG.

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions shall be erected other than those expressly authorised by this permission.

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

16) Prior to the commencement of the development hereby approved or any phase thereof a Construction Environmental Management Plan must be submitted to and be approved by the City Council as local planning authority and thereafter implemented in accordance with those approved details. The Construction Environmental Management Plan must show how the main construction effects of the development are to be minimised, with include detailed mitigation measure such as:

1. details of construction and demolition waste management;
2. details of pollution prevention;
3. dust control measures;
4. details of any lighting scheme proposed during construction;
5. details of site access, working and safety zones, together with temporary fencing proposals for the site access and site perimeter.

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

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 121011/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

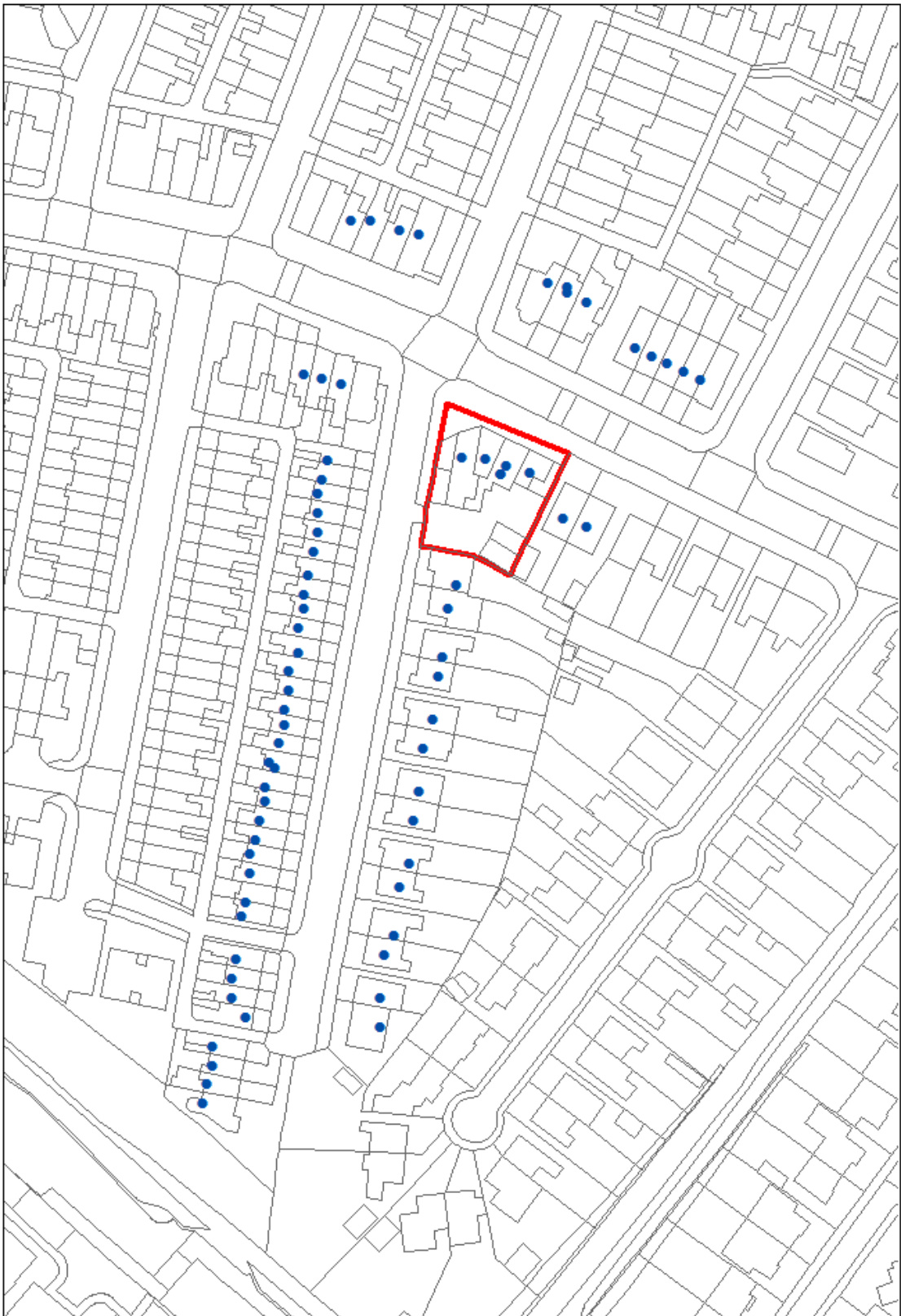
Greater Manchester Police
Greater Manchester Ecology Unit
Didsbury Civic Society
United Utilities Water PLC

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

Representations were received from the following third parties:

Greater Manchester Ecology Unit
United Utilities Water PLC

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



 Application site boundary  Neighbour notification
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Application Number	Date of Appln	Committee Date	Ward
119951/FO/2018	11 th July 2018	14 th Mar 2019	Didsbury West

Proposal Use of ground floor and basement as Class A3 (cafe) and change of use of first floor and roofspace to form self-contained flat, with installation of new shop front consisting bi-folding doors, extraction flue to the side and associated elevational alterations. (Cafe opening hours:- Sundays to Thursdays 8.00am to 6pm, Fridays and Saturdays 8.00am to 8pm)

Location 10 Whitechapel Street, Manchester, M20 6UB

Applicant Mr Paul Smith, 10 Whitechapel Street, Manchester, M20 6UB

Agent Mr Karl Robinson, Kreative Design Solutions Limited, The Studio, 4 Canmore Close, Bolton, BL3 4TN

Description

10 Whitechapel Street is a two storey end-terraced property located on the edge of Didsbury District Centre. The property was formerly used as a sandwich shop but is now fully operational as a café (Class A3). Whitechapel Street runs from Wilmslow Road to Churchwood Road and consists predominantly of residential properties, namely two storey terraced dwellings and a larger 3 storey apartment complex. To the east of the property there is a car park that serves the commercial properties on Wilmslow Road. Immediately adjoining it there is a dwellinghouse (no. 12 Whitechapel Road). Opposite the site there is a turning head. Whitechapel Street is bollarded off approximately a quarter of the way along from the Wilmslow Road end, immediately to the east of the application property. This allows access to the rear of the commercial properties on Wilmslow Road and prevents rat-running along Whitechapel Road.

The applicant is using the basement and ground floor of the property as a café, with the basement being used to prepare the food and the ground floor housing the counter and seating areas. The applicant is also proposing to create a 2 bed self-contained flat on the first floor and in the roof space. Previously the first floor and roof space had been used as kitchens and ancillary accommodation (office and storage) for the previous sandwich shop use.

The applicant has also installed a replacement shop front consisting of bi-folding doors.

The applicant is also proposing to install two new windows at first floor level to the proposed landing and living room; two windows in the side elevation facing the rear of the Wilmslow Road commercial properties; a new entrance door to the W.C. and two roof lights on the rear roof slope. In addition, the applicant is seeking consent retrospectively for the installation of an extraction flue on the side elevation.

Originally the applicant proposed to open the café from 8.00am to 8.00pm seven days a week but has since amended the opening hours to the following:

- Sundays to Thursdays 8.00am to 6pm
- Fridays and Saturdays 8.00am to 8pm

Consultations

Local Residents – Letter of objection have been received from four households, the comments are detailed below:

- The current and long-standing position regarding no.10 Whitechapel Street is as a Class A1 use that operates between 8.00am to 6.00pm Mondays to Saturdays only, with no refuse collection between 6.00pm to 8.00am. Nothing has changed in the period up to 2018 to alter the requirement for tight control of opening hours, relating to commercial activity at no.10. None of the nearby residential housing has moved further away, or changed over to commercial usage. The site remains extremely sensitive in terms of footfall/litter/noise concerns. The only notable difference is that there are now bollards across Whitechapel Street, with a related vehicle turning area created. These features now place no.10 on the 'residential' side of an obvious east/west divide between commercial and residential properties in this part of Didsbury. There may therefore be a case now in 2018, for removing commercial permissions altogether from no.10. And thereby aligning use of no.10 with the other residential properties, on the west side of the bollards.
- It is understood that the new 2018 operators will be Caramello, the ice-cream vendors who until recently had a shop on the corner of Whitechapel Street and Wilmslow Road. Caramello have the potential to be fine as neighbours on this street, and in their case, it should be possible to fit the commercial operation into what is otherwise a residential location.
- The operation of this business should not be a problem under the currently granted permissions and conditions. Class A1 use, covering what is fundamentally an ice cream shop, does not seem unreasonable. If opening hours do stray outside of the formally-permitted times, this is unlikely to annoy neighbours and trigger complaints.
- No. 10 has in the past operated quietly as a sandwich shop, with A1 class permission. This form of commercial operation - being relatively subdued in nature - was fairly compatible with the residential nature of the location.
- The problem in allowing a Class A3 on the site with longer opening hours is that Caramello may not be the tenants here forever and future tenants may exploit the full possibilities of a Class A3 use. A burger bar, for example, would potentially result in much more late-night footfall/noise/litter than generated by an ice cream shop. A burger bar would be completely unsuited to Whitechapel Street, yet the Council may struggle to prevent the future establishment of such an operation, once a Class A3 use is granted.
- The installation of bi-folding doors and the placing of tables and chairs on the pavement will further exacerbate the problems of noise associated with a commercial use on a residential street.
- The proposed flue is out of keeping with the area and is unsightly.

- It is not an appropriate use given the location of the property on a residential road and its proximity to dwellinghouses.
- The other commercial properties on Whitechapel Street are at the other end of the road and separated from the houses by the public car parks that serve the Wilmslow Road premises.
- The property was originally used as a Class A1 retail property, the proposed change of use will have a negative impact on the residents of Whitechapel Road.
- Whitechapel Street is a residential street and no. 10 Whitechapel street formerly operated as a sandwich shop with restricted hours and also with restricted shop window lighting. The new opening hours completely goes against the grain of these set hours. The new owners used to operate in Didsbury high street and used the pavement to serve customers with the weekends being extremely busy. There is no mention of this practice in their planning application and as such there is concerns that the street will become crowded with people loitering late at weekends.
- The new owners have recently replaced the shop fixed window with a sliding open window which will also open up the shop to more noise. There has been no consideration from the new owners to the needs of the neighbours and residents in this residential street.
- This is a residential street, Caramello is a cafe selling ice cream which by nature will attract a younger age group and crowd.
- Parking is limited on the street already and with the planned opening hours this will almost certainly become a huge problem.

Councillor John Leech – The following comments have been received from the councillor:

- There is general support for Caramello taking over at this location, but some concern about the potential for other restaurants and cafés, which may be more disruptive, to use the site. Is a Class A3 use required for the business, could it not operate on the existing Class A1 use?
- If Class A3 use is required it should only be recommended for approval on the basis of the hours stated given the potential for residential disamenity at night. This would at least give some defence against any future attempt at extending the hours

Highway Services – Highway Services have made the following comments:

- The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.
- It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.
- No vehicle parking is being offered as part of this development that lies within a district centre and which has a high demand for on-street parking from visitors and from residents from early evening and overnight. It is therefore recommended that some cycle storage is provided for this development for the use of staff, customers and residents.

- The waste management proposals to store waste to the rear of the property and present for collection from the forecourt is acceptable to Highways. It is anticipated that the waste collection vehicle will continue to service this property from the section of Whitechapel Street which has access from Wilmslow Road.
- No servicing details have been provided and is recommended that any deliveries are undertaken from the section of Whitechapel Street which has access from Wilmslow Road to avoid unnecessary disturbance to residents.
- Pedestrian access to the cafe and the self-contained flat is proposed from separate access points from Whitechapel Street which is acceptable to Highways.
- Reinstatement of the lightwell requires further details which will need to be checked by the structural team within Highways Services.

Environmental Health – Suggests the imposition of a number of conditions (operating hours, fume extraction, refuse storage and noise insulation) designed to protect residential amenity.

Policies

The National Planning Policy Framework (February 2019) – The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

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

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.

Paragraph 180 states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions. The policy continues stating that in doing so Councils should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid

noise giving rise to significant adverse impacts on health and the quality of life.

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

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

Policy SP1, *Spatial Principles* – This sets out the key spatial principles which will guide the strategic development of Manchester to 2027, of relevance to this application are:

- 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:-
 - i) Creating well designed places that enhance or create character.
 - ii) Making a positive contribution to the health, safety and wellbeing of residents
 - iii) Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - iv) 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 the following specific issues (of relevance to this application) for which more detailed guidance may be given within a supplementary planning document:-

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

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Refuse storage and collection.
- Vehicular access and car parking.

Saved UDP Policy DC10, *Food and Drink Uses* – This policy states under DC10.1 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, 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.

Under section DC10.2 the policy 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.

Under section DC10.3 the policy states that this form of 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.

Saved UDP Policy DC14, *Shop Fronts and Related Signs* – This policy states under DC14.1 that in determining applications for shop fronts, security grilles and canopies, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

Under section DC14.2 the policy states that shopfronts should allow full access for people whose mobility is impaired. The only exceptions which the Council will normally permit are where the cost is unreasonably high or where there are particularly difficult physical constraints, or where the architectural character of a listed building would be damaged.

Under sections DC14.3 and DC14.4 the policy states that externally mounted security grilles or shutters will not normally be permitted if they are of solid construction and that the boxes housing the grille or shutter should wherever possible be located behind the fascia.

Issues

Principle of the Proposal – Given the previous commercial use on the site the principle of proposal is considered acceptable. Notwithstanding this, given the predominantly residential nature of the street and the different levels of activity associated with a café in comparison to a retail use, the impact upon the existing levels of amenity enjoyed by the residents of Whitechapel Street must be assessed.

Use Class Clarification – 10 Whitechapel Street has previously been in use as a sandwich shop (Class A1) and following that as an unauthorised hot food take-away (Class A5). As this material change of use had already been undertaken it was not possible to obtain a temporary two year change of use under the Permitted Development Order procedure. In addition, as the unauthorised change of use to a hot food take-away (Class A5) had taken place, the applicant was not able to apply, via the Prior Approval Notification process, for the change of use from the sandwich shop (Class A1) to the Class A3 (café).

The unauthorised hot food take-away use ceased without any formal intervention by the Council and as a result there is no automatic right to revert to the immediate lawful use as that permission is considered spent. A new planning permission is therefore required for any use such as the Class A3 café now proposed.

Residential Amenity – Local residents have raised a number of concerns about the impact upon their amenities, namely noise and activity associated with the café use and the impact of servicing and deliveries, especially given that it is located at the end of a row of terraced houses. These issues, along with privacy and noise from plant/machinery, are dealt with in turn:

Noise from the Proposed Use – The sandwich shop that previously operated out of no. 10 Whitechapel Street was limited to the following hours under planning permission 076119/FO/2005/S2:

- Monday to Friday 8:00am to 6:00pm,
- Saturday 8:00am to 5:00pm.

The proposed hours for the opening of the café are as follows:

- Sundays to Thursdays 8.00am to 6pm
- Fridays and Saturdays 8.00am to 8pm

The proposed hours from Mondays to Thursdays are the same as previously allowed on the site, while the proposed opening hours for Fridays and Saturdays are two and three hours longer respectively. While these hours of opening are not too dissimilar to those attached to the former sandwich shop use it is acknowledged that the proposal introduces activity to the premises on a Sunday. Notwithstanding this, it is considered that the opening hours are modest and with the imposition of a number of conditions (condition nos. 4 to 8) any impact can be managed.

Bi-folding Doors and External Seating – Concerns have been raised about potential noise when the bi-folding doors are opened and the external seating area (two tables and eight seats) is in use. It is not anticipated that their use will prove an issue, given the restrictive hours of opening and the acoustic insulation condition (condition no. 8) suggested by Environmental Health. It should also be noted that Environmental Health have not raised any objections to the insertion of the bi-folding doors as they believe that condition no.8, which requires the submission of a noise survey and implementation of any remediation if required, will be sufficient to overcome any concerns.

Noise from motor vehicles – It is anticipated that the majority of customers will arrive by foot due to the location of the property in relation to the Didsbury District Centre. As a result, it is not considered that the level of motor vehicle related noise (engines revving, doors slamming etc.) experienced on this part of Whitechapel Road will be exacerbated. It is not anticipated that the proposed use will generate any more traffic than the previous commercial uses that operated from there.

Deliveries and Servicing – Deliveries and waste collection will take place via the eastern end of Whitechapel Street and will be limited to between 7.30am to 8.00pm Mondays to Saturdays (condition no. 5). Given the hours proposed, and the fact the activity will be limited to the more commercial end of Whitechapel Street, it is not considered that the activity associated with deliveries and waste collection will have a detrimental impact upon existing levels of residential amenity.

Noise from Plant and Machinery – Two air-conditioning units are located on the side elevation of the two storey outrigger. To ensure that they do not impact upon local residents Environmental Health have recommended that they be acoustically insulated (condition no. 7). It is considered that this will limit their impact and ensure the units do not have a detrimental impact upon the levels of amenity enjoyed by neighbouring residents.

Impact Upon Privacy – Given the location of the proposed windows it is not considered that their installation will have a detrimental impact upon the levels of privacy enjoyed by adjoining residents.

Fumes and Odours – The imposition of the standard fume extraction condition will ensure that any impact from fumes and odours associated with the café use will be controlled. An extraction flue has been installed at the side of the property and runs the full height of the building to ensure that any disamenity resulting from fumes and odours is kept to a minimum.

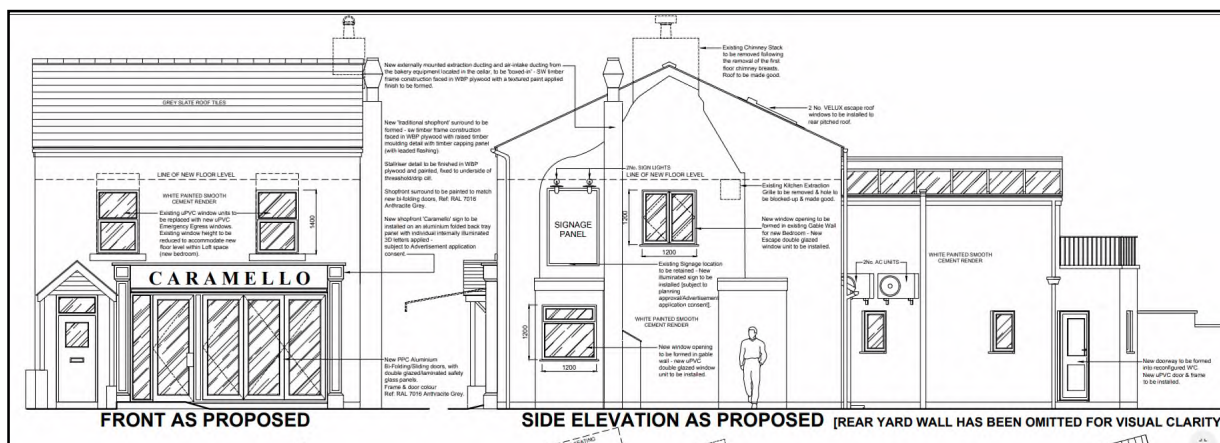
Visual Amenity – It is not considered that the proposed elevational alterations, i.e. the new shop front, windows and rooflights, will have a detrimental impact upon the levels of visual amenity enjoyed along Whitechapel Street and within the vicinity of the site.

The boxing-in of the flue at the side of premises is acceptable in principle as it will screen the large metal tubing. However, the materials used, namely painted marine plywood is not considered acceptable and for this reason the applicant submitted a scheme for its render in order that it blends in with the existing side elevation. This approach is considered acceptable and its implementation is the subject of condition no. 10. The boxed-in flue can be seen below:



Pedestrian and Highway Safety – It is not considered that the proposal will generate significant vehicular trips to Whitechapel Street as due to its proximity to Didsbury District Centre the majority of customers will arrive by foot. In addition, servicing of the property will take place from the eastern section of Whitechapel Street, i.e. the section accessed from Wilmslow Road and bollarded off from the rest of the street. Given the above, it is not considered that the proposal will have a detrimental impact upon the existing levels of pedestrian and highway safety enjoyed along the western section of Whitechapel Street.

Design – The proposed shopfront, which has been partially implemented, will consist of bi-folding doors framed by pilasters and topped by a retractable awning and fascia sign. The associated elevational alterations consist of two new windows at first floor level to the proposed landing and living room; two windows in the side elevation facing the rear of the Wilmslow Road commercial properties; a new entrance door to the W.C., two roof lights on the rear roof slope and the boxed-in extraction flue on the side. The alterations to the building are shown below:



The new shopfront and associated elevational alterations are considered acceptable and will not have a detrimental impact upon the levels of residential and visual amenity enjoyed within the vicinity of the site. A condition (condition no. 10) will require the applicant to render the enclosed flue on the side elevation so that its external treatment is more in keeping with the remainder of the side elevation.

Waste and Recycling – The proposed waste and recycling facilities are as follows:

Residential:

- 3 x 140 litre wheeled bins (general refuse, pulvable recycling and mixed recycling) stored in the rear yard.
- 1 x 23 litre caddy for food waste and stored within the kitchen of the flat.

Commercial:

- 4 x 140 litre wheeled bin (general refuse, pulvable recycling, mixed recycling and food waste) stored in the rear yard.

The submitted Waste Management Strategy is considered acceptable and its implementation is the subject of condition no. 9.

Crime and Anti-Social Activity – Access to the proposed flat will be via a separate entrance from the Whitechapel Street frontage which is considered acceptable. The proposed café use does not raise significant crime and anti-social activity concerns.

Conclusion

The property does have a history of commercial use since the original planning permission in 1986 (025690 - alterations to form a retail shop on ground floor and self-contained flat at first floor) and its continued use adds to the district centre offer.

It is considered that with restrictive conditions, e.g. hours of operation and fume/odour extraction and impact upon existing residents can be managed and kept to a minimum.

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

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:

- a) Drawing no. KDSWCS01 revision C, stamped as received on 9th May 2018
- b) Drawing no. KDSWCS02 revision B, stamped as received on 11th June 2018
- c) Drawing no. KDSWCS03, stamped as received on 21st May 2018
- d) Site and Location Plans, stamped as received on 9th May 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 unless otherwise agreed in writing by the City Council as local planning authority:-

Sundays to Thursdays - 8.00am to 6.00pm,
Fridays and Saturdays - 8.00am to 8.00pm.

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

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

Mondays to Saturdays - 7.30am to 8.00pm,

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

5) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to Policy DM1 in the Core Strategy Development Plan Document

6) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

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

7) 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 within 28 days of the date of this planning permission. The scheme shall be implemented in full within a timetable to be agreed in writing or as otherwise agreed 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 Policy DM1 in the Core Strategy Development Plan Document

8) The basement accommodation, as detailed on drawing no. KDSWCS02d, stamped as received on 24th January 2019, shall be used solely as a kitchen and for food preparation.

Reason - In the interests of residential amenity and to prevent the over intensification of the use, pursuant to Policy DM1 in the Core Strategy Development Plan Document

9) The Waste Management Strategy, stamped as received on 21st May 2018, shall be implemented as part of the development and shall remain in situ whilst the use is in operation.

Reason - In the interests of amenity and public health, pursuant to Policy DM1 in the Core Strategy Development Plan Document

10) Within three months of the date of the planning permission hereby granted, the external flue, as shown on drawing no. KDSWCS02 revision D, stamped as received on 24th January 2019, shall be rendered in accordance with the details shown on drawing no. KDSWCS04, stamped as received on 12th February 2019.

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

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 119951/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:

Didsbury Civic Society

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

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



 Application site boundary  Neighbour notification
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