



## **Planning and Highways Committee**

Date: Thursday, 22 October 2020

Time: 2.00 pm

Venue: Virtual meeting - [https://manchester.public-i.tv/core/portal/webcast\\_interactive/485372](https://manchester.public-i.tv/core/portal/webcast_interactive/485372)

Everyone is welcome to attend this committee meeting.

**The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as Internet locations, web addresses or conference call telephone numbers.

To attend this meeting it can be watched live as a webcast. The recording of the webcast will also be available for viewing after the meeting has ended.

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

### **Councillors**

Curley (Chair), Nasrin Ali (Deputy Chair), Shaukat Ali, Andrews, Y Dar, Davies, Flanagan, Hitchen, Kamal, J Lovecy, Lyons, Madeleine Monaghan, Riasat, Watson and White

## Agenda

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1. **Urgent Business**  
To consider any items which the Chair has agreed to have submitted as urgent.
- 1a. **Supplementary Information on Applications Being Considered**  
The report of the Director 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 24 September 2020. 7 - 24
5. **126912/FH/2020 - 1C Ardern Road, Manchester, M8 4WN - Crumpsall Ward**  
The report of the Director of Planning, Building Control and Licensing is enclosed. 25 - 46
6. **127669/FO/2020 - Deanway DIY Store, 112 Kenyon Lane, Manchester, M40 9DH - Moston Ward**  
The report of the Director of Planning, Building Control and Licensing is enclosed. 47 - 84
7. **126328/FO/2020 - Speakers House, 39 Deansgate, Manchester, M3 2BA - Deansgate Ward**  
The report of the Director of Planning, Building Control and Licensing is enclosed. 85 - 164
8. **126422/FO/2020 & 126423/LO/2020 - Cavendish House, Chapel Walks, Manchester, M2 1HN - Deansgate Ward**  
The report of the of the Director of Planning, Building Control and Licensing is enclosed. 165 - 216

9. **126308/FO/2020 - 2-4 Whitworth Street West, Manchester, M1 5WX - Deansgate Ward** 217 - 260  
The report of the Director of Planning, Building Control and Licensing is enclosed.
10. **127696/FO/2020 - Land Adjacent No 20 Chorlton Villas, Hardy Lane, Manchester, M21 8DN - Chorlton Park Ward** 261 - 294  
The report of the Director of Planning, Building Control and Licensing is enclosed.

## Meeting Procedure

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The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at <https://democracy.manchester.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13279>

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.

## **External participation in the Committee's online meetings**

Nominated representatives can continue to request to speak at the committee (only one person will normally be allowed to speak for and against an application). If you wish to nominate someone (including yourself) to speak, please contact <mailto:gssu@manchester.gov.uk> before 10am two days before the scheduled committee meeting (that will normally be before 10am on the Tuesday). You will need to provide:

- Name and contact details of the registered speaker (an email address will be required, in order that the speaker can be invited to join the meeting)
- Description and planning reference number of the matter on which they wish to speak
- If you want to speak in support or as an objector.

Only one person can speak for or against any application. Please note that the applicant or an appointed agent will normally speak on their application, so you are unlikely to be able to speak in support of it. If there is more than one nomination to speak against an application, the person whose nomination was received first by the Council will be given that position.

## Information about the Committee

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

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

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

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

## Further Information

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For help, advice and information about this meeting please contact the Committee Officer:  
Andrew Woods  
Tel: 0161 234 3011  
Email: [andrew.woods@manchester.gov.uk](mailto:andrew.woods@manchester.gov.uk)

This agenda was issued on **Wednesday, 14 October 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

## **Planning and Highways Committee**

### **Minutes of the meeting held on Thursday, 24 September 2020**

**This Planning and Highways meeting was conducted via Zoom, in accordance with the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.**

**Present:** Councillor Curley (Chair)

**Councillors:** Nasrin Ali, Shaukat Ali, Y Dar, Davies, Flanagan, Hitchen, Kamal, J Lovecy, Lyons, Madeline Monaghan, and White

**Also Present:**

Councillors M Dar, O'Neill and Wheeler

#### **PH/20/46 Supplementary Information on Applications Being Considered**

A copy of the late representations that were received in respect of applications (126431/FO/2020, 125596/FO/2019, 127053/FO/2020 and 126435/FO/2020), since the agenda was issued, was circulated.

#### **Decision**

To receive and note the late representations.

#### **PH/20/47 Minutes**

#### **Decision**

To approve the minutes of the meeting held on 30 July 2020 as a correct record subject to the inclusion of Councillors Riasat and Watson in the list of apologies given at the meeting.

#### **PH/20/48 126431/FO/2020 - Site South of Sportcity Way, East of Joe Mercer Way, West of Alan Turing Way And North of the Ashton Canal at the Etihad Campus Manchester - Ancoats and Beswick Ward**

The application proposes a multi-use arena comprising 68,608 sqm of floorspace with ancillary retail, food and beverage uses.

This 4.46 hectare site is used as a 500 space overspill car park for events at the Etihad stadium. The site is secured with a mesh fence on all sides and contains a number of self-seeded trees and shrubs. Its topography is relatively flat with a gentle slope from south to north before the site drops steeply down to the Ashton Canal.

The site is bounded by Joe Mercer Way (an elevated pedestrian walkway connecting to the Etihad Stadium) which separates the site from the Manchester Tennis and Football Centre located further west, Alan Turing Way, a four lane road with segregated cycle lanes is to the east with the Ashton Canal and the Etihad Metrolink stop to the south.

The applicant's aim is to develop the best arena in Europe in Manchester that would attract the world's top events and shows. They aim to set new standards in terms of arena design and environmental sustainability.

The design would be unique and enable the main auditorium to operate in a variety of different seating modes and host different entertainment and leisure events including music, sport, performances, awards ceremonies and other live entertainment. Its capacity would normally be 20,000 but could be extended to 23,500 for events where a centre stage configuration is used.

The arena would host events on scheduled days throughout the week and year. The operational strategy could occasionally result in events taking place at the same time or same day as football events at the Etihad Stadium. The associated impacts of this are considered in detail in the report.

The auditorium would be custom designed for a much more compact, flexible and intimate configuration compared to comparable capacity venues. The lower tier of the seating bowl would have retractable seating that could be configured in a variety of ways in maximise the spectator experience. The upper tier would project and be lower to the heart of the auditorium to enable a more intimate spectator experience.

The Chair invited the Planning Officer to present the Item.

The Planning Officer informed the Committee that additional information had been provided within the 'Supplementary Information on Applications' document, previously circulated. Reference was made to representations received from the Manchester Arena and Printworks to have the application referred to the Secretary of State for Housing, Communities and Local Government to decide whether the application should be called in for determination, if the Committee was minded to Approve. The Planning Officer reported that all aspects of the scheme had been addressed and this was detailed within the planning report. Reference was made to a representation received from the Executive Vice President of ASM Global (operating company of Manchester Arena), regarding the impact of the development on the Manchester Arena, and which requested the Committee to consider the impact of the application in line with the concerns of other city centre stakeholders. In addition it was reported that the £100million investment planned for the Manchester Arena by ASM Global, may not be justified if the application was approved.

A further representation from ASM Global had suggested that the Market Assessment had not been properly considered by the Council's independent advisor. The planning Officer confirmed that the Council's independent advisors had reviewed the additional work and had confirmed in writing that it did not fundamentally alter their advice that there is robust evidence to support the proposal.



The Committee was advised that if the Committee was Minded to Approve the application, the approval notice would not be issued until the Secretary of State had considered the application.

The Chair invited an objector to speak.

The objector spokesperson addressed the Committee on behalf of ASM Global and other interested stakeholders. Concern was expressed on the impact of the application on the sustainability and vitality of the city centre economy. In addition, concern was expressed on the matters not included within the planning report that were raised in the late representation that had been left unanswered relating to growth in the market and the split from the city centre. The point was made that the forecasts produced in the application had yet to be tested and needed to be fully understood before a decision could be made. Other issues raised related to the impact of the application on the Manchester Arena and the planned investment of £100million by ASM Global. In addition, reference was made to policy C9 which seeks to protect the city centre and the East Manchester Regeneration Framework which was produced to complement the city centre offer. The Committee was advised that the Manchester Arena had the capacity to meet expansion and growth in the market. The application did not provide links to the city centre similar to the Manchester Arena and took potential trade away from city centre businesses.

The Chair invited the applicant's agent to speak on the application. In response to the points raised in the representations it was stated that there is sustainable growth in the market for two city arenas. Other cities have recognised growth in these markets and this would be sustained in Manchester through the increase of the population over the next fifteen years. The evidence produced has been robustly tested independently and this has indicated that the visitor spend generated by a second arena would benefit the city centre economy. It was hoped that a new arena will help spur the operators of the Manchester Arena to invest in the facility and provide the city with two high quality entertainment venues.

A ward councillor addressed the Committee and reported that other ward councillor and local residents in surrounding wards have welcomed the application and supportive recognising the benefits this will bring to the surrounding ward areas such as job creation and apprenticeships.

A ward councillor welcomed the application and referred to the importance of maintaining balance between the two arenas and businesses in the city centre. Reference was made to the positives which the development would bring to East Manchester in the form of jobs during and after construction and the potential of attracting further investment to the area. It was hoped that Manchester Arena could continue to be a world class venue and a second arena could complement this.

A ward councillor referred to parking arrangements for local residents and sought an assurance that there would be no cost to residents or the Council. In welcoming the application and the positive benefit it provides for local residents through jobs and training opportunities, the councillor considered it reasonable that the city could accommodate two arenas. Officers were asked for clarification regarding the overlap of events being held at the new arena and football matches arranged for the Etihad

Stadium and the traffic plan to deal with the large numbers of attendees and vehicles this would attract.

The Chair invited members of the Committee to comment and asked questions.

A member in welcoming the application and the benefits it would bring to the area and local economy also asked officers to explain the arrangements in place to deal with events at both the arena and the Etihad Stadium.

The Planning Officer responded by explaining that the evidence that has been presented to the Committee had been analysed and the conclusion from this suggests that two arenas could operate successfully in the city. Officers are currently working with the operators of the Manchester Arena regarding their investment proposals which will take a phased approach. The residents parking zone intended for the area around the application site will be set up and operated at no cost to the Council and is subject to a Section 106 agreement. With reference to events clashing on the same day at the arena and the Etihad Stadium, it was reported that special measures would be introduced such as to stagger the start and finish times at each venue. Attendees would also be advised that limited parking would be available and sustainable transport options would be encouraged as well as improvements being made to the three existing walking routes from the city centre.

Officers were asked for clarification on the operation of a travel plan and in view of location of the site of the proposal being on the former Bradford coal mine, could an assurance be given on the safety of the development and impact on surrounding residential homes. With regard to the public realm works in the application would the trees planted be mature trees.

It was reported that the travel plan would be reviewed annually by the Council and the venue operators. The Coal Authority had been consulted on the proposal and was satisfied that the issues raised can be addressed within the application. The Committee was informed that details of the public realm works had yet to be finalised but it was expected that the trees to be planted would be mature/semi mature.

A member referred to the consideration of market assessments as part of the application and asked officers for guidance on this.

It was reported that the application presents a large proposal and market assessment is a material consideration. The applicants have provided a detailed assessment and so had the objectors and the Council had engaged an independent consultant to provide advice. The advice received was there is a market available for two arena venues. The proposed venue would look to facilitate more diverse formats and layouts than the existing arena to open Manchester to different types of event and in doing so would attract a wider regional/national audience and provide a balance to the national economy.

A member referred to a community fund for the three local wards affected by the proposal and asked how this would be monitored. The Committee was informed that this was included in the draft S106 agreement but it was not a material planning consideration and members of the Committee should not consider it in their decision.

Councillor S Ali made a request to move the recommendation and this was seconded by Councillor Y Dar.

The Committee took a vote and gave their support to the decision to agree the recommendation.

## Decision

**Minded to Approve** subject to:-

- i) the signing of a section 106 agreement with regards to the review and expansion of the existing Residents Parking Zone (RPZ), an operational event management strategy, walking route improvement works, local labour commitments and waste management arrangements.
- ii) confirmation that the Secretary of State does not intend to call the application in for his own determination.
- iii) Revision to condition 15 as follows:

*15) Prior to the first use of the arena hereby approved, a strategy for use of the ancillary spaces throughout the arena building, including kiosks to the canal (as shown on drawing BRA-POP-ZZ-01-DR-A-0613 Rev 00 stamped as received by the City Council, as Local Planning Authority, on the 6 March 2020), on non-arena event days shall be submitted for approval in writing by the City Council, as Local Planning Authority.*

*For the avoidance of doubt, this shall include details of the nature of the uses which would take place within the ancillary spaces including which facilities/spaces would be made available, the amount of floorspace to be utilised, operating hours and any management arrangements to ensure authorised access to the arena building only.*

*The use of the ancillary spaces on non-arena event days shall be carried out in accordance with this strategy for as long as the arena is in use.*

*Reason – To facilitate the use of the ancillary spaces on non-arena event days for community use and other appropriate purposes including kiosks to the canal which would support natural surveillance and activity at the arena and Etihad Campus as part of supporting the vitality of the campus and community access to the building pursuant to policies SP1, EC7 and DM1 of the Manchester Core Strategy (2012).*

(Councillor Flanagan declared a personal and pecuniary interest in the application and spoke as a Ward Councillor and took no part in the consideration of the application.)

(Councillor Hitchen declared a personal and pecuniary interest in the application and spoke as a Ward Councillor and took no part in the consideration of the application.)

(Councillor Monaghan did not take part in the consideration of the application or vote.)

**PH/20/49 126944/FO/2020 - Land Bound by Dantzic Street, Gould Street, Williamson Street and Bromley Street (Known As Victoria Riverside) Manchester – Cheetham Ward**

This application is for a proposal comprising 3 residential tower buildings of 37, 18 and 26 storeys above two 6 storey podiums on Dantzic Street to form 634 homes. 611 would be apartments with 13 townhouses and 10 maisonettes. 35% would be one bedroom, 55% two bedroom and 10% 3 bedroom offering a range of choice and accommodation would be attractive to families as well as smaller households.

The tower A, at 37 storeys, is at the junction of Gould Street and Dantzic Street followed by the tower B at 18 storey tower and the tower C at 26 storey tower. The distances between the towers has been maximised for privacy and to maximise views. A lower level block, 6 storey block on Dantzic Street and Bromley Street would include townhouses, maisonettes and commercial uses creating front doors onto the street.

Shared indoor and outdoor amenity spaces would be created on two podiums with private and semi-private amenity space and balconies. Podium A is the south of Bromley Street adjacent to Tower A. Podium B is located to the east of Bromley Street between towers B and C.

This 0.97 hectares vacant site is bounded by Dantzic Street, Gould Street, a railway viaduct and a warehouse unit. It is bisected by Bromley Street which lies in a northwest-southeast orientation. Bromley Street is closed.

The Planning Officer had nothing further to add to the application.

No objector was present at the meeting.

The applicant's representative spoke to the Committee on the application.

The Chair invited member of the Committee to comment on the application.

Members referred to the design of the proposal and officers were asked if the design was age friendly to enable residents to age in place and officers were asked if the proposal would include a local labour agreement to provide employment opportunities for local people.

The Committee was informed that there are a number of types and styles of accommodation proposed including houses and apartments gardens which would be suitable for all age groups. In addition, the Committee was informed that the S106 agreement did include a local labour agreement.

In welcoming the application the Chair noted that the development would include 20% affordable housing across the development.

Councillor S Ali made a request to move the recommendation and this was seconded by Councillor M Watson.

The Committee supported the recommendation.

### **Decision**

Minded to Approve subject to the signing of a section 106 agreement in relation to affordable housing and the conditions and reasons set out in the report submitted.

#### **PH/20/50      125596/FO/2019 - Land Bounded by Hulme Hall Lane, Varley Street, Iron Street, Coleshill Street and Rochdale Canal Manchester M40 8HH - Miles Platting & Newton Heath Ward**

This application relates to a housing-led mixed use development. It involves 410 new dwellings (Class C3) and 744sq.m of commercial floorspace comprising Class A1 (retail), Class A3 (restaurant/cafe) Class B1 (business/office use), together with recreation open space and landscaping, infrastructure provision and car parking. Following recent changes to planning legislation, the Class A1, A3 and B1 uses now fall within use Class E and the title of the application has been changed accordingly.

There would be a variety of house types ranging in size and design (2 bedroom 4 person, three bedroom 4 person, three bedroom five person and three bedroom six person houses) along with 107 apartments. All would meet the Council's approved space standards.

The development would include two blocks of apartments located along the south western boundary of the site adjacent to Varley Street, close to the junction with Holland Street, with a further two blocks fronting onto Hulme Hall Lane in proximity to Coleshill Street. The apartment blocks would be part four, part five, and five storeys in height. The rest of the site would then include the dwellinghouses, which would be either 2 or 3 storeys in height.

The layout would be in the form of a gird iron pattern of buildings with the majority of houses facing onto the street (some terraces facing the canal would face onto pedestrian routes which link to the proposed highways). Each would have a small rear garden and access to larger shared courtyard areas which would include some off street parking provision. These areas would be secured, On street parking controlled by the use of permits is also proposed.

A range of different tenures are included, build to rent and affordable housing being delivered through a registered provider (One Manchester). Overall there would be 36 Shared Ownership, 34 Affordable Rent, 44 rent to buy and 296 Build to Rent

The proposed commercial floorspace would primarily be located at ground floor level within the apartment block fronting onto Hulme Hall, the café element of the scheme would be located at ground level facing onto the canal with a flat above.

As noted there would be a new highway network into and around the site, which would connect Hulme Hall Lane in an east west direction to Varley Street. Car parking has been provided at a provision of 310 parking spaces, 438 cycle spaces and 22 parking spaces for disabled users which are all included within the proposed development. Parking for the most part is in the form of on street bays and would be managed through a residents permit scheme.

Associated landscaping, boundary treatments, new highways with street trees, and significant site remediation is also proposed. The layout of the site incorporates seven key areas of open space each with its own distinct character but which would create a chain of practical and useable space for future and existing residents.

The scheme would also necessitate the provision of a number of substations within the overall site.

The Chair invited the Planning Officer to present the Item.

The Planning Officer informed the Committee that additional information had been provided within the 'Supplementary Information on Applications' document, previously circulated. The Committee was informed that an objection had been received from a ward councillor regarding the loss of football pitches and recreational land. As a result of concerns raised an amendment was recommended to be made to the legal agreement to include a payment for the provision of recreational /sports facilities, with the current green space to remain in use until any new or upgraded facility becomes available. In recognising the potential for a 'rat run' through the development it is proposed that a further condition is added with the condition wording to be delegated to the Director of Planning in consultation with the Chair of the Planning and Highways Committee. In addition, Condition 7 of the application, referencing offsite highways works on Traffic Regulation Orders would need to be amended to reflect the additional condition. Significant alterations to the canal frontage have been proposed by the applicant and agreed by the Canals and Waterways Trust including the removal of railings and the addition of new access points and these would be subject to an amendment to the existing proposed conditions to ensure full details of accessible access points to the canal are first agreed. A number of remediation works were also proposed and contained within the supplementary information. The recommendation to the Committee remained Minded to Approve subject to the amendment to the legal agreement and the inclusion of further condition and changes to the existing conditions as outlined.

No objector attended the meeting.

The applicant's representative addressed the Committee on the application.

The Chair invited the Committee to make comments on the application.

A member welcomed the proposal and the opportunity that it would bring to the area but expressed concern on the lack of consultation with local councillors by officers. In addition, concern was expressed regarding a potential rat run through the development which had not been identified in the report. An assurance was sought for a physical barrier would be installed to reduce vehicle speed to protect

pedestrians and better access to the Rochdale Canal for the public. The Committee was informed that there are three pitches as part of the green space and no contact had been made with Sport England on the proposal to remove the pitches. It was requested that any financial agreement be in consultation with local councillors and would benefit local residents. The proposal was welcomed for the reasons that it will provide affordable good quality housing and use a brown field site requiring significant remediation works.

The planning Officer gave an assurance that the additional condition would address the concern of a 'rat run' and the legal agreement would be robustly worded to address the loss of green space and provision of a new or upgraded facility.

A member referred to the use of parking permits as part of the proposal and expressed concern that this may push parking onto existing residential areas and needed to be addressed to prevent it. Reference was also made on the lack of timely consultation with ward councillors on the application. Officers were asked to include ward councillors in the consideration of the additional highways condition.

The Planning Officer reported that the adopted roads within the controlled parking zone would subject to the existing wider controlled parking zone. Private roads would be subject to parking management measures on match days.

The applicant's agent addressed the Committee on the application.

Director of Planning noted the concerns of members regarding consultations and offered to bring together officers from the service areas concerned to meet with local councillors to work through and address the concerns that had been raised.

A member took issue with the statement from the applicant's agent that local councillors had been consulted and stated that this was not the case. The Chair was requested to write to the Chief Executive to highlight the issues on consultation and involvement of local councillors arising from the application to ensure they are not repeated in future applications.

Councillor G White made a request to move the recommendation and this was seconded by Councillor J Flanagan.

The Committee supported the recommendation.

## **Decision**

1. Minded to Approve – subject to a section 106 legal agreement and amendment as outlined relating to a payment towards improved /new facilities to replace the green space to be lost, a clause relating to the timing of delivery of these facilities, a mechanism to re-test the viability of the development in relation to the delivery of affordable housing, should there be a delay in the implementation of the planning permission, together with a further review prior to the occupation of the development, and to finance the future administration, enforcement and maintenance of the residents permit parking scheme. An additional condition to address the creation of a 'rat run' within the development and also rewording of

existing proposed conditions in order that details of accessible access points to the canal are agreed, with the wording to be delegated to the Director of Planning and the Chair of the Planning and Highways Committee a subject to the additional conditions outlined in the supplementary information document.

2. That the Director of Planning facilitate a meeting with local ward councillors and officers involved in the areas of service concerned to address issues that have been identified relating to traffic calming measures arrangements to maintain access to green and recreational space and public access to the Rochdale Canal.

**PH/20/51      127053/FO/2020 - Vacant Land on the corner of Victory Street and Claremont Road Manchester M14 5AE - Moss Side Ward**

This application relates to the erection of four two storey houses with associated car parking and landscaping. The application site comprises vacant land (previously used to accommodate residential housing until between 1961 and 1979) measuring 923m<sup>2</sup> in size.

The land is currently in an unkempt condition, it currently features a number of trees and a significant area of dense vegetation undergrowth, it is located on the west side of Victory Street near to its junction with Claremont Road. The site is located in Moss Side Ward.

The Chair invited the Planning Officer to introduce the application. The Planning Officer informed the Committee that additional information had been provided within the 'Supplementary Information on Applications' document, previously circulated. There was no further information to present on the application.

There was no objector to the application and the applicant did not attend the meeting.

Councillor M Watson made a request to move the recommendation and this was seconded by Councillor J Flanagan.

**Decision**

To approve the application, subject to the conditions and reasons set out in the report submitted and the Late Representations submitted.

**PH/20/52      126435/FO/2020 - 27 Trenchard Drive Manchester M22 5LZ  
Woodhouse Park**



The application site relates to the conversion of the existing dwelling to create 2 no. three bedroom dwellings; and the erection of 2 x 4 bedroom dwellings with associated car parking and landscaping.

This application was placed before the Planning and Highways Committee on 27 August 2020 and at that meeting the committee deferred deliberation in order to allow Members to undertake a site visit due to concerns about overdevelopment and the impact on the community from construction vehicles.

The application site measures 1,421m<sup>2</sup> in size and is located on the western side of Trenchard Drive. It is irregular in shape and consists of nos. 25 and 27/29 Trenchard Drive. No. 25 Trenchard Drive was a former garage that was converted into a dwellinghouse, albeit without the benefit of planning permission, while nos. 27/29 Trenchard Drive, was originally a pair of semi-detached dwellings that was last used as a single residence (now vacant following a fire).

The Committee had undertaken a site visit to view the development site and surrounding area.

The Planning Officer informed the Committee that additional information had been provided within the 'Supplementary Information on Applications' document, previously circulated.

An objector to the application addressed the Committee.

The applicant's agent addressed the Committee on the application.

A Ward Councillor addressed the Committee in objection to the application.

The Planning Officer advised the Committee that in response to the objections raised regarding overdevelopment it was necessary to show significant harm the development would cause. The size of the development had been reduced and the properties would have larger gardens with tree planting and eight parking spaces.

The Chair invited the Committee to comment on the application.

Members referred to the site visit and opportunity to view the application site and in doing so supported the application, in view of the changes made by the applicant following consultation with planning officers.

Councillor Y Dar made a request to move the recommendation and this was seconded by Councillor S Ali.

### **Decision**

To approve the application, subject to the conditions and reasons set out in the report submitted and the Late Representations submitted.

**PH/20/53 125871/LL/2020 - 42 - 46 Thomas Street (including 41-45 Back Turner Street) Manchester M4 1ER - Piccadilly Ward**

This application relates to the demolition of 42, 44 and 46 Thomas Street (including 41, 43 and 45 Back Turner Street) to facilitate redevelopment of the wider site under extant planning permission and listed building consent ref: 113475/FO/2016 and 113476/LO/2016.

At its meeting on 27 August 2020 the Committee resolved that it was 'minded to refuse' this application on the basis that the demolition would be contrary to policies on the conservation of historic assets in the city which represent Manchester's working class heritage. They requested officers to bring a report to the next meeting to address their concerns.

Officers believe that the case setting out why these buildings cannot be retained was clearly set out in the previous report and on that basis they do not believe that a reason for refusal can be substantiated. However, there are policies that seek to protect the historic environment and if Members remain sufficiently concerned about the validity of the case to support the demolition the following reason for refusal is suggested:

The demolition of 42-46 Thomas Street would fail to preserve or enhance the Grade II designated heritage asset causing irreversible harm through the total loss of the buildings which would not meet the tests set out in section 16 of the National Planning Policy Framework (Conserving and Enhancing the Historic Environment) as a clear and convincing justification for the loss has not been provided and it has not been demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. It is therefore considered to be contrary to Government Guidance contained in Sections 16(2) of (Listed Buildings and Conservation Areas) Act 1990 and The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) CC9 (Design and Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Notwithstanding the suggested reason for refusal, for the reasons set out in the remainder of the report, the recommendation of officers is that this application be approved subject referral to the Secretary of State in accordance with the Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015

The Chair invited the Planning Officer to introduce the report. The Committee was advised that the recommendation of planning officers was that the application should be approved, however if it was the Committee's decision to refuse the application the report provided reasons to support the decision.

No objector attended the meeting.

The applicant's agent addressed the Committee on the application.

A ward councillor addressed the Committee in objection to the application.

The Planning Officer responded to the issues raised and stated that the buildings were currently in a poor state of repair and it was unlikely that sufficient funds would be available to rescue the buildings and further decline was inevitable. In the current state the buildings had no commercial value.

The invited the Committee to comment on the application.

Members in commenting on the application referred to the heritage value of the buildings and the historical importance they hold in terms of Manchester's textile history. It was considered that the historic value of the building outweighed the value provided by the development and for that reason the application should be refused.

Councillor White made a request to move refuse and this was seconded by Councillor J Hitchen.

### **Decision**

Refuse - the demolition of 42-46 Thomas Street would fail to preserve or enhance the Grade II designated heritage asset causing irreversible harm through the total loss of the buildings which would not meet the tests set out in section 16 of the National Planning Policy Framework (Conserving and Enhancing the Historic Environment) as a clear and convincing justification for the loss has not been provided and it has not been demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. It is therefore considered to be contrary to Government Guidance contained in Sections 16(2) of (Listed Buildings and Conservation Areas) Act 1990 and The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) CC9 (Design and Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

### **PH/20/54 125655/FO/2019 - Water Street Manchester M3 4JQ - Deansgate Ward**

Consideration of this application was deferred at Committee on 27 August 2020.

At its meeting on 30 July 2020 the Committee resolved that it was 'minded to refuse' the application on the grounds that the number of units proposed was too large and it did not provide sufficient parking for disabled people. They requested officers to bring a report to the next meeting to address these concerns.

The site, known as T1, is 0.32 ha and bounded by Water Street, Manchester Goods Yard, and Grape Street. It is accessed from Water Street and is in use as a construction site for Manchester Goods Yard. The original planning permission (114385/FO/2016) approved the Manchester Goods Yard offices and a residential 'Tower (T1). Manchester Goods Yard is under construction and this proposal would replace the 'T1' element of that permission.

This application would supersede the Tower 1 element of the previous permission with a 32 storey building comprising 390 Co-Living Apartments with 210no. 2-, 3-

and 4-bed shared apartments and 180 studios with 870 Bedspaces. There would be ancillary amenity space on four floors consisting of residents' amenity space, a gym, commercial space, and self-storage. There would be 152 cycle spaces in the building and 40 sheffield stands in the public realm.

Planning Permission has previously been granted for the demolition of all buildings and structures and the erection of a 32 storey residential building comprising 350 homes (Class C3) with retail uses at ground floor (Classes A1/A2/A3/A4); an 8 storey mixed use building comprising workspace (B1), with retail uses (Classes A1/A2/A3/A4) and residential live/work uses; and, the creation of new public realm, landscaping, car and cycle parking, access and other associated works.

The Chair invited the Planning Officer to introduce the application.

No objector was present at the meeting.

The applicant's agent addressed the Committee on the application.

The Chair invited the Committee to comment on the application.

Members of the Committee referred to the issues previously raised by the Committee regarding the scale of the development and the untested concept of co-living in Manchester and the space provided. Reference was also made to the provision of disabled parking and the necessity of ensuring provision is available for residents and visitors without charging at a prohibited level.

The Planning Officer noted the comments made and explained that the units within the development that could be permanent homes do meet space standards. Issues relating to additional parking would be included in the S106 agreement and conditions attached to the approval notice to the applicant.

Councillor S Ali made a request to move the recommendation and this was seconded by Councillor N Ali.

## **Decision**

Approve subject to:

- a s.106 covering occupancy, long-term management, payment of Council Tax, reduced rental provision and waste management.
- Inclusion in the s106 agreement of 35 disabled parking spaces for residents and visitors that are not charged at a prohibited level.

(Councillor Monaghan did not take part in the consideration of the application.)

**PH/20/55      125573/FO/2019 - Plot 11 First Street Comprising Land Bound by Hulme Street to the North, Wilmott Street to the East, the Unite Parkway Gate Development and Mancunian Way to the South and Medlock Street to the West Manchester - Deansgate Ward**

This application relates to the construction of four buildings of heights varying from 10 storeys to 45 storeys together comprising Co-living bedspaces (use class sui generis) and associated amenity facilities, with ground floor commercial units (Use classes A3 (Café / Restaurant and D2 (Gym)), private amenity space and public realm comprising hard and soft landscaping, car parking and cycle facilities and other associated works.

Plot 11 First Street Comprising Land Bound By Hulme Street To The North, Wilmott Street To The East, The Unite Parkway Gate Development And Mancunian Way To The South, And Medlock Street To The West, Manchester

At its meeting on 27 August 2020 the Committee resolved that it was 'minded to refuse' the application on the grounds of the impact on neighbouring residential areas in Hulme and the development is in conflict with policies on current space standard and previous reports from the Executive. They requested officers to bring a report to the next meeting to address these concerns.

The site is an integral part of First Street and is clearly within the City Centre. It is part of a broad sweep of land to the north of the Mancunian Way which has been identified for high density development for over 20 years and includes Great Jackson Street, First Street, Circle Square, UMIST/IQ/ID and Mayfield. It is one of the few remaining areas in the City where the Councils commercial and growth ambitions can be delivered. The committee has previously approved schemes within these areas of a similar overall density and what is proposed here is not unusual.

The southern boundary of the site is adjacent to the Mancunian Way which is an interface with Hulme, This stretch of the Mancunian way is 18m in width and includes an elevated section which clearly separates this part of the City Centre from Hulme. The closest part of the development to any residential property in Hulme is 67m. The impacts of the scheme in terms of amenity are clearly set out in the main body of the report and these are all considered to be acceptable. On this basis officers do not believe that a reason for refusal on these grounds could be substantiated.

The Chair invited the Planning Officer to introduce the application.

The Planning Officer made reference to economic information contained within the application which provided an outline of potential benefits of the proposal for:

- employment creation of direct and in direct jobs and apprenticeships;
- inclusion of a local labour agreement;
- the overall benefit the city economy and workforce.

There was no objector present at the meeting.

The applicant's agent addressed the Committee on the application.

The Chair invited the Committee to comment on the application.

A member referred to size standards of the studio accommodation which had been considered as unacceptable by the Committee. The point was made that during the Committee's site visit it was noted that the residents of Hulme had a view of the

Mancunian Way and this was not shielded in any way. Officers were asked if an agreement could include help with landscaping to improve the view and reduce road noise for Hulme residents.

The Planning Officer explained that the planning response to issues raised on the space standards of the development had not changed. In response to the point raised on the impact of the development on residents of Hulme it was reported this was not mitigation to support refusal of the application.

Members of the Committee raised a concern that applications that have been previously agreed could result in a new altered application which could make refusing difficult for the Committee. The point was made that co-living could result in residents paying more and living in smaller substandard accommodation. Officers were reminded that the Executive report on co-living had recommended caution in the development of proposals and this should be observed in consideration of the application.

The Planning Officer reported that there is no incentive for people to stay in smaller space accommodation for the reason that it is more expensive. The Council's Executive had agreed to use three locations to test the concept of co-living. The Committee was asked to note the development will help to provide choice of different styles of accommodation to meet demand and the management of the development when completed will be of a very high standard. The Committee was advised that the three locations identified for co-living developments were St John's, Piccadilly/ Northern Quarter and the Southern Corridor. The developments proposed would provide around four thousand five hundred units and it was not proposed to bring further developments of this scale at this time. A cautious approach had been taken with the size and scale of the developments as recommended by the Council's Executive. It was projected that users of the short term tenancy arrangement would vary in length and would provide an alternative to staying in an aparthotel.

A member indicated that they would oppose the application for the reasons that the scale and massing of the development would have a detrimental impact on listed building within the vicinity and loss of amenity for Hulme residents.

The Planning Officer stated that the assessment of the impact of the development of listed buildings had been provided in the planning report and was less than the impact of the previously agreed application for the site. On that basis there were no policy based reason to refuse the application.

A member referred to disabled parking arrangements and proposed that an additional forty four spaces be made available for disabled residents and visitors either on site or off site and that this be included in the s106 agreement.

The recommendation for approval of the application subject to the inclusion of forty four additional disabled parking spaces for residents and visitors either on site or off site to be included in the s106 agreement was proposed by Councillor Flanagan and seconded by Councillor S Ali.

## **Decision**

Minded to approve, subject to a legal agreement in respect of the Heads of Term and the inclusion of forty four additional disabled parking spaces for residents and visitors, either on site or off site, to be included in the s106 agreement.

(Councillors N Ali and Monaghan did not take part in the consideration of the application.)

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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
126912/FH/2020	21st May 2020	22 October 2020	Crumpsall Ward

**Proposal** Erection of a two storey side extension and a single storey rear extension together with the installation of a front dormer, including a velux window and a dormer to the rear, porch and canopy to form additional living accommodation.

**Location** 1C Ardern Road, Manchester, M8 4WN

**Applicant** Mr S Benjamin , 1C Ardern Road, Manchester, M8 4WN,

**Agent** Mr Kevin Maloney, Blueprint CAD Ltd, 3 Ridgeway, Lowton, Warrington, WA3 2QL

### Executive Summary

**Proposal:** Erection of a two storey side extension and a single storey rear extension together with the installation of a front dormer, including a velux window and a dormer to the rear, porch and canopy to form additional living accommodation.

The proposal includes at ground floor level the addition of a kitchen, hallway, WC and morning room. The first floor includes two bedrooms and a utility room and the roof space includes two bedrooms and a shower room.

**Objections:** 9 objections were received to the original submission. After a revised scheme was submitted 7 objections were received. Overall 24 properties were consulted and 5 objections were received from two addresses and an objection letter from a planning consultant was received on behalf of a resident. Main concerns relate to the impact of the proposal on the Crumpsall Lane Conservation area. The proposal would be detrimental the amenity and visual amenity of area and for the occupiers of the surrounding properties.

**Principle:** The proposed development is an extension to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. The scheme submitted is now considered acceptable and in accordance with Saved UDP policy DC1 and DC18 and Core Strategy Policies SP1 and DM1 due to the reasons mentioned below.

Key Issues:

- The visual impact of the proposal in relation to the street scene and on the Crumpsall Lane Conservation area.
- The impact on the amenity of the neighbouring occupiers.

The proposed scheme has been amended since the application was originally submitted in order to overcome concerns in relation to the impact on the character of the street scene, the Conservation Area and the neighbouring occupiers. The proposed extensions are now subservient to the appearance of the main house with the impact on the character of the Conservation Area being acceptable.

The proposal would allow a house to be extended in a way to improve the accommodation to meet the needs of a family.

A full report is attached below for Members consideration.

## **Description**

This Planning Application relates to 1C Ardern Road, Crumpsall. 1C Ardern Road is a semi-detached dwellinghouse of modern brick construction, situated in the Crumpsall Lane Conservation Area, on land formerly part of the curtilage of another house. The Application property backs onto Town Green Court.

Planning Permission is sought for the erection of a two storey side extension and a single storey rear extension together with the installation of a front dormer, including a roof light window and a dormer to the rear, porch and canopy to form additional living accommodation.

The existing off-road parking provision would not be affected by the proposal. The front elevation of the two storey side extension would be set back from the front elevation of the dwelling house. Pedestrian access remains from the front to the rear of the property. Two obscurely glazed windows proposed would be inserted within the side elevation of the proposed side extension. The proposal includes at ground floor level the addition of a kitchen, hallway, WC and morning room. The first floor includes two bedrooms and a utility room and the second floor includes two bedrooms and a shower room.

## **Planning History**

There has been one previous planning application approved at the site referenced 097756/FH/2011/N1: for the erection of single storey side extension and loft conversion with rear dormer to form additional living accommodation. Only the single storey side extension has been implemented.

## **Proposal**

The proposed scheme has been amended since the original submission. The details of the proposal are as follows;

The single storey rear extension abuts the shared boundary with the neighbouring property, the common boundary is formed by a fence. The extension projects from the rear elevation of the original dwelling house by 4m in length and has a total height of 2.9m. The single storey rear extension includes a roof lantern and a window facing the garden. A patio door would be inserted to access the garden from the side elevation of the extension.

The two storey side extension measures 2.9m in width. The first floor front elevation has a setback of 1m from the front elevation of the main house. The two storey side

extension has a gap that diminishes in distance from the common boundary of the neighbouring property which is divided by a fence. The distance from the common boundary and the proposed gable is 1 metre reducing to 0650mm, the narrowing occurs from front to back. Two windows would be inserted on the rear elevation of the two storey extension facing the rear garden of the application site. Two obscurely glazed windows would be inserted into the side elevation at ground and first floor level.

The rear dormer window extension sits within the original roof space and measures 5 metres in width. The dormer does not project above the ridge line and is pulled in away from the side edge of the original roof. The front dormer is smaller and measures 2.7m in width. The dormers would be clad with tiles which would match the existing roof. A Velux window would be inserted next to the dormer extension on the front roof elevation.

Further, alterations to the front elevation of the property includes the creation of a porch that would replace the existing door canopy. The tiled canopy in situ above the bay window would continue across the front elevation of the proposed side extension.

No front boundary alterations are proposed as part of this proposal. The front garden area would be block paved including a small part of the lawn area to create additional parking space. The proposal includes block paving the rear amenity space and the creation of a boundary wall.



The proposal set out above has been amended from the original proposal. As initial concerns were raised in relation to the proposal as the extension did not appear subservient to the host building and the following amendments were made:

- The first floor front elevation was set back by 1 metre.
- The single storey rear extension was reduced by 2m in projection.
- One of the front dormers were removed and replaced by a Velux window.
- The rear dormer was reduced to fit within the original roof space by 2744mm in length.
- The roof height of the two storey side extension was lowered.

## **Consultations**

The application was advertised in the local press as affecting the Crumpsall Lane Conservation Area and a site notice was erected close to the site.

The occupiers of the surrounding properties were consulted and the original proposal received nine letters of objections.

The objectors raised concerns regarding the following issues:

- The side extension would lead to a significant loss of light and would be detrimental to privacy for the occupiers of the surrounding properties.
- The proposal in terms of its design and appearance would be out of character with the Crumpsall Lane conservation area.
- The front dormers specifically would be out of style and detract from within the street scene and within the conservation area.
- The design scale and magnitude of the proposed extension would be disproportionately large and out of keeping with the character of the host building and the area in general.
- The supporting information relating to the conservation area does not contain an accurate assessment of the character of the Crumpsall Lane Conservation Area.
- The proposal is considered to be overdevelopment due to the amount of bedrooms created.
- The existing side foundations may not be adequate to support a two-storey extension and the rear boundary wall is robust enough to retain the land that slopes.
- The construction work may undermine the integrity of a Horse Chestnut Tree which lies within the curtilage of the property known as Town Green Court.
- The planning application should be determined by elected member's not council officials.
- The extension may be used for other purposes other than a residential dwelling house.

An objection letter was received from a planning consultant relating to the original and the revised proposal, on behalf of a local resident. The representation included an analysis of planning policy outlining why the proposal was considered contrary to policy. The overarching issues raised related to the detrimental impact the proposal

would have in terms of visual and residential amenity within the area. The key issues raise are as follows:

- The heritage statement has not been updated since the revised scheme was submitted and the statement does not demonstrate how the proposals would reinforce or enhance local character, nor does it demonstrate how the proposal complies with policy that is contained within the Core strategy for Manchester or the Unitary Development Plan for Manchester.
- No information has been provided detailing how the proposal would impact on nearby trees, specifically in relation to the rear boundary wall.
- The extension would detract from the character and appearance of the original house, the street scene and the Conservation Area by reason of the siting, design and size.
- The front dormer would be unduly dominate and the front porch would project prominently forward of the existing building line.
- The extant permission for the rear dormer is smaller in size.
- The siting, length and scale of the proposed rear and side extension would cause shadowing, loss of light, diminish the outlook and be visually intrusive for the occupiers of the neighbouring properties.
- Permitted development right should not be considered as a material consideration when determining proposals in a Conservation Areas.
- The front dormer would be detrimental to the privacy of the opposite properties.
- Insufficient gap between boundaries which would result in very little scope to erect a two storey side extension without encroaching on the neighbouring property.
- The extension is excessively large and bulky.

Since the amended scheme was submitted local residents were re-notified of the revised proposal and seven objection letters were received.

The comments contained within these letters were consistent with the previous concerns raised, which related to the proposal having a detrimental impact on the conservation area and the street scene, quality of appearance of the extension in relation to the host building and the detrimental impact on the amenity for the occupiers of the surrounding buildings, concerns regarding the use of the building, construction methods and impact on nearby trees.

## **Policies**

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.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied.

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

### **National Planning Policy Framework**

Paragraphs 184 through 202 relate to Conserving and Enhancing the Historic Environment.

Paragraph 184 states these assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 185 refers to the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation.

Paragraph 192 says that in determining applications, local planning authorities should take account of:

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

Paragraph 193 says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

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

Paragraph 201 states that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

It is acknowledged within the NPPF which is set out above, that development needs to take place within areas of special control such as conservation areas, to ensure development makes positive contribution to conserve heritage assets and in turn can

make a positive contribution to sustainable communities including their economic vitality. The impact of the development to extend a dwelling house accords with Paragraph 184 and 192, which states that conservation areas should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The proposed extension allows the occupier to extend their home without causing significant harm to the character of the conservation area. Therefore, it is considered that the development makes a positive contribution to local character and distinctiveness. Paragraph 185 refers to the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation. Therefore, this proposals accords with the policy 184 and 202 of the NPPF.

**Chapter 12: Achieving well-designed places** - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124).

Paragraph 127 further states that planning decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and landscaping;
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting.

The proposed development has been appropriately related to the existing house and neighbouring housing. It is not considered that the development would impact upon neighbouring houses due to their juxtaposition and arrangement of space between them. It is considered that the quality of design has been appropriately related to the existing house and conservation area to thereby accord with chapter.

## 12. Chapter 16: Conserving and enhancing the historic environment

Paragraph 189 - States that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

In this case, it is considered that the development suitably reflects the composition of the existing house to thereby maintain its relationship to the surrounding conservation area.

**Planning Practice Guidance** - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the NPPG:

- i. Consultation and pre-decision matters (ID:15);
- ii. Design (ID:26) - Good quality design is considered to be an integral part of sustainable development;
- iii. Health and well-being (ID:53).



In this case, appropriate neighbour and statutory consultation had been undertaken. The design is satisfactorily related to the original house. The proposed extension would not unduly harm residential amenity. The above sections of PPG would therefore be satisfactorily responded to.

**Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027** ('the Core Strategy') was adopted by the Council on 11th July 2012.

Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

**Policy SP 1 Spatial Principles** - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

- i. The creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.
- ii. The development should make a positive contribution to neighbourhoods of choice including:
  - a. Creating well designed places that enhance or create character.
  - b. Making a positive contribution to the health, safety and wellbeing of residents
  - c. Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
  - d. Protect and enhance the built and natural environment.

It is considered that the appearance of the development would present an acceptable design, it would be appropriate to the character of housing in the conservation area, improve the quality of the existing accommodation to meet changing household needs and maintain existing levels of residential amenity within the area. It would thereby accord with policy SP1.

**Policy EN1 (Design Principles and Strategic Character Areas)** - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. In this case, it is considered that the quality of the proposed design would respond positively to the existing built form and achieves a cohesive design response that relates strongly to the character and proportions of the host building. The development would thereby accords with policy EN1.

**Policy EN3 (Heritage)** - Is relevant to the consideration of the proposed development its location within the Crumpsall Lane Conservation Area. In such circumstances, policy EN3 requires that new developments is designed to enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance. Policy EN3 has been related to the relationship of the proposed extension and alterations to the building, including its height, proportions and siting, to the Crumpsall Lane Conservation Area. It is considered that the development would result in a modest extension with design features, including the composition of the extension would contribute positively to the surrounding context.

**Policy EN15- Biodiversity and Geological Conservation** - the Council will seek to maintain or enhance sites of biodiversity throughout the City.

Particular consideration will be given to the Council's objective to protect trees. There are no trees within the curtilage of the application site that would be detrimentally affected as a result of the extension. Other trees outside the application site are a sufficient distance away from the proposed works not to be detrimentally impacted by the proposed works. Therefore, the proposal accords with the policy EN15.

**Policy EN19 Waste** - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how: ii. How the sustainable waste management needs of the end user will be met. The existing waste storage arrangements in the rear yard would be retained to secure compliance with policy EN19.

**Policy DM 1 Development Management** - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

- i. The impact of the development on the character of the surrounding area;
- ii. Effects on amenity, including privacy;
- iii. Adequacy of internal accommodation and external amenity space;
- iv. Refuse storage and collection;
- v. Vehicular access and car parking.

It is considered that the development would be appropriately related to its context in terms of design, potential impact on residential amenity and retained arrangements for waste storage. Policy DM1 would thereby be accorded with.

**Saved Unitary Development Plan** - The following policies are considered to be relevant:

**Policy DC1 - Residential Extensions**

Policy DC1.1 - States that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the street-scene;
- e. The effect of the loss of any on-site car parking.

**Policy DC1.2** - States that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- b. They do not create an undue loss of sunlight, daylight or privacy;

- c. They are not out of character with the style of development in the area or the surrounding streetscene by virtue of design, use of materials or constructional details;
- d. They would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

**Policy DC1.3** - Sets out the circumstances whereby, notwithstanding the generality of the above policies, the Council will not normally approve planning permission for residential extensions. The relevant aspects in this case are the extent of rearward extensions and the potential impact on privacy. It states, amongst other things, that the Council will not usually approve rearward extensions greater than 3.65 metres in length.

**Policy DC1.4** - In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved. As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

It is considered that the proposed development would be a proportionate addition to a family house given the capacity of the site and the maintenance of distinctive spaces between houses. Incorporation of matching brickwork is considered to be a positive feature and, it is considered, that a coherent and satisfactory design has been brought forward to secure compliance with saved policy DC1.

**Policy DC18 (Conservation Areas)** - States that the City Council will give particularly careful consideration to development proposals within conservation areas. It states that:

- a. The Council will seek to preserve and 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).

**Policy CC5** – states, ‘the Council will act to maintain and improve areas of recognised townscape value, and will encourage the conservation and refurbishment

of buildings of character and quality, especially:- a) within the general area of Crumpsall Lane and Seymour Road; b) in the Crumpsall Green area. Reason: To conserve the distinctive character of these areas.

It is considered that the proposed development responds positively to policy SP1 and DM1 of the core strategy and policy DC18 and CC5 of the unitary development plan for Manchester, in that it would improve the living environment for the resident and thereby their well-being and continued occupation of the house. It is not considered that the development would undermine the residential character of the Crumpsall Lane Conservation Area due to the scale of the development, the quality of the proposed design and proposed materials.

## **ISSUES**

### **Design and Appearance**

The submitted application proposes to erect a two-storey side extension and a single storey rear extension together with the installation of a front dormer, including a Velux window and a dormer to the rear, porch and canopy to form additional living accommodation.

The 2-storey side extension is flush at ground floor level and set back by 1m at first floor level and the roof ridge line is set down. A gap of between 0.650m and 1m would be retained to the side boundary with 1B Ardern Road. The single storey rear extension would project 4 metres and runs along the shared boundary with the neighbouring property No. 1D Ardern Road. The front and rear dormer windows would be constructed out of roof tiles and glazing, the tiles would match the existing roof tiles. The canopy above the bay window would continue along the front elevation and a porch would demark the front entrance. There are no changes proposed to the front boundary treatment. However, a block paved area would replace an existing concrete flagged driveway. The existing lawn shall be reduced in size to allow for block paving. The rear garden area has no landscaping or lawn. The proposal includes hard landscaping and a boundary wall to be erected in the rear garden area.

The proposed development is considered to be in keeping with the character of the property by the use of similar design references and materials to match the existing dwelling. It would appear subservient to the original house and the 1 metre set back is sufficient to off-set the creation of a terracing effect and this set back together with the gap to the side boundary would retain a sense of space. The front dormer consists of a flat roof and sits comfortable between the ridge and the front of the roof.

Opposite to the application site there is a row of mews houses which have flat roofs. Three properties to the south west of the site also incorporate small dormer type window designs similar in appearance to the proposed front dormers. The proposal is therefore in keeping with other properties within the wider area and it is considered that the introduction of a front dormer window would not form an unduly intrusive feature within the street scene and would not be detrimental to the character of the area in general or to the character of the Conservation Area.

As a result of concerns raised, the scheme has been revised including the removal of a front dormer window and a reduction in size of the front and rear dormers, the two storey side and single storey rear extension have also been reduced in size. Therefore, it is considered that the proposal is in accordance with policy DM1, which states, all development should have regard to: Appropriate siting, layout, scale, form, massing, materials and detail, Impact on surrounding areas in terms of the design, scale and appearance of the proposed development. Therefore, the proposal is considered acceptable and would not have any adverse impact on the character of the street scene.



**(Image 1) Building at Junction of Middleton Road and Ardern Road west of the site**



**(Image 2) Mews Housing opposite the application site.**



**(Image 3) Building at the Junction of Middleton Road and Ardern Road south west of the site.**



**(Image 4) The application site viewed in conjunction with properties on Holland Road.**

### **Impact on the character of the conservation area**

The Crumpsall Lane Conservation Area consists of a variety of types of tenure, design and age of residential dwellings: three storey mews houses face the application site (Image 2) and on the same side of Ardern Road lies a variety of different house designs some of which are clad in timber and painted black and white in colour. Moving toward the junction with Middleton Road on the right side of the junction lies an Edwardian Villa that has been extended by the introduction of a large flat roof extension (Image 1). West of the site at the junction of Ardern Road and Middleton Road there is a modern apartment building that has a large proportion of the elevation facing Ardern Road ( Image 3). The application site lies within a row

of modern dwelling houses that can be seen in conjunction with period properties that lie on the junction with Holland Road (Image 4).

The character of this part of the conservation area contains various recent and more modern additions and interventions. The proposed extensions are not out of keeping with the context and overriding character. It is considered that the development in terms of its design, appearance and height, scale and massing would not undermine the character of the Crumpsall Lane Conservation Area due to the scale of the development, the layout, the quality of the proposed design and the proposed materials are be considered to be acceptable. On balance, it is considered that the proposed development would cause the lower end of less than substantial harm to the conservation area and therefore would be in accordance with, relevant policies and the tests within the NPPF with public benefits outweighing any harm.

Paragraph 201 of the NPPF states that not all elements of a Conservation Area will necessarily contribute to its significance. It is considered that the host building makes a small contribution to the character of the conservation area. The main body of the application property is visible in the main from the front of the property, whilst the rear is set into the site with limited views between the houses.

Paragraph 192 of the NPPF 2019 states that the following should be taken into account when determining applications that affect heritage assets.

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

The proposed development involves replacing an already existing side extension which is a fairly recent addition to the conservation area. It is not considered that the host building makes a significant contribution to the character of the conservation area. Therefore, extending the dwelling house is considered to cause the lower end of less than substantial harm to the character of the conservation area. The proposal would also allow a small family dwelling to be enlarged to create improved accommodation.

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;  
By allowing the occupier of the dwelling house to extend the property to provide for their growing needs helps contributes to creating more sustainable communities.

c) the desirability of new development making a positive contribution to local character and distinctiveness. The proposed development has been amended to allow the extension to be subservient to the host property by reducing the size, scale and massing of the extension and therefore the amended proposal is considered to be in keeping with the character of the conservation area by making a positive contribution to the character and distinctiveness.

Paragraph 197 states, 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 and 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.

As stated above, it is considered that the proposed works would have less than substantial harm on the character of the conservation area with the host building only having a very limited contribution to that character. The public benefits of the scheme are considered to outweigh any limited harm.

The heritage statement that accompanied the proposal was proportionate to the development proposed. The Council considers that the threshold for information is low in order not to impose an unnecessary burden on householders. The Heritage Statement submitted is commensurate to the scale of development and is deemed to be acceptable. Furthermore, there was sufficient information on the drawings to be able to properly assess the impacts of the proposal.

### **The layout of the proposal**

The area has varying types of boundary treatments that define the curtilage of the gardens. The application site lies within a row of four modern type properties that are situated on similar size plots. Each property has different boundary treatments that face Ardern Road and have different proportion of hard and soft landscaping treatments that are highly visible when viewed from within the street scene. The mews properties facing the application site comprise predominantly of hard landscaping to the front of the properties. The majority of the properties within the area have off street car parking provision.

The proposed alterations to the front garden are considered to be minimal and the introduction of block paving results in an improved aesthetic in comparison to the concrete flags that are currently in situ. The proposed single storey rear extension would not compromise the layout of the rear amenity space. Therefore, the proposal is in accordance with policy DM1, which states, all development should have regard to: Appropriate siting, layout, scale, form, massing, materials and detail, Impact on surrounding areas in terms of the design, scale and appearance of the proposed development. Therefore, the proposal is considered acceptable and will not have any adverse impact on the character of the street scene.

### **Impact on Residential Amenity**

With reference to potential impacts from the two storey side extension, the neighbouring property has a single storey garage along the common boundary and a gap would be maintained between the proposed extension and the boundary fence. The length of the side extension is similar in length of the neighbouring property and would not project beyond the existing rear elevation of both properties. It is not considered that the extension would result in any undue loss of light or overbearing appearance to the immediately adjoining house or to other neighbouring houses.

The rear dormer is set back from the edge of the roof and the bedroom window is positioned as such that no additional overlooking would occur and the distance from the boundary of the neighbouring property 1B Ardern Road is approximately 8 metres away and given the relationship to the neighbouring properties would be



appropriate and similar to that of existing windows within the application property. The front dormer bedroom window is over 21 metres away from the closest property on the opposite side of Ardern Road and would not result in any undue loss of privacy. It is considered that the proposed development is acceptable, in terms of the adopted Unitary Development Plan for the City of Manchester, including policies DC1, and Manchester's Core Strategy, including policy DM1

With reference to the proposed single storey rear extension this would project 4m from the rear elevation of the main house. This has been reduced in size. It is considered that this would not result in any undue loss of light or over bearing appearance to the occupiers of the adjoining property.

A condition shall be applied to any approval regarding no further windows in any of the elevations and to obscurely glaze the ground floor cloak room and the first floor washer dryer room window would be inserted on the side elevation facing no.1B Ardern Road.

It must be noted that planning permission has previously been granted for a rear dormer window extension at the application property and single storey rear extensions can be erected up to 3m in length without the need for planning permission or prior approval in most circumstances.

With reference to concerns that the application property may be used for other uses other than residential the applicant has confirmed that the use would be for a family house and a condition is recommended which limits the use of the dwelling to a C3a use.

### **Amenity Space**

The development would result in a very small loss of some private amenity space at the rear but sufficient space would be retained to serve the size of the plot which is otherwise of a good size. Therefore, this proposal is compliant with policy DC 1 of the Unitary Development Plan for Manchester and DM1 and SP1 of the Core Strategy for Manchester.

### **Car Parking**

Off street car parking is provided at the property and would be unaffected by the proposal. Therefore, the proposal is compliant with policy DC 1 of the Unitary Development Plan for Manchester and DM 1 and SP1 of the Core Strategy for Manchester.

### **Bin Storage**

Waste and recycling bins would continue to be stored at the rear of the dwelling and the gap to the side of the extension would retain access to the rear garden. Therefore, the proposal is compliant with policy DC 1 of the Unitary Development Plan for Manchester and DM 1, SP1 and EN19 of the Core Strategy for Manchester.

## **Boundary Treatment**

The boundary treatment to the front of the property remains the same and the floor plans provided show a boundary wall to be constructed within the curtilage of the rear garden area that runs along the entire width of the garden and partially along the common boundary. A boundary treatment condition will be attached to the consent controlling the positions, design, materials and type of boundary treatment to be erected. To ensure that the appearance of the development is acceptable in terms of the visual amenity of the area.

## **Trees**

No trees would be removed to erect the extension. However, concerns have been raised regarding potential detrimental impact on a horse chestnut tree on the adjacent site. In order to protect the adjacent trees during construction an appropriately worded condition is proposed requiring tree protection details together with a method statement. Therefore, it is considered that the proposal would not be detrimental to the integrity of the tree and therefore compliant with policy.

## **Landscaping**

The front garden currently comprises of a lawn and concrete flags. The proposal would seek to improve the appearance of the hard landscaping by replacing the concrete flags with block paving. The block paving is permeable and a condition has been attached to the consent. The hard landscaping would be increased in size by removing a small grassed area in the front garden in order to create additional space for car parking. This arrangement still allows for a small area of lawn within the front garden. The rear garden comprises solely of the hard landscaping which would replace grass. It is considered that this proposal in terms of its appearance is considered to be acceptable as it does not visually detract from the overall character of the conservation area. A condition is proposed requiring full details of boundary treatment to be agreed.

## **Construction**

Issues raised relating to the adequacy of foundations would be dealt with by building regulations.

## **Conclusion**

The proposed extensions are considered, on balance, to be acceptable and appropriate in this context within the street scene and within the character of the conservation area.

**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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

## **Recommendation**

### **Article 35 Declaration**

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the agent in a positive and proactive manner by requesting further information relating to the scheme and appropriate conditions to the approval have also been attached.

### **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: 126912/FH/2020 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**

**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:** Janine Renshaw-Livesey

**Telephone number:** 0161 234 4555

**Email:** janine.renshaw-livesey@manchester.gov.uk

**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:

Proposed Elevation Rev B,

Proposed Ground and First Floor Plans Rev B,

Proposed Second Floor Plan Rev B, stamped as received on the 17 September 2020. The Location Plan, stamped as received on the 22 May 2020.

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 external facing materials to be used on the extensions hereby permitted shall match those of the existing buildings in terms of type, colour, texture and scale.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

4) 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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings, Proposed Elevation Rev B, Proposed Ground and First Floor Plans Rev B, and Proposed Second Floor Plan Rev B, stamped as received on the 17 September 2020,

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) The ground floor toilet and cloak facility, the first floor en suite and washer/dryer room the second floor shower room on drawing titled, ' Proposed Elevation Rev B, Proposed Ground and First Floor Plans Rev B, Proposed Second Floor Plan Rev B', stamped as received on the 17 September 2020, shall be obscure 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

6) 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 development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and reenacting 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.

7) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

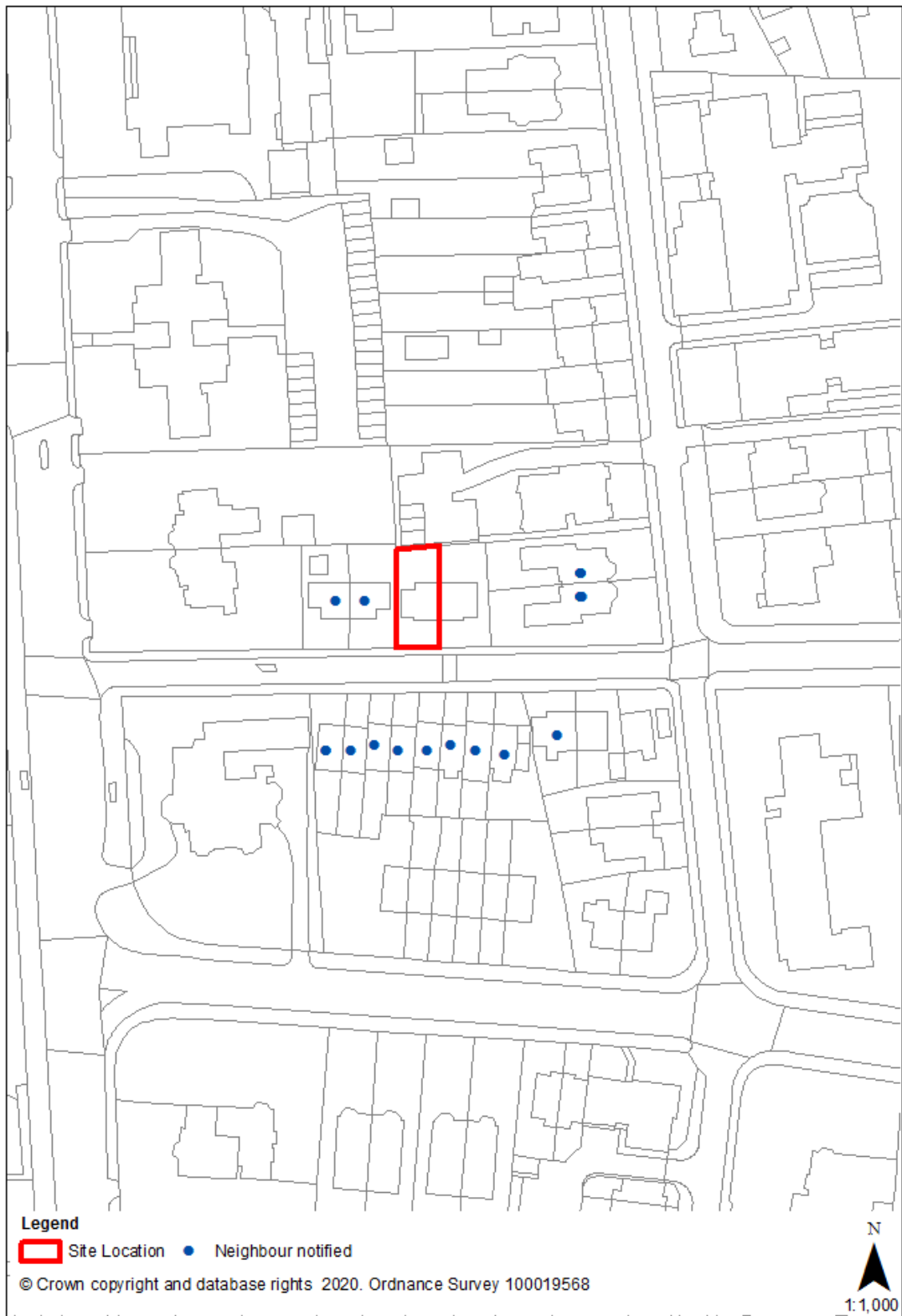
Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

(8) Prior to the installation of the proposed driveways and car parking areas hereby approved, a drainage scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained in situ thereafter.

Reason - To prevent the increased risk of flooding, improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

(9) Prior to the commencement of the development, a detailed method statement relating to works in close proximity to trees shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this include a plan identifying the location of trees affected by the development together with how the extension will be constructed to prevent damage or loss to the trees and their root systems. The development shall be carried out in accordance with the agreed method statement.

Reason - In order to agree a suitable method for working in close proximity to trees in order to prevent damage or loss pursuant to policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).



<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
127669/FO/2020	7th Aug 2020	22nd Oct 2020	Moston Ward

**Proposal** Erection of 4 storey building to form 3 x 1 bedroom and 30 x 2 bedroom residential apartments (Use Class C3) together with associated car parking, landscaping and access following demolition of existing building

**Location** Deanway DIY Store, 112 Kenyon Lane, Manchester, M40 9DH

**Applicant** Adelphi (Kenyon Lane) Developments Limited, 31-33 King Street West, Manchester, M3 2PN.

**Agent** Mrs Deborah Baker Barnett, Zerum, 4 Jordan Street, Manchester, M15 4PY

### Executive Summary

The proposal is for the erection of 4 storey building to form 3 x 1 bedroom and 30 x 2 bedroom residential apartments (Use Class C3), together with associated car parking, landscaping and access, following the demolition of the existing building.

146 addresses were notified of the application. In response, 59 representations have been received, including 57 objecting to the proposed development and 2 in support. No comments have been received from Members.

### **Key Issues**

**Demolition of the Existing Building:** The site is not in a conservation area and the existing building is not listed.

The applicant has explored options for both the retention of the existing building and/or its principal façade. None of which are considered suitable or viable.

The proposed demolition is necessary to facilitate the overall comprehensive redevelopment of the entire site. The proposed development would significantly uplift the appearance of the existing streetscape, adding and enhancing the overall quality of the area, whilst contributing to residential growth objectives.

It is considered that the loss of the building to facilitate redevelopment would offer public benefits by leading to environmental improvements, meet housing growth aspirations for the area, lead to increased vibrancy in the area and create direct and indirect employment through the construction of the proposed replacement building.

**Regenerative Benefits:** The proposed development would regenerate an unkempt and under used site and lead to the removal of the DIY store and associated service yard.

The proposed building would significantly improve the appearance of a site which could otherwise be left to further deteriorate and will substantially uplift the appearance of the area, by providing a high quality development.

**Residential Amenity:** The effects on neighbouring residents, including those to the rear along Brendan Avenue have been fully considered. This includes any impact associated with increased levels of activity, overlooking, overshadowing and over-dominance. Due to the siting, design and relationship of the proposed building with nearby properties, the impact is considered satisfactory.

**Car parking:** The level of off road parking has been fully explored. The proposed development offers in excess of 100% provision and considered acceptable.

**Affordable Housing:** The application has agreed to enter into a S.106 agreement which will enable 20% of the units to be offered on a shared ownership basis.

A full report is attached below for Members consideration.

## **Description**

The application site relates to large, detached, three storey building, formerly accommodating a cinema (Adelphi Cinema) and now in use as a DIY store.



**Existing building when viewed from Kenyon Lane**

The existing building built in circa. 1937 is of an Art Deco style and immediately adjoins the back of the pavement along Kenyon Lane. The building is primarily of red brick construction with square insets of white stone on the eastern and western elevations, with the northern, principal elevation further constructed of red brick overlaid almost entirely with white stone.

The main frontage is largely symmetrical in design, with a recessed brick centre flanked by identical stone-faced wings. To the ground floor, the doors and window to the main façade are covered over by metal security shutters, above which is a modern fascia sign associated with the DIY store.

The site which is situated on the southern side of Kenyon Lane, includes an area of outside space to the side and rear, mainly comprising hardstanding and scrub vegetation. The yard to the eastern side of the building is enclosed to the front by concrete panel fencing.

The site is bounded by Kenyon Lane to the north, opposite of which is a relatively recent part three, part four storey apartment development. To the east is a church



(Lightbowne Evangelical Church) and Sunday school. To the west, the site is adjoined by a plumbing supplier, associated service yard and single storey garage buildings. To the south (rear), the site is neighboured by a redundant scout hut and two storey, semi-detached dwellinghouses along Brendan Avenue.



**View of site in street context**

The wider area is largely characterised by residential dwellinghouses and apartments, with a small number of businesses including a newsagents, dentist and funeral directors situated on the opposite side of Kenyon Lane.

### **The Proposal**

In the case of this application, planning permission is sought for the erection of a four storey building to provide 33 residential apartments (Use Class C3) with associated car parking, amenity space and access, following demolition of the existing building.

The development comprises 30 x 2 bedroom apartment and 3 x 1 bedroom apartments. The proposed building incorporates an under-croft access off Kenyon Lane, leading to a 37 space car park, communal lawn and area of perimeter landscaping.

### **Planning History**

There has been one previous planning application relating to this property:

- Change of use to plumbers and builders merchants (Ref: 044279/FU/NORTH2/93). Approved 6 December 1993.

### **Consultations**

Local Residents/Occupiers – In response to the application 59 representations have been received, including 57 objecting to the proposed development and 2 in support.

Of the representations received, 6 are from those that the City Council notified of the application and a further 23 from the wider Moston area. The remaining objections are from all over the United Kingdom and from abroad. Principal comments are summarised below:

- Moston needs more regeneration and new builds.
- The site is prominent and consideration needs to be given to access design and management of the new building. Landscaping needs to be seen as of considerable importance to enhance the street scene.
- Concerns are raised in relation to disruption, dust and disturbance during demolition and construction, as well as the need for the management of asbestos within the building.
- The apartment development opposite has issues with waste management and bin storage. The proposed development should ensure there is sufficient management of waste.
- The existing façade should be retained due to its architectural and historic significance.
- The existing building is historic and should be retained and refurbished, not demolished.
- The proposed building will lead to the overlooking and loss of privacy to residential properties to the rear.

Highway Services – It is noted that the site is located in the Moston area of Manchester and is considered suitably accessible by public transport via bus services along Kenyon Lane. Kenyon Lane is traffic calmed with vertical and horizontal traffic calming measures. In the vicinity of the site there are no kerbside restrictions on Kenyon Lane adopted highway extends to the back of the footway.

#### *Trips*

The TRICS database has been used to assess the predicted 2-way trips generated by the proposals as 9 no. 2-way trips in the AM peak (8am-9am) and 9 no. 2-way trips in the PM peak (5pm-6pm). This level of trips is not expected to impact local highway safety or its operation.

#### *Access*

Vehicle access to the site is proposed to be taken from Kenyon Lane. The driveway servicing the site is an under-croft arrangement. Dropped kerbs and tactile paving should be provided across the car park entrance. Any changes to the adopted highway will be required to be taken forward via a S278 agreement.

It is noted that the car park access is gated, the gates should open inwards and a minimum 5m should be provided from the edge of carriageway to the gates to ensure vehicles waiting to enter do not block Kenyon Lane.

#### *Pedestrians*

Pedestrian access is also from Kenyon Lane with 1.8m footways on both sides of the driveway. The pedestrian accesses are also gated.

#### *Car Parking*

The development will provide a total of 37 car parking spaces. (112% allocation) so there would be circa 4 spaces for visitors. It is also suggested that up to 6 of these spaces may be designated as disabled spaces. The car park layout appears acceptable in principle.

#### *Cycle Parking*

The proposed development is to provide a cycle parking store which will accommodate 24 cycles, equating to a provision of 73%. 100% cycle parking is encouraged.

#### *Servicing*

The proposed development will provide a dedicated refuse/recycling store, which will be located at the front of the site. Refuse collections will be made direct from Kenyon Lane. This arrangement is similar to existing and is considered appropriate.

#### *Other Matters*

It is recommended that a Travel Plan and Construction Management Plan be submitted and include as a requirement of planning conditions.

Environmental Health – No objection. Conditions are recommended in relation to ground conditions, construction management, waste management, acoustic insulation, external equipment and air quality.

Housing Strategy – It is recommended that the affordable housing element be offered on a 20% shared ownership basis.

Greater Manchester Police (Design for Security) – It is recommended 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.

Arboriculture - No objection to the proposed removals for this site. However it is suggested that more interesting tree species for the amenity space be incorporated.

MCC Flood Risk Management – A condition is requested which requires the submission and approval of a detailed surface water drainage scheme and its future maintenance.

United Utilities – Foul and surface water should be drained on separate systems. The drainage for the development should be carried out in accordance with principles set out in the submitted Flood Risk Assessment.

Greater Manchester Ecology Unit (GMEU) – There are no known reasons to contradict the findings of the survey. Informatives are suggested in relation to the protection of bats if they are encountered during works, as well incorporating measures to promote biodiversity and works being carried out outside the bird nesting season.

Greater Manchester Archaeological Advisory Service (GMAAS) - Should the application be granted permission, it is recommended that a programme of archaeological work is undertaken as a condition of that consent. It will commence with the first phase of an archaeological building survey (HE Level 3) being undertaken and include measured floor plans and elevations, detailed scaled photographs of elevations, rooms, and features of architectural/archaeological interest, a detailed written analysis and description of the historic fabric, history, and comparative analysis, an assessment of significance of the building and its components. This will be undertaken following the building being vacated but prior to the commencement of any soft-strip or demolition. Once it is confirmed with GMAAS by the appointed archaeological contractor that the first phase has been undertaken GMAAS will be content to see the soft-strip proceed subject to a second phase or recording achieved through a watching brief to record previously concealed building fabric.

An archaeological evaluation trench will be excavated in the north-east corner of the PDA. This will evaluate the level of survival of any belowground remains of the earlier Empress/ Adelphi cinema. Informed by the trenching results there may need to be a targeted open area excavation. The latter would seek to characterise the remains and form of the earlier cinema building. Once all fieldwork has been completed there will be a phase of post-fieldwork assessment of site/ survey records and finds, leading to the production of the final report and dissemination of the results.

### **Other matters**

#### **Consultation & Publicity**

The proposal, by virtue of the number of units created has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development as well as affecting the setting of a Conservation Area. A site notice has been displayed at the application site.

### **Policy**

#### **Local Development Framework**

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

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

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

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy H1 (Overall Housing Provision) states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester.

The policy goes on to state that that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sited in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;

- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

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

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.
- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.
- Considering the scope to include a residential element as part of employment-led development.

The proposal will comply with the densities identified within this policy and bring about significant regeneration in an area identified for change.

Policy H3 (North Manchester) – relates to new housing in north Manchester and states that over the lifetime of the Core Strategy, north Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within Cheetham Hill and Harpurhey district centres as part of mixed use schemes, as well as along high frequency public transport routes.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good

design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN3 (Heritage) – states that the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy EN4 (Reducing CO<sub>2</sub> Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO<sub>2</sub> emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues states that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN18 (Contaminated Land and Ground Stability) - The Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment.

Policy EN19 (Waste) states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Policy 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 to amongst other matters, affordable housing and will be assessed on a site by site basis.

The nature and scale of any planning obligations sought will be related to the form of development and its potential impact upon the surrounding area. Where appropriate, any such provision will be required to be provided on site.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC7.1 (New Housing Development) state that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disable people, including those that use wheelchairs wherever this is practicable.

Policy DC26 (Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has 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.

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

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

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

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

### Greater Manchester Spatial Framework (GMSF)

GMSF is a joint plan for Greater Manchester that seeks to provide land for jobs and new homes across the city region and will ensure that the right land is available in the right places for such needs.

### National Planning Policy Framework (2019)

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant to this application, Section 11 underlines the need to 'Make Effective Use of Land, whilst Section 12 provides design guidance – 'Achieving Well-Designed Places'

#### National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

*Noise - Local planning authorities* should take account of the acoustic environment and in doing so consider:

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

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

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

*Design* states that where appropriate the following should be considered:

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

*Air Quality* – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

#### Other legislative requirements

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

#### Principle

The principle of the development is considered acceptable and would make efficient use of a previously developed site, containing a building currently in a poor condition, whilst contributing to local and national residential growth objectives.

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

New developments in the city will therefore be expected to contribute towards this growth strategy, ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

Policies SP1 and H1 seek to encourage development on previously developed land, including the renewal of areas characterised by poor quality housing.

Policy H3 which specifically relates to housing in this part of the city, states that whilst priority will be given to family housing and other high value, high quality developments where this can be sustained. High density housing will be permitted within or adjacent to the regional centre, within district centre or along high frequency public transport routes.

The proposed development represents the opportunity to regenerate an untidy site, remove a non-conforming use from a principally residential area and to diversify the housing stock in the area, including offering an affordable element.

The highly sustainable and accessible nature of the site means the site is well connected to employment, educational and recreation opportunities.

Consideration of the more specific planning issues and the impact of the proposal upon its surroundings and adjoining occupiers, as well as the loss of the existing building is outlined further below.

### Site Layout

The proposed building presents its primary frontage to Kenyon Lane. This has informed the building's orientation and position on the site, as well as the internal layout.

The four storey, rectangular shaped block spans almost the full width of the site to maximise the frontage and provide continuity in the street scene. The block is interspersed by an access route leading to a rear car park area, utilising an existing access point off Kenyon Lane.



### **Proposed site layout and landscaping**

The building would be softened by perimeter planting, which also serves to provide defensible space to all side of the building, including the main street frontage and entrance. A communal garden area is proposed to the rear, which will be edged with further planting and provides a landscaped buffer between the site and residential properties along Brendan Avenue.

Internally, the ground floor accommodates an entrance lobby accessed from Kenyon Lane, which provides access to the stair/lift core, refuse store and four two-bedroom apartments. The other two ground floor, two-bedroom apartments are located beyond the vehicle access, and benefit from a pedestrian entrance which is reached via a pavement. Both the pavement and an entrance from the residents' lobby give access to the car park, bicycle storage and residents' garden, via continuous pavements.

The first to fourth floors each accommodate eight two-bedroom and one one-bedroom apartments, accessed off a central core.

It is considered that the proposed layout provides a satisfactory balance between built form, off road car parking and amenity space/soft landscaping.

The arrangement maximises the main street frontage that the development addresses, reinforces the suburban grain and fulfils the potential of the site, without compromising the character and appearance of the area, or the setting of adjoining buildings.

### Design, Scale and Appearance

The proposed development comprises a 4 storey, rectangular shaped urban block. The ground floor is broken up by an under-croft access leading to a rear car parking area and communal garden.

The building incorporates a series of vertically aligned windows which gives the building a neat and symmetrical appearance.



**Proposed elevation when viewed from Kenyon Lane**

The proposed four-storey height is comparable in height to the existing building and responds to the three- to four-storey apartment block directly opposite the site on the other side of Kenyon Lane and the neighbouring church which neighbours the site to the east.

The proposed building's footprint lies more centrally in the plot than the existing built form, and is focused to the street edge. This results in the reinstatement of a building line across the site frontage, thereby repairing the gaps in the streetscape which are presented by the current built form. This allows for increased continuity of the street-scene.

The height and mass is similar to that of the existing building and the differing building heights along Kenyon Lane would still allow the building to respond appropriately and sympathetically into the immediate street-scape which contains a variety of building heights.

In terms of appearance, the proposed building adopts a traditional approach using a selection of high quality materials to present a contemporary look, whilst referencing the traditional brick. The proposed building would comprise a combination of recessed red multi brickwork, incorporated perforated aluminium screens and grey aluminium windows



### **Artistic impression of the proposed development**

The appearance of the building has sought to reflect the characteristics, colour palette and materials used on neighbouring buildings, through the use of materials typical of a domestic setting. The overall impact would be a high quality design which would significantly improve the appearance of the site in the street-scene, without being strident or out of character.

### Access

The proposed building incorporates measures to aid ease of access for all. The site itself is relatively flat, providing no obstacles to level access across the site and to the entrance doors themselves.

The apartments themselves are of a good size and offer satisfactory circulation space. Level access will be afforded to all entrance doors to incorporate level thresholds. Two lifts serve the upper floors.

Vehicular access to the application site would be gained via Kenyon Lane, with a main parking areas to the rear and up to 6 accessible parking spaces provided close to the rear of the building.

The principal pedestrian entrance lead into a resident's lounge directly off Kenyon Lane. The lifts and stair core can be accessed directly from the lounge, providing vertical circulation to the floors above. An additional entrance is included for the two apartments to the east of the plan which are separated from the main core due to the access road dissecting the plan at ground floor. The pedestrian routes continue through the site to the resident's car park to the rear and the landscaped resident's garden beyond.

The proposal would accord with current access standards contained within Part M of the Building Regulations.

### Density/Balance of Accommodation

The proposed development seek to create 33 residential units comprising 30 x 2 bedroom apartment and 3 x 1 bedroom apartments.

The apartment sizes, range from 61-64 sqm for the 2 bedroom apartments and 48 sqm for the 1 bedroom apartments. This accords with the Council's space standards and also represents an appropriate density of accommodation in this part of the city.

### Demolition of the Existing Building

It is necessary to consider the impact upon the character and appearance of the area as a consequence of the proposed demolition.

The site is not in a conservation area and the existing building is not listed.

The building was most recently used as a DIY store, understood to no longer be in operation at the site. The area is not designated for retail use and was until recent times, a building that was repurposed for the existing retail use.

The application includes an Historic Environment Desk Based Assessment, due to the building possessing characteristics consistent with that of a non designated heritage asset. This is principally due to its historical use as an early cinema and its Art Deco architectural qualities.

The Assessment notes that an early example of a purpose-built cinema was constructed on the site in circa 1914. By 1937, the cinema was demolished, and a larger cinema was opened immediately to the west of the earlier building. The new Adelphi Cinema was built with an Art Deco frontage.

The building also has some significance due to its associative historical value due to its relation to the H.D. Moorhouse chain of cinemas. Fifty-eight movie theatres were previously operated by the Moorhouse chain, a number of which were purpose built by the chain. Many of these cinemas have since been demolished or repurposed.

It is considered that the building and its façade possess a degree of illustrative and associative historical, architectural, aesthetic and communal values, and its former usage as a cinema and later a bingo hall have some social value as a place of social interaction for Moston.

Whilst the façade is the outward-facing feature which possesses a higher degree of architectural and aesthetic value than the rest of the building, the degradation of both the interior and exterior fabric due mainly to an earlier fire and later alterations to the site as a DIY store, have resulted in the building's values being of low heritage significance.

It is considered that overall, the building is of low-medium significance, due to the architectural, aesthetic and communal values that it possesses as outlined above. However, it is considered that the earlier fire and later alterations to the site to make it more appropriate for its existing use. In addition, the degradation of both interior and exterior fabric, have diminished the historical, architectural and aesthetic values that this structure may have originally possessed, resulting in the building's value being reduced to low significance.

It is believed that the loss of the building can be suitably mitigated by undertaking a historic building survey prior to any proposed development taking place in order to better record and understand the architectural history of the site. It is also recommended that a phase of targeted trial trenching be carried out across the north-eastern part of the site in order to assess the survival and nature of any below-ground remains associated with the earlier cinema since demolished.

Many of the representations received as part of the notification process question why the building or its façade cannot be retained.

It is not considered however that either option would allow for a suitable or viable residential development.

The existing building is located right up to the back of the adjoining footway along Kenyon Lane. As a result, there would be no opportunity to provide landscaping along the principal building edge as a means of offering privacy or defensible space to ground floor apartments.

The existing building currently has a small number of windows on the side and rear elevations. If the building was to be re-purposed for residential accommodation, new window openings would need to be formed on these elevations. This would involve significant interventions to the building, and would also introduce habitable room windows on the east and west elevations, and on a southern elevation which would be far closer to existing dwellings than the current proposal. The impact upon neighbouring levels of amenity would therefore be much greater with increased potential for overlooking to the rearward projection of the existing building footprint being greater than that proposed.

The building currently occupying the site was originally designed as a cinema and therefore has a deep footprint. As a consequence, the centre of the footprint does not benefit from any natural light and would therefore dictate the layout of residential accommodation that could be achieved within the existing building shell.

The applicant has explored options for both the retention of the existing building and/or its principal façade. None of which are considered suitable or viable.

The conversion of the building for residential purposes would present significant challenges in reconciling the needs of residential accommodation such as circulation space and natural light, as the frontage was designed with a long, deep footprint consistent with that of a cinema. As such, the site is used inefficiently, and the number of residential units that could be achieved would be substantially reduced, thereby compromising the viability of the development.

Alternatives have been considered which place the residential footprint behind the frontage, but this is considered to result in an inelegant and less aesthetic building form, compromising the legibility of the original façade.

Retention of the facade would not be practical and also presents difficulties in bringing the building up to modern standards in terms of structural integrity, thermal, acoustic and fire performance. Combined, it is considered that these issues would be



cost prohibitive to address, significantly affecting the viability of a residential conversion.

On balance, it is considered that whilst the starting point for new development should be to try and retain and refurbish existing structures where possible, there needs to be an appropriate balance between the preservation, regeneration and viability.

In this case, the proposed demolition is necessary to facilitate the overall comprehensive redevelopment of the entire site. The site currently comprises previously developed land and the proposed development would significantly uplift the appearance of the existing streetscape, adding and enhancing the overall quality of the area, whilst contributing to residential growth objectives. As such, it is believed that demolition of existing building should not form a barrier to redevelopment of the site.

It is considered that the loss of the building to facilitate redevelopment would offer public benefits by leading to environmental improvements, meet housing growth aspirations for the area, lead to increased vibrancy in the area and create direct and indirect employment through the construction of the proposed replacement building.

The building is highly unlikely to revert to its original use and no realistic reuse or alternative use of the building is likely to be found in the short to medium term. Redevelopment of the site for residential purposes therefore represents the most viable option and would deliver substantial regenerative benefits.

#### Redevelopment of the Site and Contribution to Regeneration

The proposed development would regenerate a relatively unkempt and under used site and lead to the removal of the DIY store and associated service yard which could be described as an inappropriate use in the area, given the predominantly residential context.

The proposed development would significantly improve the appearance of a site which could otherwise be left to further deteriorate and will substantially uplift the appearance of the area, by providing a high quality development which will enhance the appearance of the street-scene.

#### Residential Amenity

The proposed development would lead to the loss of a commercial use within a principally residential area and lead to the creation of a use more in keeping with the local context. Potential levels of activity and associated noise and disturbance would therefore be replaced with activity levels associated within a residential use, and appropriate within the context of a predominantly residential area.

Whilst activity in the form of the car park, cycle store and bin store would be introduced to the rear of the site, frequency of movements for a development containing 33 flats is unlikely to be significant and soft landscaping and a garden area forms a buffer between such areas and the common boundaries.

In term of any overlooking or loss of privacy issues as raised within a couple of the representations received, it is considered that due to the relationship between the proposed building and the nearest, neighbouring residential occupiers, it is not considered that there would be any undue overshadowing, over-dominance or overlooking, as a consequence of the size, design and situation of the building - including the positioning of windows.

The proposed building is focused to the front of the site and replaces a building of similar proportions. The separation distance between the nearest residential properties to the rear will increase in contrast to that of the existing building.

The dwellinghouses and their associated gardens to the rear would enjoy a greater separation from the apartments than they do at present. Window to window interface distances between the proposed building and the nearest dwellinghouses along Brendan Avenue vary from 45 to 64 metres, representing a far greater interface distance than usually sought. This would ensure adequate levels of privacy, even if the intervening employment uses neighbouring the site were to be removed.

To the front, the distance between the proposed development and the properties opposite, the distance varies to between 22.5 to 23.1 metres. This again exceeds a usual requirement of around 21 metres between habitable room windows and therefore affords a decent level of amenity for existing and proposed residents.

The dwellings to the west of the cinema would enjoy slightly greater separation from the proposed building than it experiences from the existing building at approximately 20.8 metres. As this is a gable to gable relationship, this is considered to be satisfactory.

In terms of any impacts associated with any over-dominance, overshadowing or loss of the light, the impact would be lesser than is currently the case. The proposed building is of a similar scale to the existing building and does not project as far to the rear. The relationship between the proposed building and the nearest residential properties to the rear is unlikely therefore to undermine levels of amenity as a consequence of its scale and position within the site. Similarly, to the front, the building is set back further from the back of the pavement along Kenyon Lane and therefore allows for a greater separation between the proposed building and the part four, part three storey apartment building on the opposite side of Kenyon Lane. As these buildings are of a similar scale and the separation distance is proposed to be increased, no undue impact in terms of over-dominance or overshadowing would result.

Whilst the proposed building is of a wider footprint than the existing building due to the incorporation of the yard area to the east, this part of the site is neighbored by a church and Sunday school along its eastern boundary and by redundant scout hall to the south. As such, there would be no impact upon residential amenity as a consequence of the wider footprint.

#### Impact upon the Highway

The site is considered suitably accessible by public transport via bus services along Kenyon Lane.

In terms of off road parking provision, 37 off road car parking spaces are provided within the proposed rear car park, equating to 112% provision. These encompass 4 visitor spaces and 6 accessible spaces. A proportion of these spaces are to be served by electric charging points (6-8 spaces) which is a requirement of an attached planning condition. The spaces are complemented by 24 secure cycle parking spaces. However, it is considered that this should be improved to provide 100% provision and a condition to ensure that this is the case is recommended.

It is considered that the proposal is unlikely to generate a significant increase in the level of vehicular trips which would impact unduly on network capacity.

It is therefore maintained that an acceptable level of provision has been proposed and any uplift in on-street car parking is unlikely to be significant. To lessen any potential impact, a condition has been included which requires the submission and approval of a Travel Plan to promote alternative means of travel other than by private car. On this basis, the impact upon highway and pedestrian safety is considered satisfactory.

### Waste Management

The application has been accompanied by a waste management strategy which indicates a dedicated, naturally ventilated bin store to be situated at ground floor level at the rear of the building. Storage is provided for general waste and recycling. This takes the form of 6x 1,100 litre bins, of which 3 will be for general waste purposes and 3 for recycling provision. Bins will be collected from the rear and moved to the site frontage by a management company and collected by an appointed contractor.

Internally, the proposed apartments incorporate sufficient storage space to accommodate waste, food caddies and recycling containers, until the need to transport the waste by residents to the dedicated waste stores. Bins will be managed by an appointed management company.

Environmental Health have confirmed that the submitted waste management strategy is acceptable and have requested that it be conditioned to ensure future compliance.

### Boundary Treatment

The site frontage is enclosed by a low brick wall, with perimeter planting behind. A gate encloses the under-croft access to the rear car park. The remainder of the site will be fenced and also includes perimeter planting along the site boundary. Full details and the specification of the boundary treatment are to be agreed by an attached condition.

### Landscaping and Trees

The application includes an Arboricultural Impact Assessment. The report indicates that there are two small groups of trees located within or adjacent to the site. These trees are self-seeded, low quality specimens that have colonised the area due to lack

of use and maintenance and comprise mainly Goat Willow rooted in a waste area. One group of trees situation within the site and would require complete removal, whilst the other group lies outside of the site and will be unaffected by the proposal.

The City Council's Arboriculturalist has reviewed the assessment and concurs that the existing trees are in a poor condition

It is considered that whilst the loss of any tree is regrettable, the removal of the existing trees would not adversely affect the amenity of the area.

In mitigation 13 replacement trees are proposed, along with extensive shrub planting. It is believed that such a landscaping scheme would compensate for the proposed tree loss.

### Ecology

An ecological appraisal comprising an extended Phase 1 habitat survey and an inspection of buildings for bats and a dusk emergence bat survey accompanies the application.

The report concludes that no ecologically valuable areas are situation within a 2km search radius, and none were found likely to be impacted by the proposal. All species found on the site were common and widespread, being typical of unmanaged urban locations. The immediate habitat was considered of limited ecological potential and of low suitability for bats. The building on the site was found to have low potential to support roosting bats based on the relevant criteria. A dusk emergence survey was undertaken, with no bats seen emerging from the structure. No evidence of other protected species including nesting birds was found during the extended Phase 1 habitat survey.

It is considered that the proposed development would not result in any significant or unduly harmful impacts to local ecology given the current condition of the site. Greater Manchester Ecology Unit agree with the findings. A condition has been included which will require measures to be incorporated within the development to promote biodiversity.

### Flood Risk/Surface Water Drainage

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

In line with Government guidance relating to the provision of sustainable drainage systems (SuDs) for major planning applications, it will be necessary to incorporate appropriate surface water drainage.

A drainage statement has been considered by the Council's flood risk management which shows that proposed system will be designed to control surface water run-off for all storms up to and including the 100 year plus climate change event. Water will be stored on site below ground before being discharged at the agreed flow rate. The proposed development is demonstrated to be safe from flooding and will not increase flood risk elsewhere. In order to satisfy the provisions of policy EN14 of the Core

Strategy, it is recommended that a more detailed design of the surface water drainage scheme is submitted as part of the approval, including verification and subsequent monitoring and maintenance.

### Air Quality

An Air Quality Assessment has been submitted as part of the application to determine baseline conditions, consider site suitability for the proposed end use and assess potential impacts as a result of the scheme.

The assessment demonstrate there will be no significant impact from the additional vehicle movements on surrounding sensitive receptors. The use of good practice control measures will provide suitable mitigation for the construction phase. Air quality factors are not therefore considered a constraint to planning consent for the development. A condition has been included to ensure the mitigation measures detailed within the assessment, during and post construction are adhered to.

### Archaeology

The application has been accompanied by a Historic Environment Desk-Based Assessment which covers both heritage and archaeology which has been assessed by Greater Manchester Archaeological Advisory Service (GMAAS) who were consulted as part of the application process.

The report describes how the eastern half of the proposed development area was first developed in 1914 as the Empress Picture House and subsequently renamed in 1918 as The Adelphi. This cinema remained in operation until it was replaced through the construction in 1932 of the present building on the western half of the site as the New Adelphi cinema.

The report recognises that although the current building has some local heritage significance it not sufficiently significant to merit preservation or form a barrier to redevelopment.

Similarly, The Desk Based Assessment indicates that there is a high probability that physical remains of the earlier cinema will have survived beneath the ground surface on the eastern side of the site. Any such remains would be of some local heritage significance, representing early evidence for a purpose built cinema, but again of insufficient significance as to provide the basis for an objection to the development.

The Desk Based Assessment offers specific advice for further work and recommends that before the existing building is demolished, an archaeological building survey of the former cinema structure be undertaken ahead of any proposed development proceeding. This would allow for a more detailed record and understanding of the building's architecture. It also indicates that any cinema features presently obscured should be recorded.

There is also a recommendation that a phase of targeted evaluation trenching is carried out across the north eastern part of the site. This would allow for an assessment to be made of the survival and nature of any belowground remains

associated with the former cinema. Based on those results it may then be appropriate to carry out targeted open area excavation to further record any significant surviving archaeological remains.

GMAAS accepts the conclusions and recommendations of the desk based assessment. An appropriation condition is recommended and included which will secure the implementation of a programme of archaeological works to be monitored by GMAAS.

On this basis, the proposed development is considered acceptable.

### Ground Conditions

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new development.

Whilst a Phase 1 Desktop Study was submitted as part of the application, the conclusion of which is accepted by Environmental Health, it is advised that a Phase 2 Assessment should be completed in accordance with the recommendations contained within Phase 1 assessment. An appropriate condition has been included, which will require the submission and approval of a more detailed site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included.

### Affordable Housing

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

The application has agreed to enter into a S.106 agreement which will enable 20% of the units to be offered on a shared ownership basis.

It is understood that the applicant has held discussions with a Registered Social Landlord over the possibility of 100% of the units being available on an affordable basis, but until the outcome of discussion are realised, the applicant has agreed to enter into a legal agreement as a backstop, in order to meet the requirements of policy H8. On this basis, it is considered that the proposed development accords with the Council's affordable housing policy and will enable the development to contribute to the diversification of the Council's housing supply.

### Crime and Disorder

The applicant in partnership with Greater Manchester Police (Design for Security) has provided a 'Crime Impact Statement' as part of the application. This enables measures to be incorporated within the scheme in order to be able to design out crime.

In order to ensure design measures are introduced to limit the potential for crime and to enhance security for prospective occupiers, a condition has been included to ensure the proposal achieves 'Secured by Design' accreditation.

### Climate Change

As the proposal would result in a modest number of additional residential units within the context of a principally residential environment and will also result in the removal of a commercial use, the impact upon climate change is considered negligible and likely to be lesser than if the a commercial operation was reintroduced to the site.

The site is located close to a busy, main arterial route and transport corridor, and is therefore unlikely that there would be any significant or harmful contribution to air quality or climate change as a consequence of vehicular movements or ongoing activity.

The submitted Air Quality Assessment summarises that whilst there would be some limited impact upon air quality during the construction phase, the impact during the operational phase of the development post implementation, is not considered significantly harmful. Through effective mitigation and construction management during the construction phase, the impact upon air quality will be further controlled.

The proposal includes the provision of 6-8 electric car charging points, cycle storage and will require a Travel Plan. Such measures will serve to limit the impact the upon climate change. The development will also incorporate energy efficient measures as part of the development, as outlined in the section below relating to environmental standards.

### Environmental Standards

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The application has been accompanied by an Environmental Statement which demonstrates that the proposal would comply with the Policy EN6 of the Core Strategy and exceed the national standards set out in Part L1A of the Building Regulations.

The submitted Environmental statement indicates satisfactory fabric thermal resistance values, air permeability, glazing, insulation and energy use requirements. A PV Array of 8.5KWP has been included in the scheme to achieve further CO2 emission reduction to ensure the 15% reduction required in EN6 is maintained over 2010 Building Regulations.

A condition has been included which would require the submission and agreement of a Verification Report to ensure the measures are incorporated within the development design.

Further, it should be noted that the application site is situated within a highly sustainable location, within an existing residential neighbourhood with excellent access to a range of shops, amenities, transport services and job opportunities. Whilst it would be preferable to reuse the existing building. As the previously highlighted, this is not considered viable. The proposed development represents the opportunity to regenerate the site for a more sustainable use.

### Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, a condition is included which requires the submission and approval of a construction management plan which details working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

### Legal Agreement

The application would be subject to a S.106 legal agreement to secure 20% of the units comprising the development to be offered on shared ownership basis.

### Conclusion

On balance, it is considered that the proposal represents an appropriate and satisfactory form of development that fulfils the criteria set down in policy which seeks to provide high quality residential accommodation which will contribute to a vibrant and sustainable neighbourhood.

The loss of the existing building has been fully considered and the proposed public benefits, including the provision of affordable housing, outweigh the loss of the building that has deteriorated over time and is not listed or situated within a conservation area.

**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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.



**Recommendation**      **MINDED TO APPROVE (subject to a S.106 agreement to ensure affordable housing provision).**

### **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.

### **Conditions to be attached to the decision**

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

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

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

Drawings numbered 02-01-003, 02-05-002A, 02-05-003, 02-05-001B, 04B and 05 received by the City Council as Local Planning Authority on 3 August 2020, 02-01-002D, 02-03-001D, 02-03-002E and 02-03-005B received by the City Council as Local Planning Authority on 5 August 2020 and 02-01-005 received by the City Council as Local Planning Authority on 7 August 2020.

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

3) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, in the interests of the visual amenity, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

4) Notwithstanding details submitted, prior to the commencement of development, a construction management/demolition 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;

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and

- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) Prior to first occupation of the development hereby approved, the City Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a 'Secured by Design' accreditation.

Reason - To reduce the risk of crime, pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

6) Prior to above ground works commencing, full details of the proposed window design of the buildings hereby approved (including section drawings), shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

7) Notwithstanding detail submitted, no development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

In order to discharge the above drainage condition the following additional information has to be provided:

- Consideration of alternative green SuDS solution if practicable;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- 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;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the

proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;

- As the proposed development would cause unusual pollution risk to surface water (large car park areas, evidence of pollution control measures (preferably through SuDS) is required.

- Hydraulic calculation of the existing and proposed drainage system;

- Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

8) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a 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;

- As built construction drawings if different from design construction drawings;

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

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

9) The development hereby approved shall only be implemented in accordance with the submitted waste storage layout shown on drawing numbered 02-03-001D and accompanying Waste Management Strategy received by the City Council as Local Planning Authority on 3 August 2020 and 7 August 2020 respectively. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. No bins shall be stored outside of the waste store other than on the day of collection.

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

10) The car parking area indicated on drawing numbered 02-01-002D received by the City Council as Local Planning Authority on 5 August 2020 shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential

occupants of the development and shall be available for use at all times whilst the apartments are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

11) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development 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

The agreed Travel Plan 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 school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

12) Notwithstanding the bicycle storage areas indicated on drawing numbered 02-03-001D received by the City Council as Local Planning Authority on 3 August 2020, full details of the cycle parking provision and cycle stores, including security measures and means of enclosure, shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupation of any of the residential apartments hereby approved. The approved scheme shall remain available for use whilst the apartments are occupied and retained thereafter.

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

13) Prior to the first occupation of the residential development full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments.

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

14) Notwithstanding details submitted, the apartments hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatment to be erected. The boundary treatment shall be completed prior

to first occupation of the apartments hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

15) Within one month of any part of the development first being occupied, a repaving strategy for the public footway adjacent to the site along Kenyon Lane (including the reinstatement of any redundant access points) and dropped kerbs, as well as details for the installation of tactile paving across the car park entrance, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with a timescale and programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of residential and visual amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

16) The development hereby approved shall be carried out in accordance with details contained within the Environmental Standards Statement produced by Progressive Services Design Ltd (Ref: CF/CA/1883-Issue 2) dated July 2020 and received by the City Council as Local Planning Authority on 3 August 2020. A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

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.

17) The development hereby approved shall include a lighting scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority prior to commencement of any lighting works. The approved scheme shall be implemented in full before the development is first occupied 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 pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

18) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

19) The hard and soft landscaping scheme (including tree planting) shown on drawings numbered 04/B and 05 received by the City Council as Local Planning Authority on 3 August 2020, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

20) Prior to first occupation of the apartments hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason - To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

21) The development hereby approved shall only be carried out in accordance with details and mitigation measures contained within the submitted Air Quality Assessment produced by Redmore Environmental (Ref: 3331r1) dated 17 June 2020 received by the City Council, as Local Planning Authority on 3 August 2020.

Reason - To minimise the impact upon air quality and In order to minimise the environmental impact of the development, pursuant to policy EN16 of the Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

22) Notwithstanding the details outlined in the submitted Geo Environmental Desk Study and Phase I Risk Assessment produced by Clancy Consulting (Ref: 10/1559/001 Rev. 04) received by the City Council as Local Planning Authority on 3 August, the development shall not commence until a more detailed 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. This shall include:

The measures for investigating the site identified in within an agreed Site Investigation Proposal shall be carried out in accordance with a detailed schedule and a report prepared outlining what measures, if any, are required to remediate the land shall be submitted to and approved in writing by the City Council as local

planning authority. The development shall only be implemented in accordance with the agreed details.

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

24) 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. The approved scheme shall be completed before the apartments are occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

25) Notwithstanding the details contained within the submitted report by RBA Acoustics (Ref: 9948.RP01.AAR.2 rev 1) dated 28 July 2020 and received by the City Council as Local Planning Authority on 3 August 2020, the apartments hereby approved shall be acoustically insulated and treated to limit the

break out of noise in accordance with a updated noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be implemented in full before the apartments are occupied.

Upon completion of the development and within 3 months of first occupation, a Verification Report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - The submitted report was undertaken when background noise levels will have been reduced due to the COVID restrictions and lower traffic flow levels and in order to safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Core Strategy.

26) No soft-strip, demolition or development groundworks shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works. This programme of works will be undertaken in accordance with a Written Scheme of Investigation (WSI) prepared by the appointed archaeological contractor and agreed with the Local Planning Authority's archaeological advisors, GMAAS. The WSI shall cover the following:

1. A phased programme to include:

- building survey (level 3);
- watching brief during soft-strip of the building;
- evaluation trenching, possibly leading to;
- targeted open area excavation.

2. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds;
- production of a final report on the significance of the heritage interest represented;

3. A scheme to disseminate the results that is commensurate with their significance.

4. Provision for archive deposition of the report, finds and records of the site investigation.

5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 12, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.



27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the apartments hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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

28) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located 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: 127669/FO/2020 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.

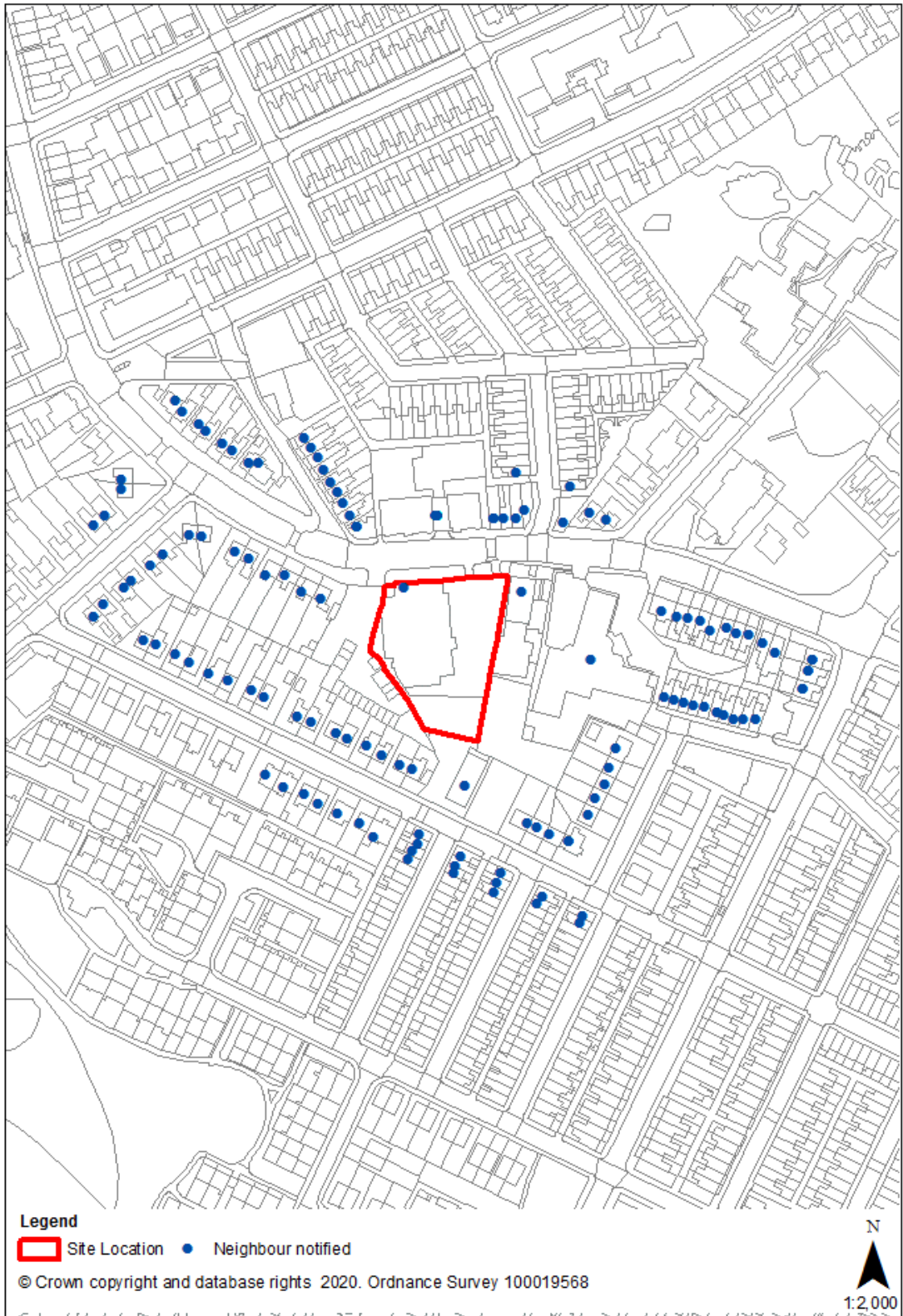
### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

Highway Services  
 Environmental Health  
 Neighbourhood Team Leader (Arboriculture)  
 Greater Manchester Police  
 Greater Manchester Archaeological Advisory Service  
 Greater Manchester Ecology Unit  
 MCC Flood Risk Management

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

**Relevant Contact Officer :** Steven McCoombe  
**Telephone number :** 0161 234 4607

**Email** : [steven.mccoombe@manchester.gov.uk](mailto:steven.mccoombe@manchester.gov.uk)



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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
126328/FO/2020	25th Feb 2020	22 <sup>nd</sup> Oct 2020	Deansgate Ward

**Proposal** Erection of a 17 storey building comprising office use (Use Class B1a) and flexible ground floor commercial units (Use Classes A1 shop, A2 financial and professional services, A3 restaurant/cafe and A4 drinking establishment), new electricity sub-station, basement cycle parking and rooftop plant enclosure, together with access, servicing and associated works following demolition of the existing building

**Location** Speakers House , 39 Deansgate, Manchester, M3 2BA

**Applicant** Kames Property Income Fund, C/o Agent ,

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

### Executive Summary

The proposal is for a 17 storey office building with ground floor commercial units, plus roof terrace/garden, following demolition of the existing building; new electricity sub-station; 96 spaces cycle parking in basement; rooftop plant enclosure

There were two rounds of notification. There were 8 objections and 1 group objection from a company representing 43 apartments in No. 1 Deansgate to the first and 13 objections and 1 group objection to the second. Councillor Johns has objected.

### Key Issues

**The height, scale, massing and design of the proposal and its visual impact in the streetscene:** A convincing, well considered approach to the design, scale, architecture and appearance of the building has resulted in a high quality development that would make a positive contribution to the streetscene.

**The impact on the setting of heritage assets:** Any harm to heritage assets would be less than substantial and would be outweighed by the public benefits of the scheme, in accordance with the provisions of Section 66 and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

**Public benefits:** The scheme would result in many public benefits, including economic ones. The proposal would generate circa 227 gross direct construction jobs and around 1000 FTE operational jobs. The gross business rates contribution to the Council would be approximately £2.3 million per annum. The proposal would generate additional economic benefits of the local economy through indirect local expenditure. The employment opportunities would result in a potential uplift in employee spending of approximately £1.9 million – £1.92 million annually based on a

220-day working year with an inflation rate of 10.1% applied. A local labour agreement would be included.

**Residential amenity:** The effects on the residents in No. 1 Deansgate in terms of loss of privacy and overshadowing/loss of light have been considered given the dense nature of the City Centre. It is acknowledged that there would be some impact on nearby residents, but it would not be so harmful so as to warrant refusal of the application.

**Wind:** 2 studies have been conducted that show the proposed development would not have an adverse impact on wind effects in the local area and would not cause an issue with regard to the functioning of the ventilation louvres in No. 1 Deansgate

**Sustainability:** The proposal has been developed with sustainable design and innovation as a priority, from controlling solar gain through passive measures to incorporating low and zero carbon technologies to reduce day to day emissions.

A full report is attached below for Members consideration.

## Description

This 0.12 hectares site is at the junction of Deansgate and St. Marys Gate. It is occupied by Speakers House, a 9 storey office building built in 1963. It includes an area of MCC Highway land on Deansgate. The ground floor contains 7 commercial units and there at 13 parking spaces at the rear.

On the opposite side of St. Marys Gate, is No. 1 Deansgate, a 17 storey residential building. To the east are retail units and offices on St Mary's Gate and Exchange Square. To the south is the Grade II\* listed Barton Arcade which houses retail units, offices and apartments. To the west is offices and retail units and an NCP car park. The site is in the St. Ann's Square Conservation Area and opposite the Parsonage Gardens Conservation Area. There are listed building nearby including the Grade II Royal Exchange, the Grade I listed Church of St. Ann, the Grade II listed Hayward Buildings and the Grade I Listed Cathedral Church of St Mary. Diagonally opposite is the 15 storeys Renaissance Hotel. The site is not subject to any statutory or non-statutory nature conservation designations and there are no trees on or adjacent to the site. The site is within Flood Zone 1.

The building was refurbished in 2013 when new cladding was added to the shop fronts but now is in a poor state of repair with rotten window frames and damp on internal walls. It lacks new infrastructure such as superfast fibre broadband and is nearing the end of its economic life. The office floorplates are inefficient and split by a central core which is not attractive to the market. The floor to ceiling height is low with limited space and creates an oppressive environment.

Planning permission is sought for the erection of a 17 storey office building with flexible ground floor commercial units (A1, A2, A3 and A4), an electricity sub-station, basement cycle parking and a rooftop plant enclosure following demolition of the existing building. The new building would provide around 130,000 sq ft of 'Grade A' office space and 5,000 sq ft of flexible retail space at ground floor.

The floorplates would be flexible with active frontages on Deansgate and St Mary's Gate. The main entrance on Deansgate would lead directly into a double height reception area. An external roof terrace would include seating and raised planters and would operate as either a communal co-work area for the office on the fifteenth floor or as an amenity space for the development. Inclusive access has been integrated into all aspects of the design.

The building would step out beyond the building line of Speakers House and re-establish the continuous frontage along Deansgate and re-instate the strong urban grain which is characteristic of the area. The building would be chamfered at ground level on the corner of Deansgate and St Mary's Gate.



The elevations would have a tripartite subdivision with an oversized base, a unified and repetitive mid-section of regular vertically proportioned windows and an articulated top. The main facades would be composed of slender, repeating elements. The base would have horizontal members referencing the arch form on Barton Arcade. The structural elements would consist of profiled aluminium piers and aluminium window frames. The ventilation strategy would include dummy spandrel panels with concealed vents at intermediate floor junctions overlaid with decorative metal screens. They would reflect the layering effect of the delicate ironwork throughout Barton Arcade. A perforated metal vent panel would be incorporated within the profiled metal banding.



The office would operate on a 24-hour basis but the external roof terrace would be limited between 07:00 and 23:00 Monday to Friday and between 10:00am and



10:00pm on Saturday, Sundays and Bank Holidays. The roof terrace would be actively managed and access would be controlled. It is anticipated that the retail units would be operational during typical trading hours in line with surrounding operators.

There would not be any on-site parking. There would be a 96 space cycle hub in the basement with facilities for runners and cyclists. Servicing and deliveries would be from a rear service yard via an existing access off Exchange Street. Access is restricted by automatic bollards which operate from 7am to 11am.

The refuse store would be to the rear of the ground floor. Bin capacity has been calculated using MCC standards, for weekly collections and 44 bins are required with a combination of 1,100l Eurobins and 660l and 240l wheeled bins. Refuse collection for the office use and retail unit 2 would be from the service yard. Refuse collection for retail unit 1 would be from a loading bay on St. Mary's Gate.

Sustainable design and innovation has been a priority in the design, from controlling solar gain through passive measures through to incorporating low and zero carbon technologies to reduce day to day emissions. The development should achieve a BREEAM 'Excellent' rating for the office space. A 'Fabric First' approach would reduce the energy required to heat and cool the building and negate the need for Photovoltaics. Target U-Values for the building envelope would be a 28.9% improvement over the current Approved Document Part L2A Building Regulations (2016). The sustainable drainage strategy includes a blue roof to attenuate rainwater and reduce runoff. The scheme would include enhanced biodiversity features such as bat boxes, bug hotels and a roof level wild-flower bed.

The external envelope would be sealed to minimise air leakage. Fresh air would be provided mechanically on a floor by floor basis which would give tenants increased flexibility and increased control to saving energy. External shading would be provided by deep facade profiles and high-performance glazing and glazing would be reduced on the south facade where insulated panels would reduce overheating. Internal blinds would provide another layer of solar control and prevent glare and would reduce loading on the mechanical systems. Air would be drawn through the building facade via intakes behind decorative screens. All heat recovery intakes would incorporate carbon filters to limit external contaminants. A facility would be provided within each of the retail units to incorporate heat recovery type ventilation systems. Should the retail area be used as a restaurant, space has been provided for exhaust ductwork to be routed through the building to roof level.

## **Consultations**

The application has been advertised in the Manchester Evening News as: a major development; affecting the setting of listed buildings; affecting a conservation area; and in the public interest. Site notices have been displayed and the occupiers of nearby properties have been notified. 8 individual representations were received as a result of the first neighbour notification, along with 1 group objection from the No. 1 Deansgate Right to Manage Company Limited which represents 43 households and over 100 residents within the building. A second neighbour notification took place following the receipt of further information from the applicant and in response to that

13 individual representations were received (some of whom had written in again), together with a new group objection from No. 1 Deansgate Right to Manage Company Limited. The main issues raised are summarised below:

#### Impact of demolition and construction works

- The offices were refurbished and reclad only a few years ago. The development will cause impact and inconvenience for the public and nearby residents due to traffic diversions, construction traffic and noise. It should be refurbished. A recession could cause delays in the development and ongoing disruption
- With the closure of Deansgate, concerned that St Mary's Gate and St Anne's Square will become the main access points for all construction traffic. Also fear that St Marys Gate will become even more congested if it is partially closed. Secondly with the Ramada hotel not reopening and set to be demolished, will there potentially be demolition with associated dust, traffic and disruption on 2 corners adjacent to No. 1 Deansgate?

#### Height and design of building

- There is nothing over 10 storeys within 100 metres of 39 Deansgate so the proposal would dramatically change the character of the northern end of Deansgate and loom over surrounding buildings, including the Royal Exchange building and the other historic buildings that surround St. Ann's Square.
- The scheme is not compliant with local planning policy which seeks to direct tall buildings to non-conservation areas.
- The scale and massing are completely inappropriate and out of all proportion to other buildings in the conservation area and south along Deansgate.
- The proposal would destroy the symmetry and 2 existing 'bookends' of Deansgate formed by Beetham Tower and No. 1 Deansgate. The proposed development will not 'bookend' anything - it will destroy the current symmetry and mean the north end of Deansgate has 2 tall buildings, one of which would be a new blocky mass which dominates and distracts from the glazed lines and sleek look of the other.
- A significantly smaller scheme should be considered, with any taller elements located to the northern part of the site and set back at an appropriate distance from Barton Arcade.
- The tower is set forward from the existing building and flush to Deansgate which would lead to unacceptable townscape and visual impacts.
- 39 Deansgate is within the boundary of the Ramada Complex Strategic Regeneration Framework (SRF) Area which proposes 2 'landmark buildings' but not on this site. There is no justified need for a further tower here.
- The tallest nearby building is No.1 Deansgate. Speakers House provides a harmonious transition between this taller building and the lower height of Barton Arcade and buildings further southwards on Deansgate. The current proposals will destroy this rhythm and the prominence of No.1 Deansgate.
- The existing building was set back to respect the prominence of the grandiose Barton Arcade as an important heritage asset. The proposal will result in a

continuous flush façade from the ground floor upwards and the footway on Deansgate will be reduced from 6.3m to 4.4m, severely narrowing the pavement and hindering the pedestrian experience. The current commercial units provide outdoor seating which the new footway could not accommodate.

- The proposed development does not enhance the current poor pedestrian environment. Further, given that the Classes allowed may include eateries which may require pavement space, the loss of pavement on a busy corner will impact the pedestrian experience adversely.
- The proposal will obscure the landmark No. 1 Deansgate, a signature building built as a symbol of Manchester's rebirth and regeneration after the IRA bomb.
- There are no other buildings in the city with the unique design of No. 1 Deansgate and that to build a monolithic development so close would destroy the unique character of No. 1 Deansgate and adversely affect the north corner of St Mary's Parsonage
- It is perverse to apply the guidelines for the Ramada complex to a building in a conservation area. Permitting such a large building would set a precedent for development in other conservation areas.
- The scale and mass is inappropriate and unsympathetic to the setting within the wider city block and the more immediate surrounding built environment. The proposal compromises the cityscape and adjacent uses, rising significantly higher than adjacent built form and very close to existing sensitive uses.
- The predominant line of Deansgate between St Mary's Gate and Great Bridgewater Street is characterised by low to mid roof levels. The proposed development will destroy that.
- There appears to be no commentary upon the requirement for a specific minimum quantum of office floorspace to be achieved to make the scheme viable and therefore the need for a building of a certain height. No assessment of financial viability has been provided. Delivery should be robustly justified.
- Townscape and Visual Impact Assessment
- The Townscape and Visual Impact Assessment has fallings in its methodology and assessment with inaccuracies within the text. The impact has been grossly misjudged from various viewpoints. Many of the views which are 'beneficial' could alternatively be clearly demonstrated to be significantly adverse. These conclusions point to a clear policy conflict with Core Strategy Policy EN1.
- The TVIA cites GLVIA 3rd edition frequently, which is normal practice, but on the issue of significance it follows guidance on procedures and terminology that are an intrinsic part of an EIA, which this TVIA is not. (ref. screening letter contained in the Planning Statement). If an assessment is not part of an EIA then an assessment of significance is not required. Yet the TVIA measures significance which is both misleading and confusing. Either this assessment has been carried out as part of an EIA or it has not. This assessment implies by citing EIA regulations (2017), falsely, that it has.
- In relation to the assessment of visual effects no ZTV (Zone of Theoretical Visibility) or Splat Diagram has been supplied. Therefore viewpoint selection may be arbitrary. Furthermore, it fails to take in account the effect of proposals

on more middle distance viewpoints such as Piccadilly Gardens or Albert Square. Similarly, there is no reference supplied of the new guidance on Visual Representation of Development Proposals, LI technical guidance note 6/19, which was published, well before this application was submitted and before the photographs were taken. Nor is there any supporting technical document which transparently records the Verified View process. Was a FFS camera with fixed 50mm lens used which is now the accepted standard approach unless an alternative methodology has been agreed with the Local Planning Authority? There is also no information supplied about image print size or viewing distance which is again a requirement of the new guidance. The TVIA states the viewpoints were reviewed by Local Planning Authority officers but it does not state whether they were agreed or not.

- Various supporting documents suggest that the proposal would have moderate adverse impact on heritage assets and townscape. Despite this, these statements do not appear to have influenced the judgement of townscape effects in the TVIA, all of which are judged to be beneficial. The only adverse impacts recorded in the 8 townscape receptors assessed, including heritage, were in relation to the construction phase which is consistent with the construction of a building of this nature and largely unavoidable.
- In terms of Townscape effects the conclusions are at odds with a significant component of the townscape of this area: heritage. The TVIA suggests that all effects are neutral whereas the Heritage Assessment and Historic England suggest that it is moderate adverse. The proposal would cause significant harm to heritage assets.
- There is no explanation as to why this extremely prominent, contemporary styled building in view 1, dominated as it is by high quality heritage assets, is 'in keeping with the existing characteristics of the receptor' when it has been admitted that contemporary development is limited. For most other views, the objectors disagree with the conclusions made about the impact. The assessment has underplayed the scale of development on numerous occasions such that the magnitude of effect values are much lower than they appear. If the values are raised to moderate then the effect in TVIA terms becomes significant. The significance of key heritage assets has also been significantly underplayed and the lack of robust argument for beneficial effect implies that adverse judgements are applicable in some cases.
- There appears to be an apparent contradiction applied to the description of embedded mitigation in all 10 viewpoints. The embedded mitigation which describes the building with 'Traditional red masonry and terracotta materials which define Manchester referenced and given a modern interpretation' is inaccurate and inconsistent with the proposal which has aluminium cladding.
- There is no Cumulative Effect assessment provided in the TVIA which is a serious omission.
- We note that Planit has essentially re-written the Townscape and Visual Impact Assessment that was originally submitted to support the application - a direct response to the detailed appraisal undertaken and submitted with our original letter of objection. This raises a significant credibility point and the fact that it has taken an objection to encourage the applicant to essentially re-write their Assessment, and bring it up to the standard required. This update by Planit includes an alteration to a number of the conclusions - e.g. harm to the

Conservation Area and Listed Buildings - however, these conclusions have not been taken into account in the final design (which was finalised prior to this update and has subsequently not been reviewed and amended). Again, this brings into question the reliability and credibility and the validity of the conclusions.

### Impact on heritage assets

#### (i) Barton Arcade

- The application has not appropriately assessed the impact on the Grade II\* listed Barton Arcade and fails to preserve or enhance its setting and significance. The proposals will result in the loss of key views of the arcade and will completely dominate, detract attention away from it and lead to substantial harm with no public benefits to outweigh such harm.
- Whilst the existing Speakers House is subservient and not a valuable contributing factor to the significance of Barton Arcade, this does not lead to the conclusion that its removal and replacement with something of a much larger scale would not have a detrimental impact on the significance of the Grade II\* listed building.
- The assessment methodology uses the significance of the existing building as the baseline from which to assess the scale and effect of change, rather than the significance of Barton Arcade itself. This gives a false "minor beneficial" outcome, due to the "low" attribution assigned to the existing site. In reality, this should reflect the "high" significance of Barton Arcade as the baseline, with the "major change" scale of heritage impact, which would result in "large/very large" adverse outcome. The Heritage Assessment should be amended to thoroughly assess the applicant's baseline position and the significance of Barton Arcade as an important Grade II\* heritage asset.
- Current views along Deansgate offer significant attention to Barton Arcade. The existing Speakers House building is stepped back from the principal building line at ground floor level and again at third floor level, respecting the setting and significance of Barton Arcade and allowing views of its dome from the north. The development proposals will completely dominate and dwarf Barton Arcade due to it being flush along Deansgate and disrespect it as a designated heritage asset.
- Both the proposed design and the Heritage Assessment fail to recognise the significance of the interior space of Barton Arcade. The proposal would block all existing views to the sky, which is particularly significant due to the arcade's decorative glass and cast-iron domes, which were intended to provide a maximum use of light into the Victorian shopping arcade and afford shoppers views of the sky. It will negatively impact the shoppers' experience.
- The submitted Heritage Assessment refers to Land Registry documents dated 20th December 1963 which reveal that prior to the construction of Speakers House, there were concerns that the new building would "cause disruption to the access of light and air of the north wall of the Barton Arcade". As a result, the south side of Speakers House was set back from the site boundary and specifically from a lightwell to the north side of Barton Arcade. This clearly should remain the case for any future development proposals on the site.

- The Heritage Assessment states that the harmful impact of the height and massing of the proposed development at 39 Deansgate is partly mitigated by detailed design that "reflects the architectural rhythm of [...] the adjacent Grade II\* listed Barton Arcade". The drawn information submitted with this application shows that this is not the case; the ground floor level of the new building is split into 7 bays which is clearly intended to reflect the bays of Barton Arcade. However, the lights within each bay do not correspond to the rhythm of Barton Arcade, which has 3 light bays. Additionally, the floor breaks within the new building do not line through with the horizontals of the façade of Barton Arcade, and the triple height bays do not terminate at a point that would suggest correlation between the existing and the proposed. The floors above this in no way correspond to the detailing or rhythm of Barton Arcade. The inclusion of decorative metal banding on the principal façade does not have a significant enough visual link with Barton Arcade for it to be a clear design influence, or something that stylistically ties the buildings together.
- We disagree with the assessment made at Table 2 of the Heritage Statement that the contribution made by setting to the significance of the Grade II\* Listed Barton Arcade is low.
- The Heritage Statement identifies that the proposals will have a 'minor beneficial' effect on Barton Arcade in relation to improved public realm at street level. We feel this doesn't accurately represent the level of impact.
- The existing building is physically attached to the northern elevation of the Grade II\* Listed Barton Arcade. There is a requirement for Listed Building Consent given the proposals involve the demolition of the existing building and its replacement with a new building which physically adjoins Barton Arcade.
- Although the current building occupying the site is poor, one benefit is that it has a neutral impact on the neighbouring Barton Arcade. The rear of the Barton Arcade has been ruined by over-development. If this goes ahead it would see the Deansgate entrance also ruined.

#### (ii) Royal Exchange

- The proposal will harm the setting and significance of the Royal Exchange overtaking this building as the most dominant building in the conservation area, and completely distort views from its roof terrace.
- The proposals will retain direct views of the building but will sever the wider townscape and gradual step down towards its tower from Blackfriars House.

#### (iii) St Ann's Square Conservation Area

- The proposal fails to preserve or enhance the character and appearance of the conservation area and its listed buildings.
- The Heritage Statement confirms the development will erode the heritage values of the conservation area, and hugely impact the spatial character of St Ann's Square, including its group of Grade II listed townhouses. The Statement concludes that the development would have a "moderate adverse impact" on the listed townhouses and St Ann's Square Conservation Area and we agree with this judgement. The Statement then contradicts this by saying that "the proposals will not result in any harm as defined within the NPPF on

the listed buildings, but does not give an equivalent summary for the conservation area. It is clear that the proposals would cause harm to the significance of the 4 no. Grade II listed townhouses to the western side of St Ann's Square and St Ann's Square Conservation Area.

- The applicant has acknowledged and clarified that the scheme causes harm to the St Ann's Square Conservation Area and the three Grade II Listed townhouses (No's 16-22 St Ann's Square). Paragraph 194 of the NPPF outlines that any harm to the significance of a designated heritage asset should require clear and convincing justification. There does not appear to be any clear or convincing justification for the extent of harm caused nor does there appear to be any attempt to reduce it.

### Public benefits

- It is not clear what the public benefits of the scheme are and would disagree with the assertion that 'the public benefits of the proposed scheme [are] to redevelop this prominent gateway site in the City Centre into a distinctive landmark office building of high architectural merit, in accordance with the Council's strategic policy aims', along with the 6 no. specific points outlined in paragraph 1.4 of CBRE's response. Disagree with the assertion that this is 'a distinctive landmark office building of high architectural merit', but these public benefits are limited in their scope, and it has also not been demonstrated that these public benefits could only flow from the scheme submitted. Such benefits could still be achieved from an alternate scheme which does not result in the identified harm to the heritage assets. This development does not secure the 'optimum viable use' and alternatives should be considered.
- It has not been demonstrated that the harm to the four designated heritage assets is outweighed by the supposed public benefits to the scheme. The limited public benefits identified do not outweigh the identified harm to the four designated heritage assets. Therefore the scheme does not meet the tests outlined within the relevant legislation.

### Alternative proposal

- As there is harm to designated heritage assets the Council is required to consider whether or not there are alternatives which are less harmful. The harm is exacerbated by the materials and appearance of the building. The site could be developed in a more sensitive manner.
- The applicant has not analysed alternative proposals in terms of scale and massing and does not address a material consideration. The Council cannot determine this application without considering alternatives and will have ignored a material consideration and its decision will be open to challenge. A more contextually responsive design would cause less harm to the heritage assets and even enhance them.
- It is evident that the site is capable of being developed in a more sensitive manner than that which is being proposed from a scale and massing perspective. Such alternative development would also result in the same public benefits identified by the applicant. The Applicant must therefore be required to produce alternatives to the development in order that those alternatives can be assessed in the context of the planning balance, including

harm to the setting and appearance of the listed buildings and conservation areas, and amenity of neighbouring residential properties (e.g. No. 1 Deansgate).

- Whilst a Viability Assessment may not strictly be a policy requirement when considered against Manchester City Council's latest Validation Checklist, we argue that it forms a central part of the design justification and that one should, as a matter of best practice, be requested by Manchester City Council as part of their formal design review as part of the application determination. Without this evidence it remains unclear what has led to the specific building height that is being promoted by the applicant. There is no commentary which sets out the requirement for a specific minimum quantum of office floorspace to be achieved on the site to make the scheme viable, and what may therefore be seen to drive the need for a building of a certain height.
- No evidence has been put forward to justify why the building must be 17 storeys, and why it cannot be - for example - a building of 9, 10 or 11 storeys; something that is more proportionate and acceptable.
- Reference is made to the 'Client Brief' and the 'Applicant Brief' which appears to comprise the delivery of more than 130,000 sq. ft of 'Grade A' office space and 5,000 sq. ft of flexible retail space at Ground Floor. There is no further justification however for this quantum of development and one can only assume that it is no more than a private landowner seeking to maximise their financial return from the site - based on the price paid for the land and property - with limited attention paid to the scheme design and relationship with the surrounding cityscape.
- It is essential that Manchester City Council interrogate the proposals to ascertain why a lower building - which would be more acceptable across a number of material planning considerations - cannot be brought forward. In the absence of this robust appraisal we argue that the scheme fails when tested against local and national planning policy.

#### Loss of privacy and overlooking

- Major loss of privacy for some residents of No. 1 Deansgate. The proposed new building will be very close for its total height. All floors which overhang on to St Mary's Gate will be directly overlooked from level 6 to 17. The balconies of No. 1 Deansgate do not have blinds and cannot be fitted with them. The office space would face directly onto bedrooms and the balconies of No. 1 Deansgate are clear glazed,
- There is commentary regarding the new building being used in normal office hours, but if the office is used 24/7, residents will be overlooked at all hours of the day and night. The applicant can provide no assurance that their tenants will utilise the solar blinds proposed.
- The separation distance between No. 1 Deansgate development and the proposal is between 16 and 18 metres. The application site does not lend itself to the proposed separation distance. No.1 Deansgate is a distinctive building which formed a key part of the rebuilding programme following the 1996 IRA bombing. The proposal at 39 Deansgate is an inappropriate neighbouring proposal which will lead to conflict between the uses.
- The assumption that the enclosed balconies of No. 1 Deansgate are somehow not used as living areas is wrong. Because the balconies do not



have blinds it is also possible to see into the living areas. There are blinds on the living areas, but the whole point of living in a glass building is to be able to maximise light and be able to see out.

- The design of No. 1 Deansgate is such that the level of privacy could only be protected against this development in such close proximity by having blinds/curtains drawn for the full day and night. The balconies are unable to be protected by this due to their nature and as such residents will be unable to use a key aspect of the home they have purchased without a severe impact on their daily lives and personal space.
- Overlooking into Barton Arcade and onto the private outdoor terrace for the penthouse. The proposal should be adequately set back from the site boundary in order to mitigate such amenity issues.

### Shadowing and loss of light

- The building would cast a huge shadow over No.1 Deansgate, significantly reducing the natural light that residents currently enjoy. Some areas in the apartments have only borrowed light and these areas will become even darker. Sunlight on balconies will be lost, affecting the way they are used, and will lead to a reduction in heat coming into the internal rooms. Views of the skyline from balconies will reduce. The purpose of a glass building is to maximise light so one of the key architectural features of No 1 Deansgate will be lost.
- Speakers House was built so as to retain sufficient light into Barton Arcade and a lightwell located on the northern boundary of the site. The application fails to reference this lightwell and does not assess the resulting impact on this feature. The proposal will severely diminish light levels to Barton Arcade. The technical daylight/sunlight report should be revised to include an assessment of the lightwell. Building on the party line and so close to the lightwell will severely impact the ability for the ground floor or basement units to utilise the lightwell for daylight, ventilation and extract ductwork for kitchens. This narrow slot provides light to the ground floor shop units which are otherwise internal.
- The Daylight and Sunlight Assessment refers to the impact on flats on floors 4-8; when clarified, the Planning Officer confirmed this meant actual floors 1-5, i.e. the report numbering was from ground level. This was confusing, even misleading, and there was no key in the report.
- No. 1 Deansgate will be impacted by the mass of the development and will lose light. No 1 Deansgate will also have views to a great portion of the sky blocked, which cannot have been the intentions of the planners when agreeing to a fully glazed building.

### Wind Impact

- No assessment appears to have been made of the impact of new wind effects on No. 1 Deansgate which has a louvre system for light and ventilation. Louvres are automatically closed if it rains or is too windy. The wind sensor is on the roof of No. 1 Deansgate. If the wind effects are greater than now, the louvres will close more, reducing the ventilation to the flats. If the wind effects

are too strong or result in unexpected gusts, open louvres may become unstable and dangerous.

- The wind sensors in No. 1 Deansgate will continue to trigger according to wind level. They may trigger (close) more frequently which will adversely impact the ventilation of all apartments in No. 1 Deansgate, not just the ones facing the proposed development, because the sensors are controlled centrally.
- The applicant has stated that the proposed scheme may result in a beneficial effect by sheltering No.1 Deansgate from the prevailing wind angle. Please provide the evidence for this.

#### Amount of/Need for office space

- The amount of office floorspace contravenes local planning policy CC1 which encourages high-density B1a office development to be located in one of five specific areas of the city, in which the application site is not located.
- Given the current mitigation measures in places for Coronavirus where many people are working from home, and the likelihood that a certain percentage will continue with home working afterwards, or that there will be a recession, there are concerns that the demand for office space will reduce.
- The applicant has stated that Grade A office space in Manchester is becoming increasingly constrained with 50 per cent of the development pipeline already let. This is not a justification for such a massive development. If 50% is let, that still leaves 50% unlet. Does Manchester need another empty office building?
- The Council could be giving planning for a site that will blight that area before it is built and afterwards if it is built. The most sensible course of action is to defer a decision on this site until the Council and the planners have a better view of the post COVID demand for offices in the City Centre and to encourage the developer to come forward with a more appropriate plan both in terms of size and visual appeal.

#### Air quality

- Air quality around Manchester city centre and Deansgate is not very good and this proposal would make it worse during rush hour and could possibly cause asthma attacks for people walking past the building site.

#### Green infrastructure

- There is disappointment over the lack of green credentials in the proposed development. Some ideas: an internal green space open to the public, a green roof garden - open to the public, a green wall, an internal hanging garden - open to the public.

#### Deliverability

- The application fails to provide accurate ownership. The applicants have no rights beyond the envelope of the existing building as per the legal agreement

made when Speakers House was constructed and we therefore question the deliverability of the scheme.

- The site location plan shows the extent of the ownership as on the building line between 39 Deansgate and Barton Arcade. However, the red line boundary shown on various floor plan drawings and on the roof plan show the red line encroaching over onto the boundary of Barton Arcade. The freeholders of Speakers House have no rights beyond the envelope of the existing building. Not only does this question how the proposals will be constructed, it also raises the question of how the building will be cleaned and maintained if built. Certificate B notice has not been served on the freeholders or leaseholder of Barton Arcade. We therefore request that the drawings are amended to reflect the accurate positioning of the boundary line.

## EIA

- The original Townscape and Visual Impact Assessment concluded the 'moderately significant' effects trip the threshold for EIA. Whilst the replacement Townscape and Visual Impact Assessment removes the reference to the EIA regulations, the proposed development has not been amended and as such there is nothing which would warrant a departure from the previous conclusions within the revised assessment. Given that we are dealing with important heritage assets, both listed buildings and conservation areas, and that European Law takes a precautionary approach, the assessment of moderate significance of itself is enough to give doubt about the impact and therefore requires the need for an Environmental Impact Assessment ("EIA").
- The Council fails to comply with Regulation 5(5) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 because having issued a screening opinion it does not specify the features or measures that will avoid or reduce significant environmental effects.
- It is evident from the submitted assessments that the development will result in significant environmental impacts, in EIA terms, and consequently an Environmental Impact Assessment should have been submitted with the application submission.

Member representations - Councillor Johns objected to the proposal, centred around four key points:

1. The proposal would cause undue harm to the neighbouring residential building (No. 1 Deansgate) and its residential amenity
2. The proposal would cause undue harm to nearby listed buildings and conservation areas
3. The proposal would harm the existing townscape
4. The proposal amounts to overdevelopment

1. The sheer tall face of the proposed building facing No. 1 Deansgate would be overbearing on residents and would lead to overlooking, thereby detrimental affecting their privacy. For those residents living on the south side of No. 1 Deansgate, their light would be affected. Cllr Johns agrees with the comments made

in the submitted group objection. The lack of a microclimate study assessing the impact of the proposal on the dynamic façade of No.1 Deansgate needs addressing.

2. Cllr Johns notes the high number of listed buildings and other heritage assets (such as conservation areas) that could be affected by the proposal. The western side of the Square is of an eclectic, historic, and notably low-rise nature and is of particular importance for the determination of this application. St Ann Square's historic and aesthetic worth is not merely derived from a single viewpoint but the layout of the Square, the retention of the historic building line, its low-rise roofline, and eclectic yet historic style. The setting of the Church of St Ann cannot only be considered in light of viewpoints that contain the Church itself, but must include viewpoints from the Church, from nearby the Church, and the overall nature of the space around the Church. The proposal causes considerable harm to these. It is overbearing, overly massive, and terminates the feeling of structure within the Square which is attributed to its layout and consistent roofline. The Heritage Statement admits that the proposal "would introduce a dominant modern vertical element into a low-level building line which is otherwise largely 18th century in character which would be compromised...". Cllr Johns agrees with this.

One of the viewpoints from within the Square shows a looming effect over these heritage buildings, disrupting the sense of enclosure and drawing the eye towards modern design and away from the historic character of the Square. It intrudes upon the setting of these specific buildings, the Square overall, and the Conservation Area in its totality generating a major adverse impact.

The proposal would also generate severe and obvious harm to the Grade II\* Listed Barton Arcade and Cllr Johns believes the development would be physically attached to it. The proposal would loom over the Arcade and the internal impact within Barton Arcade has not been considered by the applicant. This is likely to cause further harm to a key heritage asset.

Viewpoint 6 of the Heritage Statement demonstrates the significant harm caused by the proposal to the setting of the Grade II listed Royal Exchange Building. It is an attractive and iconic viewpoint in Manchester and the tower of the Royal Exchange stands against an uninterrupted backdrop from the open pedestrian space at this location on Market Street. The proposal would severely diminish the value of the heritage asset and its setting.

The proposal would be domineering over Police Street and the heritage assets contained nearby and would create an aesthetically poor backdrop to views of historic assets.

The scale and massing of the proposal would be overbearing on the Parsonage Gardens Conservation Area. The Heritage Statement's judgement of 'negligible adverse' impact is a clear understatement from viewpoint 5. There is clear harm caused by the proposal in the proposed viewpoints to the nature of the Parsonage Gardens Conservation Area.

3. The proposal is overbearing and incongruous with its surrounding townscape. This represents an adverse impact on the character of the area. The scale of

buildings along Deansgate is fairly consistent low-mid rise with No. 1 Deansgate and Beetham Tower providing bookends. The proposal is taller than No. 1 Deansgate, and creates a displeasing effect to the townscape whereby the roofline on Deansgate's eastern side would rise in a sleek fashion with a sloping roof along No. 1 Deansgate, increase sharply for a significant blocky mass (the proposal), and then drop off sharply for the lower rise datum of the middle section of Deansgate's eastern side until the Beetham Tower to the south. This disrupts the current bookend effect, by creating a large blocky mass in a heavier and blunter style than No. 1 Deansgate. The proposal interrupts the coordinated effect provided by the similar blue colour scheme and glass material palette of No. 1 Deansgate and the Beetham Tower rising above a mid-rise building line with a predominantly brick palette. It further interrupts the sleek shapes used by those buildings to reduce their 'heaviness' in the context of Deansgate - the Beetham Tower with its slender profile and blade, and No. 1 Deansgate with its light steel frame, visible overhang, and angled profile. The proposal is not only overbearing, but it disrupts a pleasant and seemingly coordinated building line which is bookended currently in an aesthetically pleasing way.

There are errors in the Townscape & Visual Impact Assessment which have been noted in the group objection received.

The proposal's site sits within the Ramada Complex Strategic Regeneration Framework (the SRF). The SRF only takes the view that "current mix commercial and retail uses represent the preferred ongoing uses for this site." The SRF requires the proposals' "height will need to be determined through contextual appraisals and townscape analysis of the site". The height and massing of this proposal are inappropriate for the context and townscape within which it is proposed.

4. The Applicant does not seek to justify why this high level of scale and massing is necessary for the financial or economic viability of the proposal and it unclear that the high level of scale and massing provides relevant benefits which outweigh the harm caused by the proposal. It is too broad from all viewpoints, and its irregular shape gives a highly unpleasant view of an imposing building leaning toward the viewer from the immediate north (especially within No 1. Deansgate).

The proposed massing significantly increases the harm but amounts to overdevelopment in itself. The proposal is an excessively intensive use of the site, overbearing within its context, and it would create sightlines where the proposal sits in a heavy and visually displeasing manner.

Aside from the above 4 main concerns, Cllr Johns also talks about the benefits of the proposal as highlighted in the application submission. These relate to:

- 723-731 FTE net additional jobs
- £2.3m per annum in business rate contributions
- £1.9 million increase in local expenditure

Cllr Johns states that the existing economic context due to Covid-19 should now be considered. This context is one of economic decline and social distancing measures have led to a shift from office-based working to working from home. It is contextually

illiterate to consider that there will not be permanent changes to the local (and indeed global) office market resulting from this. The 2015 Employment Density Guide is no longer a relevant guide in determining the amount of employment that will be generated by development due to significant changes in the economic context during a period of growth, but also the Covid-19 pandemic and changes to working from home related to it have distinctly altered the assumptions and data on which the guidance rests. There is significant uncertainty of the permanence of this shift and a dramatic collapse in demand for office space in light of this has taken place. As such, the proposal's estimated operational job figures should be of no relevance to the determination of the application having been superseded by events.

The Planning Statement asserts that the proposal will result in £2.3 million per annum which assumes a rental rate of £33/£35 (office/retail) per sq ft. There is no attempt to justify these assumed values but the severe changes to the economic context and office market as a result of Covid-19 would have brought those assumptions sharply into question.

The applicant also emphasises increased local expenditure of £1.9 million per annum. This is based on a 2015 report on UK Working Day Spend (uprated by inflation by the Applicant), multiplied by a 220-day working year, multiplied again by the 723-731 FTE jobs projected. The 723-731 FTE jobs are not meaningful in determining the benefit of this application and the 2015 report cited is now 5 years old and refers to spending patterns during a very different stage of the business cycle. Given the prevailing context of economic damage caused by the Covid-19 pandemic and the danger this has posed to people's incomes, such a report and calculations derived thereof can no longer be considered relevant to the determination of this application.

The application talks of the identified need for high quality office space. The changes brought about by Covid-19 would suggest that any identification of need is simply irrelevant and unrealistic. It is not clear that there is need for a 18,283 sq m landmark office building at the current time or that this will be the case for a number of years.

Highway Services - No objection. The footways around the site should be replaced with like for like high quality materials. The increase in the number of vehicle trips would be negligible. The applicant will be required to fund the installation of an on-street disabled bay in a suitable location close to the site and a Car Club bay is requested. The entrance doors to the retail units should open inwardly. A Servicing Management Strategy and a Construction Management Plan should be provided. The interim travel plan is acceptable and a full travel plan should be a condition.

Environmental Health - Recommended that conditions relating to delivery and servicing hours, fume extraction, operational hours for the new uses, acoustic insulation of the building and external plant, a construction management plan, air quality, waste management and contaminated land should be applied to any approval granted.

Corporate Property - No representations received

City Centre Regeneration - No representations received

Central Neighbourhood Team - No representations received

Work & Skills Team - Request a condition regarding a local labour agreement to demonstrate commitment to local labour for construction and in operation.

Greater Manchester Police - Recommend a condition to reflect the physical security specifications set out in the Crime Impact Statement,

Historic England (North West) - The site is in the St Ann's Square Conservation Area, which has the grade I listed St Anne's Church as its central focus. The conservation area largely retains its Georgian plan form and some original buildings within the square. It is an important survival of the early historic character of this part of Manchester and of planned squares of the Georgian period; it demonstrates the growing wealth of Manchester as the Industrial Revolution takes hold and its aspirations as a city. Barton Arcade a grade II\* listed grand Victorian shopping arcade. Its decorative style and ambitious use of glass and cast iron provided a maximum use of light and sense of grandeur for discerning shoppers of the time.

The Heritage statement has identified the potentially affected heritage assets, described their significance and assessed the potential impact of the proposals on that significance. It includes a visual impact assessment with proposed views and we are satisfied this information is sufficient to understand the impact of the proposals.

Historic England has no objection to the demolition of the existing building and we generally agree with the statement's findings in terms of the heritage impact. It is our view that the potential harmful impact of the proposals is to the spatial character of St Ann's Square and its group of listed town houses. We agree that the impact is a moderate adverse impact and that the impact is mostly towards the north end of the Square. We consider this level of harm to be less than substantial as defined in the National Planning Policy Framework (NPPF).

Paragraph 193 of the NPPF states "When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

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

*Recommendation*

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194 and 196 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Environment Agency - No representations received

Transport For Greater Manchester - Have no comments from a Metrolink perspective.

Greater Manchester Archaeological Advisory Service - The application is supported by an archaeological desk-based assessment (DBA) produced by Orion Heritage Ltd (January 2020). There is also a Heritage Statement (HS) produced by Stephen Levrant heritage Architecture (January 2020).

The DBA draws together and synthesises a range of historic sources of information including HER data, published books and historic mapping to outline what is known of the site's developmental history. Following a discussion of the available evidence on a period-by-period basis it offers a map-based regression and assesses the likelihood of physical remains of past activity to survive and their likely significance. It assesses the impact of the proposals upon the significance of these heritage assets and offers a clear conclusion concerning further archaeological work. The DBA meets the basic requirements for such a study as set-out in the NPPF and GMAAS accepts the report.

The concluding recommendation of the DBA, that no further archaeological investigations are merited is accepted. Not only is the 1960s building a large construction, but we know the 1902-3 bank was cellared. Furthermore, it is clear from the 60" mapping of 1844-49 that other buildings within the PDA along Deansgate had either light wells or stairs to basements. All of which points to a high level of disturbance to any medieval deposits when the mid-nineteenth century mapped buildings were constructed. GMAAS agrees with this recommendation and advises that no further archaeological requirements are required.

Greater Manchester Ecology Unit - Bats - A suitably experienced bat consultant found no evidence of bats and the building has negligible bat roosting potential. As individual bats turn up on occasion in unexpected locations, recommend an informative.

Nesting Birds - A feral pigeon nest was found on the building proposed for demolition. All British birds nests and eggs are protected by the Wildlife & Countryside Act 1981, as amended. Feral pigeon are regarded as a pest species and nests can be destroyed under a general license. Recommend a condition regarding this.



Greater Manchester Pedestrians Society - No representations received

Manchester Airport Safeguarding Officer - Have no aerodrome safeguarding objections to the proposal.

National Air Traffic Safety (NATS) - No safeguarding objection to the proposal.

Sustainable Travel - No representations received

Strategic Development Team - No representations received

United Utilities Water PLC - Recommended that a condition relating to the submission of a surface water drainage scheme based on the hierarchy of drainage options, foul and surface water should drain on separate systems, and a condition relating to the management and maintenance of the drainage system should be a condition.

MCC Flood Risk Management - A conditions should require the submission of a surface water drainage scheme and a management and maintenance regime,

Civil Aviation Authority - No representations received

## **ISSUES**

### **Relevant National Policy**

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to apply. It aims to promote sustainable development. The Government states that sustainable development has an economic role, a social role and an environmental role (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan. Paragraphs 11 and 12 state that:

"For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay" and "where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

The proposed development is considered to be consistent with sections 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF.

### **Local Planning Policy**

Local Development Framework

The principal document within the framework is The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") which was adopted on 11 July 2012 and is the key document in Manchester's 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.

Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The Core Strategy has Strategic Spatial Objectives that form the basis of its policies:

SO1. Spatial Principles – This site is highly accessible, close to good public transport links, and would thereby reduce the need to travel by private car.

SO2. Economy - The proposal would provide jobs during construction with permanent employment and facilities in the offices and commercial units. It would support business and leisure functions of the city centre and the region.

SO5. Transport – The highly accessible location would reduce the need to travel by private car and make the most effective use of public transport.

SO6. Environment - The proposal would help to protect and enhance the City's built environment and ensure the sustainable use of natural resources, in order to: mitigate and adapt to climate change; improve air, water and land quality; improve recreational opportunities; so as to ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP1 Spatial Principles – The development would provide offices in a central location. It would be close to sustainable transport provision and contribute to the creation of a neighbourhood where people choose to be. It would enhance the built and natural environment and create a well-designed place that would enhance and create character, re-use previously developed land and reduce the need to travel.

Policy CC1 Primary Economic Development Focus: City Centre and Fringe - The City Centre is a strategic economic location and the focus of employment growth and is expected to accommodate 33ha of office or similar employment development. A variety of high quality accommodation types, sizes and foot-plates would boost investment. The City Centre is suitable for high density buildings and commercially led mixed use schemes.

Policy CC5 Transport – The proposal would help to improve air quality, being accessible by a variety of modes of sustainable transport.

Policy CC6 City Centre High Density Development – The proposal would be a high density development and use the site efficiently.

Policy CC7 Mixed Use Development – This mixed-use development would use the site efficiently. Active ground floor uses are appropriate in this location.

Policy CC8 Change and Renewal - The proposal would create employment and improve the accessibility and legibility of the Centre.

Policy CC9 Design and Heritage – The design would be appropriate to the City Centre context. It would have an impact on views from within the St. Ann's Square Conservation Area and the setting of a number of listed buildings. The harm would be less than substantial and would be outweighed by the public benefits that would be delivered.

Policy CC10 A Place for Everyone – The office accommodation would be highly accessible.

Policy T1 Sustainable Transport – The proposal would encourage a modal shift to more sustainable alternatives. It would improve pedestrian routes and the pedestrian environment.

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

Policy EN1 Design Principles and Strategic Character Areas - The design would enhance the character of the area and the image of the City. It would respond positively at street level and would improve permeability.

Policy EN2 Tall Buildings – The high quality design would contribute positively to sustainability and place making and bring significant regeneration benefits.

Policy EN3 Heritage - The existing building has a negative impact and it is considered that the proposal would enhance the site. Any negative impacts on heritage assets would be outweighed by the public benefits of the scheme.

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 EN8 Adaptation to Climate Change – The energy statement sets out how the building has been designed to be adaptable to climate change.

Policy EN9 Green Infrastructure – The development includes rooftop planting.

Policy EN14 Flood Risk – The site is not in an area at risk of flooding and has been designed to minimise surface water run-off and would have a blue roof.

EN15 Biodiversity and Geological Conservation – The development would provide ecological enhancement for different species such as breeding birds and roosting bats.

Policy EN16 Air Quality - The proposal would be highly accessible by all forms of public transport and reduce reliance on cars, minimising emissions and traffic generation.

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

Policy EN18 Contaminated Land and Ground Stability - A desk study identifies possible risks arising from ground contamination.

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

Policy EC1 Employment and Economic Growth in Manchester - A minimum of 200 ha of employment land will be developed between 2010 and 2027 for offices, research and development, light industrial, general industry and distribution and warehousing. The City Centre is a key location for this.

Policy EC8 Central Manchester - Central Manchester is expected to provide approximately 14ha of employment land.

Policy DM1 - Development Management – This policy sets out the requirements for developments 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.

The application is considered in detail in relation to the above issues.

The proposal is considered to be consistent with the following Core Strategy Policies SP1, CC1, CC5, CC6, CC7, CC8, CC9, CC10, T1, T2, EN1, EN2, EN3, EN4, EN6, EN8, EN9, EN14, EN15, EN16, EN17, EN18, EN19, EC1, EC8 and DM1 for the reasons set out below.

Saved UDP Policies

Whilst the Core Strategy has now been adopted, some UDP policies have been saved.

DC18.1 Conservation Areas – The proposal would in general enhance the character and appearance of the St. Ann’s Square Conservation Area and other nearby conservation areas. . Any negative impacts on heritage assets would be outweighed by the public benefits of the scheme. This is discussed in more detail later in the report.

DC19.1 Listed Buildings – Whilst there would be an adverse impact to the setting of some listed buildings, the proposal in its entirety is considered acceptable in terms of its impact on the settings of nearby listed buildings. Any negative impacts on heritage assets would be outweighed by the public benefits of the scheme. This is discussed in more detail later in the report.

Policy DC20 Archaeology – An archaeological desk based assessment has been carried out for the site and concludes that no further work or investigations are needed.

The proposal is considered to be consistent with saved UDP policies DC18.1, DC19.1 and DC20 for the reasons set out below.

### **Policy analysis**

NPPF Section 6 (Building a Strong, Competitive Economy) and Core Strategy policies SP1 (Spatial Principles), EC1 (Land for Employment and Economic Development), EC3 (The Regional Centre), CC1 (Primary Economic Development Focus), CC7 (Mixed Use Development) and CC8 (Change and Renewal) – The proposal would deliver economic development and support economic performance within a part of the City Centre identified in policies EC1 and CC1 as a focus for primary economic development. The site is well connected to transport infrastructure. It would create jobs during the construction and operational phases. The development would use the site efficiently, redevelop brownfield land, enhance the sense of place within the area, provide users and employees with access to a range of transport modes and reduce opportunities for crime.

It would be highly sustainable and would maximise use of the City's transport infrastructure. It would enhance the built environment, create a well-designed place that would enhance and create character and reduce the need to travel. It would contribute to the local economy and support local facilities and services. A high quality office development would improve the range of office accommodation options within the City Centre in an area in need of further regeneration.

NPPF Section 7 (Ensuring the Vitality of Town Centres) and Core Strategy policies SP1 (Spatial Principles) and CC2 (Retail) - The City Centre is the focus of economic and commercial development, leisure and cultural activity and high quality city living. The proposal would attract and retain a diverse labour market. It would increase activity, support business and leisure functions and promote economic growth.

NPPF Section 9 (Promoting Sustainable Transport) and Core Strategy policies CC5 (Transport), T1 (Sustainable Transport) and T2 (Accessible Areas of Opportunity and Need) - The highly sustainable location would give people choices about how they travel and contribute to sustainability and health objectives. The area is within walking distance of Victoria, Piccadilly, Deansgate and Oxford Road train stations, Metrolink stops and Metroshuttle routes. A Travel Plan would facilitate sustainable transport use and the City Centre location would minimise journey lengths for employment, business and leisure activities. The proposal would help to connect City Centre residents to jobs.

NPPF Sections 12 (Achieving Well Designed Places) and 16 (Conserving and Enhancing the Historic Environment), Core Strategy policies EN1 (Design Principles and Strategic Character Areas), EN2 (Tall Buildings), CC6 (City Centre High Density Development), CC9 (Design and Heritage), EN3 (Heritage) and saved UDP policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) - The design has been considered carefully and has been subject to consultation with relevant stakeholders. It would maximise the use of land and would be appropriate to its context. The building could be considered to be tall within its local context. The location is appropriate, would contribute to place making and would bring significant regeneration benefits. The design would respond positively at street level and is discussed in more detail below.

A Tall Building Statement identifies 10 key views and assesses the development's impact on these. The site is within a conservation area and there are a number of listed buildings nearby that would be seen in the context of the proposal. Any negative impacts on heritage assets would be outweighed by the public benefits of the scheme. This is considered in more detail later in the report.

NPPF Section 14 (Meeting the challenge of climate change, flooding and coastal change), Core Strategy policies EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon) EN6 (Target Framework for CO2 reductions from low or zero carbon energy supplies), EN8 (Adaptation to Climate Change), EN14 (Flood Risk) and DM1 (Development Management - BREEAM requirements) - An Environmental Standards Statement demonstrates that the proposal would be energy efficient and include sustainable technologies at conception, feasibility, design and build stages and in operation. It would follow the principles of the Energy Hierarchy to reduce CO2 emissions. An Energy Statement sets out how the proposals would meet target framework requirements for CO2 reduction from low or zero carbon energy supplies.

The site is located within Flood Zone 1. A Flood Risk Assessment and Drainage Strategy addresses surface water runoff and drainage. The drainage strategy would manage surface water runoff to ensure that the peak rate and volume would be no greater than pre-development and accord with local planning policies. .

NPPF Section 15 (Conserving and enhancing the natural environment), Manchester Green and Blue Infrastructure Strategy 2015, Core Strategy policies EN9 (Green Infrastructure), EN15 (Biodiversity and Geological Conservation), EN16 (Air Quality), Policy EN17 (Water Quality), EN18 (Contaminated Land and Ground Stability) and EN19 (Waste) - There would be no adverse impacts from risk of pollution from

ground conditions, air and water quality, noise, vibration, waste and biodiversity. Surface water run-off and ground water contamination would be minimised.

There is no conclusive evidence about the presence of any protected species on the site or nearby that would be affected. There would be no adverse effect on any statutory or non-statutory designated sites in the wider area. The development would include a new green/blue roof and would enhance ecology.

The development would be consistent with the principles of waste hierarchy and a Waste Management Strategy details measures that would be undertaken to minimise waste production during construction and in operation. The onsite management team would manage waste streams.

NPPF Section 8 (Promoting Healthy Communities) - The creation of active frontages would help to integrate the site into the locality and increase natural surveillance.

Core Strategy Policies CC7 (Mixed Use Development) and CC10 (A Place for Everyone) – The proposal would be an efficient, high-density, mixed-use development in a sustainable location. As the City's economy continues to grow, investment is required in locations that would support and sustain this growth. The City Centre is the biggest source of jobs in the region and this proposal would provide high quality office accommodation to support the growing economy and contribute to the creation of a sustainable, inclusive, mixed and vibrant community. Users of the office accommodation could use local shops, restaurants and bars.

Saved UDP Policy DC20 (Archaeology) – Adequate archaeological investigation has taken place for the site.

### **Other Relevant City Council Documents**

Our Manchester Strategy 2016-25 – sets out the vision for Manchester to become a liveable and low carbon city which will:

- Continue to encourage walking, cycling and public transport journeys;
- Improve green spaces and waterways including them in new developments to enhance quality of life;
- Harness technology to improve the city's liveability, sustainability and connectivity;
- Develop a post-2020 carbon reduction target informed by 2015s intergovernmental Paris meeting, using devolution to control more of our energy and transport;
- Argue to localise Greater Manchester's climate change levy so it supports new investment models;
- Protect our communities from climate change and build climate resilience.

Through its objective of being a progressive and equitable city, from a development and regeneration point of view, this not only means creating and enabling jobs and growth, it also demands a smart and thoughtful approach to how development is executed. This should ensure that residents living in nearby areas and

circumstances of disadvantage are connected to employment, skills and training opportunities, and given the support and empowerment necessary to make the most of them.

Manchester: A Certain Future (MACF) is the city wide climate change action plan, which calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city by 2020. Manchester City Council (MCC) has committed to contribute to the delivery of the city's plan, and set out its commitments in the MCC Climate Change Delivery Plan 2010-20.

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these ambitious new targets.

The Zero Carbon Framework - outlines the approach which will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the world-renowned Tyndall Centre for Climate Change, based at the University of Manchester.

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO<sub>2</sub> from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken.

Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus the development of a 'circular economy', in which sustainable and renewable materials are reused and recycled as much as possible.

Climate Change and Low Emissions Implementation Plan (2016-2020) - This Implementation Plan is Greater Manchester's Whole Place Low Carbon Plan. It sets out the steps to be taken to become energy-efficient, and investment in our natural environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester's air quality. These have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation.

Guide to Development in Manchester Supplementary Planning Document 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. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the



reasons set out later in this report the proposal would be consistent with these principles and standards.

The Greater Manchester Strategy (2017) (“Our People, Our Place”) – This was produced by the Greater Manchester Combined Authority (GMCA) and replaces the former “Stronger Together: Greater Manchester Strategy” published in 2009. It sets out a very clear vision for the City-Region, stating that Manchester will be:

- “A place where all children are given the best start in life and young people grow up inspired to exceed expectations.
- A place where people are proud to live, with a decent home, a fulfilling job, and stress-free journeys the norm. But if you need a helping hand you’ll get it.
- A place of ideas and invention, with a modern and productive economy that draws in investment, visitors and talent.
- A place where people live healthy lives and older people are valued.
- A place at the forefront of action on climate change with clean air and a flourishing natural environment.
- A place where all voices are heard and where, working together, we can shape our future.”

Delivery of a new office block and associated commercial space would create a substantial amount of employment opportunities that range from contributing to the supply chain indirectly in addition to direct job creation through new commercial office floorspace. The new office block would contribute directly to creating an environment that attracts investment into local and regional centres within Greater Manchester and in Manchester, which is seen as the heart of the region.

Manchester City Centre Strategic Plan - The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over the period of the plan, updates the vision for the City Centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the City Centre neighbourhoods, and describes the partnerships in place to deliver those priorities.

The site sits at a key junction of Deansgate and forms the western approach to the City’s main retail core. The area surrounding the site is transforming with a number of developments taking place to the north and west, beyond the River Irwell (e.g. Embankment and Chapel Street) as well as at Greengate, NOMA and around Victoria Station. The site is located to the south of the Medieval Quarter SRF and to the east of the Irwell City Park Area. In this regard, MCC have recognised the regeneration opportunities of the site and have developed the Ramada Complex Strategic Regeneration Framework (SRF), of which 39 Deansgate forms part of.

Stronger Together: Greater Manchester Strategy 2016-2025 - This is the sustainable community strategy for the Greater Manchester City Region. The Manchester Strategy 2016-25 also identifies a clear vision for Manchester’s future, where all residents can access and benefit from the opportunities created by economic growth. Over a thirty year programme of transformation, Manchester has become recognised

as one of Europe's most exciting and dynamic cities. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region and a high quality of life. All its residents are able to contribute to and benefit from sustained prosperity.

The proposed office accommodation would support and align with the overarching programmes being promoted by the City Region via the GM Strategy.

Manchester Joint Health & Wellbeing Strategy (2016) - is the city's overarching plan for reducing health inequalities and improving health outcomes for Manchester residents. It sets out a ten year vision for health and wellbeing and the strategic priorities which have been identified to support this vision. The vision is that in ten years the people of Manchester will be living longer, be healthier and have more fulfilled lives with a genuine shift in the focus of services towards prevention of problems, intervening early to prevent existing problems getting worse and transforming the city's community based care system by integrating health and social care.

Manchester's Great Outdoors (A green and blue infrastructure strategy and action plan for Manchester) - Highlights that Manchester needs to demonstrate that it can be both a green city and a growing city. It emphasises a need to focus on Open Spaces, Linkages and Networks of "urban green".

#### The Ramada Complex Strategic Regeneration Framework (SRF)

In May 2018, the Council Executive endorsed an updated SRF for the Ramada Complex which serves to guide the future comprehensive regeneration of land at the northern end of Deansgate around the Deansgate/Blackfriars Street junction and along the River Irwell in Manchester City Centre, as well as the site at 39 Deansgate diagonally opposite the Ramada site to which this application relates. The SRF land is currently occupied by the Renaissance Hotel (as well as the application site) and has been a longstanding strategic regeneration priority for Manchester City Council. It is a significant component of the last remaining area within the 1999 City Centre Renewal Area Masterplan which has not been redeveloped, following two decades of substantial investment by the public and private sector. Whilst the site currently has an economic function as a hotel and car park, it visually and physically represents a significant blight on this part of the City Centre. The scale of the problem is emphasised by the length of the Ramada site's frontage onto Deansgate at 123 metres. During the last 20 years, various attempts have been made to bring forward redevelopment on the site. Most recently, this was in the form of a mixed use scheme, granted planning permission in 2009, comprising 4 new buildings, the tallest at 35 storeys. This permission lapsed in 2014. The SRF will act as planning guidance and form a material consideration to be considered by the Local Planning Authority in the determination of future planning applications.

In terms of 39 Deansgate (the application site), paragraphs 6.72 to 6.74 of the SRF state that:

"The current mix of commercial and retail uses represent the preferred ongoing uses for this site given its location within Manchester City Centre's commercial core. Any

proposals that safeguard or further enhance this function of the site will be favoured. Proposals for uses that move either wholly or partly away from the existing commercial offer would not be accepted on this site unless it can be demonstrated that the continued function of the site for commercial retail uses is unviable, or that an alternative use would, on balance, deliver greater public benefit to the City than the existing uses when considered against Manchester's overall strategic policy requirements and vision. Should appropriate proposals come forward for the redevelopment of 39 Deansgate, height will need to be determined through contextual appraisals and townscape analysis of the site and following further consultation with the Local Planning Authority".

## **Conservation Area Declarations**

### St Ann's Square Conservation Area

St. Ann's Square is in the commercial heart of the City, where almost every building accommodates shops on the ground floor. This was the first conservation area to be designated by Manchester City Council, on 29 July 1970. It comprises an important part of the city centre around St. Ann's Square, extending as far south as John Dalton Street. The boundaries are Deansgate, St. Mary's Gate, Market Street, Cross Street and John Dalton Street, some of which are common boundaries with other conservation areas designated subsequently. Many buildings within the Area are listed for their special architectural or historic interest.

St. Ann's Square was laid out in the Georgian period, early in the 18th century, and is one of the main public spaces in the city centre. The church, which dominates the southern end of the Square is the only surviving building of that time in the area, the remainder being later replacements which continue to enclose the Square in a satisfactory and coherent manner. As these buildings were constructed in various styles over a long period, they create a rich tapestry of built form. Each new building has been designed with due regard and respect for the others that were already there and together they create an imposing street wall and St. Ann's Church is one of only fifteen buildings in the City listed as Grade I. Because of its position at the south end of the Square it is the most prominent building in the conservation area. The Church is constructed in red sandstone, has two tiers of round-headed windows, a semi-circular apse to the east and a square tower to the west. Originally the tower was surmounted by a three-tier cupola, replaced by a spire in 1777 that was removed in its turn around 1800.

St. Ann's Square is lined with many buildings of architectural merit, while within the space are two bronze statues, one of Richard Cobden and the other a memorial to the Boer War comprising a group of soldiers. Both are listed buildings. On the corner of St. Ann's Square and St. Ann Street stands a building which is a fine example of the Italian palazzo style of architecture, with semi-circular headed arches and Venetian windows. Designed by the architect J. E. Gregan, it was originally Benjamin Heywood's Bank and was connected to the manager's house by a single-storey link. It is listed Grade II\*.

The former bank on King Street (nos.35-37) is a three-storey brick building formerly with two-storey brick wings, now replaced by glazed facades. The windows are

framed by moulded stone architraves with key blocks. There are steps up to the typical pedimented Georgian entrance, which is flanked by dwarf stone walls with iron railings, found nowhere else in the City.

The Grade II\* listed Barton Arcade which fronts onto Deansgate and backs onto Barton Square is the City's finest shopping arcade and the only surviving Victorian example in Manchester. It is a four-storey cast-iron framed building with a glazed dome roof and curved internal balconies. The elevations are of brick and stone, but that part on the visual axis of Barton Square is a flamboyant concoction in metal and glass.

The former Grade II listed Royal Exchange building is the dominant building within the Area and the shopping arcade within it was created during the 20th century refurbishment. A large sandstone building in the Classical style with giant Corinthian pilasters and huge projecting cornices, the Royal Exchange has a tall cupola on the northwest corner and large arched entrances on Exchange Street and Corporation Street.

### Parsonage Gardens Conservation Area

The Parsonage Gardens Conservation Area is bounded by Blackfriars Street, Deansgate (a common boundary with the St Ann's Square Conservation Area), Bridge Street (a common boundary with the Deansgate/Peter Street Conservation Area) and St Mary's Parsonage. The River Irwell forms the western boundary of the area along the line of the administrative border of the City of Salford.

It contains several Grade II listed buildings, including Blackfriars Bridge, but also contains a number of more recent buildings such as Alexandra House and Century Buildings (modern element). At the centre of the Conservation Area is Parsonage Gardens which is bordered by large and impressive buildings. Most are in orange-red brick or terracotta, although one modern-style steel and glass structure merges well into its surroundings. The square of Parsonage Gardens itself is surrounded by a rich mixture of buildings of various ages and styles which are relatively harmonious in their relationships with one another.

The Grade II listed Arkwright House, designed by the same architect as Blackfriars House, and similarly dressed in Portland Stone, is a significant 7 storey office block in the conservation area.

Parsonage Gardens Conservation Area embraces a length of river frontage to the Irwell and this also includes part of the Grade II listed bridge on Blackfriars Street, half of which is in Salford. This heavy stone bridge was built around 1820 to replace a light timber footbridge of 1761. One of the three semi-circular arches is partly embedded in the river bank on the Manchester side. Despite this parallel stretch to the River Irwell, the buildings do not provide much scope for the development of a riverside walk.

The architectural emphasis of corners is a characteristic of Manchester buildings which contributes to the urban design character of the city centre. It is evident in the

Parsonage Gardens area and its use in new developments will therefore be encouraged.

### Cathedral Conservation Area

The Grade I listed Manchester Cathedral and the part Grade I, part Grade II listed Chetham's Hospital school form the focal point of the Conservation Area. The area was designated as a Conservation Area in April 1972 in order to preserve and enhance the quality of the setting of these buildings.

To the south and east of these two buildings is the confined solemnity of the Cathedral Yard, and they are effectively separated from the rest of the city centre by a partial ring of Victorian Commercial buildings, including the impressive Corn and Produce Exchange (Grade II listed). These all cluster around the medieval street pattern and are bounded on the outside by the curving line of the Cateaton Street, Hanging Ditch, Todd Street, Victoria Station and Hunts Bank approach.

To the north and west the Cathedral overlooks the broad width of the busy Victoria Street and the deep cut of the River Irwell, both of which traverse the area, and beyond, into Salford, to the extensive cobbled forecourt of the disused Exchange Station which forms the western boundary of the area.

The Corn Exchange also lies within the Area boundaries. The existing building, designed by architects Ball and Else, is noted for its glass and steel roofed internal market hall.

For some years, consideration has been given to improving and enhancing the setting of the Cathedral and Chetham's School and to retaining the essential Victorian character of the remainder of the area. The intention is to restrict traffic movement through the area and to establish a series of landscaped pedestrian walkways.

### Legislative requirements

Section 66 of the Listed Building Act 1990 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.

S72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

S149 (Public Sector Equality Duty) of the 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 persons 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 among the protected characteristics.

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.

Environmental Impact Assessment - The proposal does not fall within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2015 and an Environmental Impact Assessment is therefore not required for this proposal. A screening opinion was issued by Manchester City Council prior to the application being submitted and an addendum has since been issued.

### **Principle of the Proposed Uses and the Scheme's Contribution to Regeneration**

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the City Region and is crucial to its longer term economic success. There is an important link between economic growth and regeneration and further office provision is required to deliver growth. The proposal would develop a strategic site in one of the City's key regeneration areas.

The Ramada SRF promotes development at the northern end of Deansgate and includes this site and the Ramada complex. It would deliver Grade A office floorspace and support the process of economic recovery in the City. It would create an 18,000 sq. m (approx. 200,000 sq. ft) of high quality floor space in a core location.

The proposal would generate circa 227 gross direct construction jobs. Based on standard employment densities, it would create an estimated circa 1000 FTE operational jobs broken down as around 970 FTE jobs for the office space and around 30 jobs in the retail units. The existing building has around 270 FTE jobs so the development would create an additional 730 (approximate) FTE jobs. The proposal would also generate increased revenue from business rates due to the larger floor area of the proposed building over the existing. Based on the proposed development's non-residential floorspace and the potential rental rates, the gross business rates contribution to the Council would be approximately £2.3 million per annum.

The existing building has reached its useful economic life and has poor quality space. The proposal would revitalise this gateway site. In view of the above, the development would be in keeping with the objectives of the City Centre Strategic Plan, the Greater Manchester Strategy, and would complement and build upon Manchester City Council's current and planned regeneration initiatives. As such, it would be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies SP1, EC1, CC1, CC7, CC8, CC10, EN1 and DM1.

### **Tall Buildings Assessment**

One of the main issues is whether this is an appropriate site for a tall building. The proposal has been assessed against City Council policies on tall buildings (including policy EN2 Tall Buildings), the NPPF and the following criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABI in July 2007, as updated by the Historic England Advice Note 4 publication in 2015.

#### Design Issues, Relationship to Context and Impact on Historic Context

The effect of the proposal on key views, listed buildings, conservation areas, scheduled Ancient Monuments, archaeology and open spaces has been considered.

Section 16 of the NPPF establishes the criteria by which planning applications involving heritage assets should be assessed and determined. It identifies that Local Planning Authorities should require applications to describe the significance of any heritage assets in a level of detail that is proportionate to the asset's importance, sufficient to understand the potential impact of the proposals on their significance. In determining applications, the following considerations should be taken into account:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

The focus of the Government's planning policy guidance is to ensure that the desirability of sustaining and enhancing the significance of heritage assets is taken into account and that they are put to viable use, consistent with their conservation (NPPF paragraph 185). Development within or adjacent to heritage assets could have some impact on their fabric or setting, and this could be either beneficial or harmful. The fundamental design objective is to ensure that the impact on heritage assets is demonstrably beneficial, minimising any negative impact on significance. Consequently, development must be justified by clear and convincing evidence of the impact. Paragraph 193 of the NPPF advises local planning authorities that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

A Heritage Assessment and a Townscape and Visual Assessment (TVIA) has assessed the historic environment and the visual impact on the identified heritage assets. The site is within the St. Ann's Square Conservation Area and is opposite the Parsonage Gardens Conservation Area. The Cathedral Conservation Area is further north. The following listed buildings are nearby: the Grade II\* listed Barton Arcade, the Grade II listed Royal Exchange, the Grade I listed Church of St. Ann, the Grade

II listed Hayward Buildings at 60-66 Deansgate, the Grade II listed Blackfriars Bridge and the Grade I Listed Cathedral Church of St Mary.

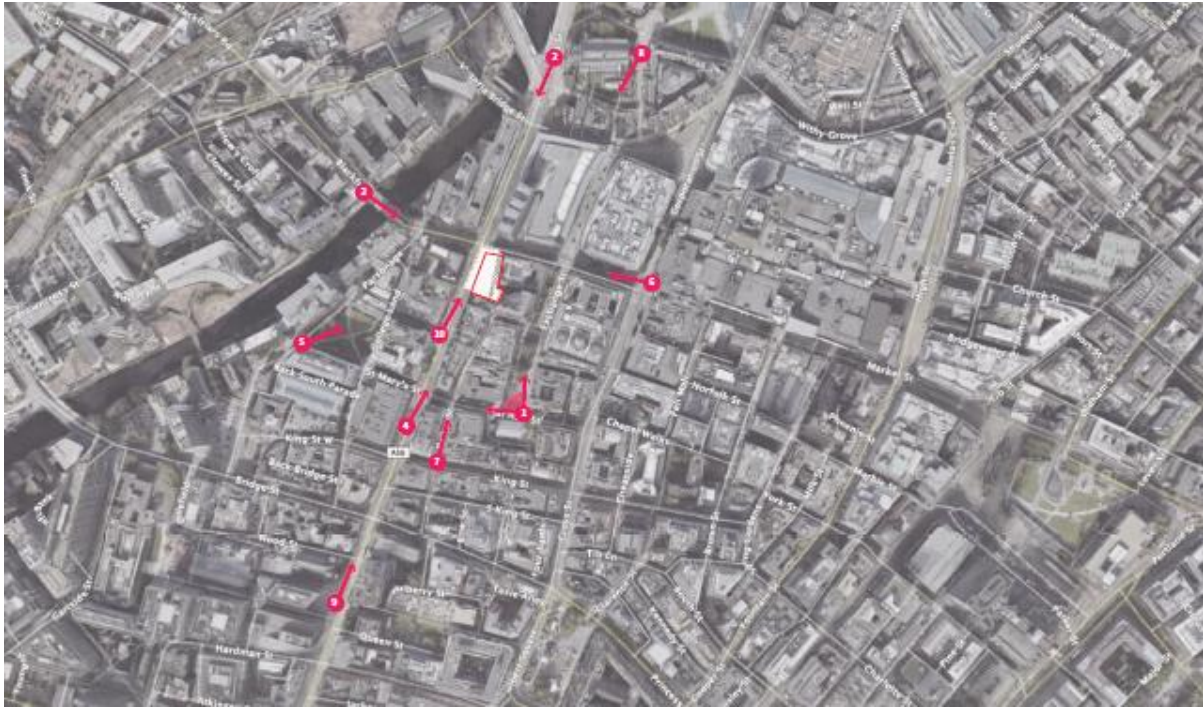
The Townscape and Visual Impact Assessment (TVIA) assesses the baseline position of the site's location and its impact on the heritage assets. The existing building is appropriate to the dense urban grain of the city centre and it addresses this key corner at Deansgate and St. Mary's Gate. However, it does not respond positively to its location within the St. Ann's Conservation Area and does not respond to any of the key characteristics that define the area and give it its special character. The setback of 39 Deansgate detracts from the clearly defined building line along Deansgate. The overall sensitivity of Barton Arcade is considered to be medium as the existing building does not contribute positively to its character, materials, quality and proportions. It is therefore considered that there is some ability to accommodate the proposal without undue harm to this heritage asset. There is potential to use the site more efficiently through increasing density. No. 1 Deansgate is 17 storeys. The proposal would respond positively to the building line, materials, rhythm, detailing and proportions of Barton Arcade and the TVIA concludes that the development would have a minor beneficial impact on the heritage asset.

The ground floor retail uses and active frontages would have a positive effect on townscape character. And a building line consistent with Barton Arcade would enhance the urban grain.

There would be a minor adverse impact during construction as the new building would be higher than the one it would replace but when complete it would be of a higher quality. The proposal would positively define the key junction, address the corner, aid legibility, and conform to the aspirations of the Core Strategy.

The TVIA assesses the impact of the development on 10 key views, paying particular attention to the relationship to listed buildings. The Heritage Statement takes the same views and assesses the impact on the setting of heritage assets. Heritage is an intrinsic part of the townscape assessment so direct and indirect effects on heritage assets have been considered. In the TVIA, heritage is considered as part of the townscape character only, as the setting of heritage assets is covered in the Heritage Assessment. The listed buildings that would be most affected are Barton Arcade and the listed townhouses on the western side of St. Ann's Square. The Grade 1 listed St. Ann's church and Manchester Cathedral are a distance away and have buildings in between the site so would be indirectly affected. The Grade II listed Haywards building is opposite the site and the Grade II listed Blackfriars Bridge is approx. 100m away. Views 1 and 8 from the Grade 1 listed St. Ann's Church and Cathedral buildings were considered to be of the highest sensitivity. All other views were classed as being of medium sensitivity, apart from View 3 which was classed as low.





The 10 viewpoints

From View 1, the proposal would be highly visible rising above the enclosed space of the former townhouses to the west side of St. Ann's Square. The development would create a new backdrop to the Square and a notable contrast to the historically horizontal form of the group of Grade II listed buildings which broadly retain their 18th century domestic scale. The proposal would not contend with the Grade I listed Church of St. Ann, which is situated to the south end of the Square. The proposal would introduce a dominant modern vertical element into a low-level building line which is otherwise largely 18th century in character, although the sense of enclosure would be retained. The proposal would be read as being in the background, behind the collection of listed townhouses and part of the contemporary skyline. Its height, form and massing would be intrusive and have a moderate adverse impact from this perspective on the setting of the group of Grade II townhouses and the ability to understand and appreciate the architectural form and massing of the enclosed setting maintained in the St. Ann's Square Conservation Area.



View 1 Existing



View 1 Proposed

In View 2, the proposal would largely be obscured by No.1 Deansgate, which is a similar height. The heritage values of the Grade I listed Cathedral would continue to be understood and fully appreciable and the proposal would be read as a contemporary development in keeping with the urban skyline in the distance. It is considered that the proposal would have a neutral heritage impact.



View 2 Existing



View 2 Proposed

From View 3, the proposal would terminate the view, creating a new landmark within the central shopping district and would be read as a complementary addition to the wider townscape. It would be taller than the existing building but would introduce a viewing corridor which would promote key views towards the Grade II listed Royal Exchange in the far distance and would enhance kinetic views between the Parsonage Gardens Conservation Area and into the St. Ann's Square Conservation Area. The proposal would enhance the Deansgate and St. Mary's Gate junction and would not diminish the intrinsic values of the heritage assets in this view or the ability to appreciate them. As such the impact on heritage would be negligible adverse.



View 3 Existing



View 3 Proposed

In View 4, the proposal would be read as a new, landmark on the skyline forming a contemporary backdrop. It would be highly visible above the existing roofline, however any adverse impact would in part be reduced by the detailed design which reflects the architectural rhythm of the streetscape and adjacent Grade II\* listed Barton Arcade. The proposal would re-establish the historic street line and thereby enhance the character and appearance of the St. Ann's Square Conservation Area and the setting of the Grade II\* Barton Arcade Building. The Grade I listed Cathedral remains

the central focal point of the view to the far distance. The building would alter, but not diminish, the intrinsic values of the identified heritage assets and the experience and appreciation of the buildings to any appreciable degree and the impact would be negligible adverse.



View 4 Existing



View 4 Proposed

In View 5 the proposal would be viewed in conjunction with the buildings that frame Parsonage Gardens. The proposal would be viewed as a contemporary addition to the skyline beyond and would not intrude on the ability to understand or appreciate the character and appearance of the Parsonage Gardens Conservation Area. It is considered that the impact of the proposal within this view would be negligible adverse.



View 5 Existing



View 5 Proposed

For View 6, the change to the view is not considered adverse. The proposal would appear as a strong vertical form but would appear lower than the Royal Exchange which would allow it to retain prominence in the view. The form and architectural style of the proposal is distinctly different, with significant areas of glazing which would allow the form of the Royal Exchange Tower to remain distinct and the proposal to function as a backdrop. The impact on this view is considered to be negligible adverse.



View 6 Existing



View 6 Proposed

In View 7, the proposal would be read as a landmark terminating the view in the far distance. It would be highly visible, but not impede on the ability to understand or appreciate the heritage values of the heritage assets including the Grade II\* listed Barton Arcade and the Grade II listed building at 15-17 King Street. The proposal would contribute to the mix of architectural styles creating a contemporary backdrop to the view. The proposal would have no adverse impact upon the settings of any heritage assets in the view, so would have a neutral heritage impact.



View 7 Existing



View 7 Proposed

In View 8 the proposal would terminate the view in the far distance. The development would correspond with the height and contemporary nature of No.1 Deansgate and both would be subservient to the Grade I listed Cathedral, which would continue to dominate the view. The proposal would not intrude on the way in which the Grade I listed Cathedral and Grade II listed Corn Exchange are understood and appreciated, so the impact from View 8 is considered to be neutral.





View 8 Existing



View 8 Proposed

View 9 is to the right of Spinningfields Square, with the Grade I listed John Rylands Library to the left and the Grade II listed building at 105-113 Deansgate dominating the middle ground. No.1 Deansgate is visible in the far distance. The proposal would be highly visible, creating a distinctive landmark in the distance. The development would alter, but not diminish, the intrinsic values of the identified heritage assets, or the experience and appreciation of the buildings or the designated area to any

appreciable degree. The impact of the proposal is considered to be negligible adverse.



View 9 Existing



View 9 Proposed

View 10 is at the north end of Deansgate, with the Grade II\* listed Barton Arcade to the right and the Grade II listed Hayward Buildings to the left. The Grade I listed Cathedral terminates the view in the far distance. The proposal would re-establish the historic street wall and has been designed to respond to the architectural qualities of the adjacent Grade II\* Barton Arcade. The double height arch detail to the street frontage emulates that of the Barton Arcade, enhanced by the inclusion of decorative metal banding. The recessed corner follows the character and appearance of other buildings within the St. Ann's Square Conservation Area. The

development would improve the public realm at street level. The proposal would have a minor beneficial impact from View 10.



View 10 Existing



View 10 Proposed

Of the 10 Views assessed, the proposal would result in 1 instance of minor beneficial; 3 of neutral; 5 of negligible adverse; and 1 of moderate adverse. Consequently, it is considered that the proposal would not result in any “harm” as defined within the NPPF. Despite having an adverse effect on the setting of the

group of Grade II townhouses fronting onto the west side of St. Ann's Square, the proposal would have a beneficial effect on the setting of the Grade II\* listed Barton Arcade and Grade II Haywards Building by improving the pedestrian environment and permeability across the site. Any instances of adverse impact would be outweighed by the public benefits of the scheme.

It should be noted that no views were available from Albert Square at the time of the TVIA assessment as The Square was in use for the Christmas Markets and therefore photography was not possible. However, analysis indicated that there would be no likely significant visual effects from within the Square. The comprehensive viewpoint selection process and testing allowed viewpoints from Piccadilly Gardens to be scoped out of the assessment.

The setting of heritage assets has also been assessed. In determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. The Visual Impact Assessment demonstrates that the proposal would not impact on the ability to appreciate the Grade II\* listed Barton Arcade as it would remain a key focal point in the streetscene. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed'. This would result in a minor beneficial impact.

The existing building would be a 'neutral' contributor to the setting of Barton Arcade and the St Ann's Square Conservation Area. There is therefore scope to enhance the setting of this building and introduce a positive contributor to the character and appearance of the conservation Area. Minor beneficial impact is considered to "enhance the heritage values of the heritage assets, or the ability to appreciate those values to a minor extent." It is considered that the proposal would reinstate a sense of place to this prominent corner within the City Centre and the Conservation Area, whilst causing no demonstrable harm to the setting of the Grade II\* listed building. Mention was made in the neighbour comments received about the dome within the Arcade building. The view of the dome when looking southwards along Deansgate is incidental and was never intended to be seen. The proposal would reintroduce the historic building line which characterised Deansgate during the late-19th century and reintroduce a sense of place and cohesion to the streetscape. The proposal has been designed to respond positively to the building line, materials, rhythm, detailing and proportions of Barton Arcade. The townscape context of Barton Arcade is substantially characterised by low quality development such as the Renaissance Hotel complex. The busy junction to the north of Barton Arcade creates a poor pedestrian environment and there is an opportunity to enhance the experience, appreciation and setting of the Grade II\* listed building.

The proposal would not adversely affect views towards the Royal Exchange and it would be appreciated as a contemporary development which mirrors No.1 Deansgate in height. Both buildings have minimal visual impact upon the ability to appreciate the significance of the Royal Exchange and the development would not have an undue impact on its setting. The Royal Exchange building is primarily experienced from St. Ann's Square, St. Mary's Gate and Cross Street. With regard to the impact of the development on views from Blackfriars Bridge, View 3 of the TVIA, shows that the Grade II listed Royal Exchange building would still be partially

appreciated from Blackfriars Bridge. The proposal would introduce a viewing corridor which would promote key views towards the listed building and would enhance kinetic views towards the gateway between the Parsonage Gardens Conservation Area and into the St. Ann's Square Conservation Area.

Unlike the existing building, the proposal would be visible from within St. Ann's Square. The proposal would result in a moderate adverse impact upon the setting of the cluster of Grade II listed townhouses to the western side of St. Ann's Square and to the sense of enclosure to St. Ann's Square, which forms the central focus of the Conservation Area. It is considered that this is the only instance of moderate adverse impact and as it would not define the character of the conservation area or diminish the key focus of the Square (which is orientated southwards towards the Grade I listed Church) the development would be acceptable. The impact upon the Conservation Area must be considered within its entirety and the development would result in numerous instances of minor or negligible impact from other viewpoints looking towards the Conservation Area. The extant building has no architectural or historic interest and the proposal would result in a building of a much higher quality design. Buildings should be designed to enhance the existing quality of the built environment and the proposal would provide a contemporary landmark within a currently dilapidated and underutilised corner of the Conservation Area.

The setting of the Grade I listed Manchester Cathedral is largely enclosed, characterised by wide open paths and select areas of greenery and semi-mature trees. The landscaped, open setting of the Cathedral makes a positive contribution to the way in which it is experienced, allowing for the Grade I building to be the focal point of the Cathedral Conservation Area. The existing building at 39 Deansgate is situated in the far distance to the Cathedral and is considered to have a neutral impact upon its setting. Although the development would be partially visible from the Cathedral it would not have an adverse impact, especially as No. 1 Deansgate is visible adjacent to the proposal in the same view and would partially obscure the new building.

Core Strategy policy EN2 'Tall Buildings' states that suitable locations will 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. This policy encourages tall buildings to be located outside of Conservations Areas but does not preclude this type of development subject to meeting other policy considerations. The proposal would re-introduce the historic building line and bring the front of the building forward to coincide with Barton Arcade, create a more engaging frontage at the pedestrian level, and retain pedestrian flows. The proposal would have beneficial townscape and visual impacts on certain views and improve site character. The scale would respond to the site's context when considering the height of No. 1 Deansgate directly opposite, but also its emerging context to the northern end of Deansgate in the form of the Ramada SRF and the taller buildings being established nearby in Salford. It is acknowledged however that it would be taller than other buildings within the St. Ann's Conservation Area. No. 1 Deansgate has remained the tallest building at the northern end of Deansgate since 2002 and is not subject to any statutory or non-statutory designations and has no special protection in planning terms. A new sense of place could be created around this area that incorporates old and new landmark buildings.

Careful consideration must be given to the impact of a proposal on the setting of heritage assets. Any potential negative impact must be demonstrably outweighed by public benefits, as defined by the NPPF (Para 196).

### Public benefits

Despite the moderate adverse impact from View 1 within St. Ann's Square, the Heritage Statement considers the cumulative heritage impact to evaluate the resulting heritage impact. In mitigation the development would deliver substantial public benefits, including:

- The proposal would provide sustained economic growth and generate 227 gross direct construction jobs. In addition, it would generate 36 net indirect construction jobs over the 30-month build period.
- Based on the standard employment densities, the proposal would create an estimated 993 – 1,001 FTE operational jobs (Office – 970 FTE jobs and Retail - 23-31 FTE jobs)
- Utilisation of Local Supply Chains - The project would prioritise local suppliers and where possible those who procure raw materials from local sources. Through this, the scheme would contribute to the expansion of the regional economy rooted in sustainable practices, products, and services.
- Increased Local Expenditure - The proposal would generate additional economic benefits of the local economy through indirect local expenditure. The 723-731 FTE direct uplift of employment opportunities created during the operation of the proposed development would result in a potential uplift in employee spending of approximately £1.9 million – £1.92 million annually based on a 220-day working year with an inflation rate of 10.1% applied.
- Business Rate Contributions – Based on the proposed development's non-residential floorspace and the potential rental rates, the gross business rates contribution to the Council would be approximately £2.3 million per annum.
- The proposal would create an 18,283 sq. m of office space that would meet an identified need for high quality space in the City Centre. The proposal would boost the office supply pipeline post 2023 and attract occupiers from key sectors for Manchester including software developers, fintech, banking, media and leisure.
- The applicant would work with the Work and Skills Team to ensure that employment opportunities are made available to Manchester residents. .
- A 'Be Lean, Be Clean, Be Green' design hierarchy would minimise energy demand and associated CO2 emissions. This would be achieved through the adoption of passive measures including enhanced building fabric to meet Building Regulation ADL2A (2016);
- A blue/green roof which would provide a 'stepping stone' for biodiversity, targeting species reasonably possible to benefit i.e. birds, bats, bees and other insects. Planters on the roof terrace and bat/bird boxes and bug hotels would provide resources for species likely to use the River Irwell, enhancing biodiversity at the site and creating an attractive environmental for occupiers. Opportunities for the planting of street trees would be explored within the public realm surrounding the building where feasible.

- The existing building has reached its useful economic life and provides poor-quality accommodation that does not respond positively to the surrounding context. The proposed building is of exemplary design quality and would revitalise this important gateway corner plot, aiding regeneration in this part of the City Centre.
- Establishing a strong sense of place, enhancing the quality and permeability of the streetscape and the architectural fabric of the city centre. It would respond to the architectural rhythms of the adjacent Grade II\* listed Barton Arcade
- Optimising the potential of the site to accommodate and sustain an appropriate mix of uses, providing the quality and specification of accommodation required by modern businesses and residents.
- Positively responding to the local character and historical development of the city centre, delivering an innovative and contemporary design which reflects the transformation of the local context while retaining its significant components.
- Creating a safe and accessible environment with clearly defined areas and active public frontages to enhance the local quality of life.
- At present, the building at 39 Deansgate (and other buildings surrounding the junction) create a poor pedestrian environment and therefore have a negative effect on the townscape value. The proposal would regenerate the site with a major contemporary, high quality building in line with the Ramada SRF.
- The proposed development would establish a strong sense of place, enhancing the quality and permeability of the streetscape and the architectural fabric of the city centre. Notably, the development would reinstate the historic build line and improve the legibility of this prominent corner in the City Centre and create a sense of place.

Any harm to the significance of a heritage asset must be weighed against the potential public benefits. In this instance there would be an adverse effect on the Grade II townhouses in St. Ann's Square but the proposal would have a beneficial effect on the streetscape of Barton Arcade and Haywards building, by improving the pedestrian environment and permeability. The cumulative heritage impact has been balanced against the positive contribution to local character and distinctiveness. Whilst the proposal would have some adverse heritage impact, this would be mitigated by the public benefits. The scale of the development has an adverse impact on identified views but it would not physically harm or substantially diminish the experience and appreciation of any heritage assets.

In light of the above, it is considered that the proposal would respond to the scale and massing of No. 1 Deansgate and the Ramada Complex SRF area. The proposal would preserve and enhance the character and appearance of the Conservation Area and the setting of nearby listed buildings. It would lead to less than substantial harm to heritage assets and when weighed against the public benefits it is considered to be acceptable. The proposal would not have a significant adverse impact on views of importance. It would provide a high quality architectural statement and enhance the City's skyline and have a positive effect on the townscape. The development would therefore be in accordance with the requirements of paragraph 192 (NPPF, 2019).

On balance there is policy support for the proposals. There would be a degree of less than substantial harm but the proposals represent sustainable development and would deliver significant social, economic and environmental benefits. It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the adjacent listed buildings and the character of the conservation area as required by virtue of S66 and S72 of the Listed Buildings Act within the context of the above, the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 196 and 197 of the NPPF and that the harm is outweighed by the benefits of the development.

### Alternative scheme

Options to break up the massing of the development were considered and discounted as part of the development process as detailed in the Planning and Tall Building Statement and Design and Access Statement. Extensive pre-application consultation was undertaken with the Council, Historic England, Places Matter! Design Review and the local community, as detailed in the supporting Statement of Consultation.

A range of alternative scenarios were tested and floorplates for residential and hotel uses were appraised. The residential configuration could provide 10 units across a double banked central corridor. A similar arrangement occurs to the hotel option with the two wings of 3\* accommodation providing 20 rooms per floor. Initial massing was worked up based on a 20-storey tower with a rational double banked floorplate which angled away from Deansgate. Ultimately, residential and hotel uses were considered to be unsuitable for the site. Based on the site's context, a business case, viability evidence and agency advice, taken together with the preferences articulated by the Council in the Ramada Complex SRF, it was agreed that a Grade A Office building would respond best to the location.

The evolution of the design has taken into consideration the local context, in particular the Grade II\* Listed Barton Arcade, St Ann's Square Conservation Area and surrounding listed buildings. A number of massing tests were carried out early-on in the process and shared with the City Council and Historic England. A number of buildings are of scale in the vicinity including No.1 Deansgate and the Renaissance hotel. It is also important to note that a previous approval granted a 35-storey tower as part of the Ramada redevelopment in 2009.

### Architectural Quality

The key factors to evaluate are the building's scale, form, massing, proportion and silhouette, facing materials and relationship to other structures. The Core Strategy policy on tall buildings seeks to ensure that tall buildings complement the City's existing buildings and make a positive contribution to the creation of a unique, attractive and distinctive City. It identifies sites within and immediately adjacent to the City Centre as being suitable for tall buildings.

The design complements the existing and emerging context, including No. 1 Deansgate and the vision for the Ramada. It provides a high quality building and



creates a landmark at a prominent location. The ground floor layout with the chamfered corner would encourage pedestrian movement and improve the street level environment.

The design and materials would relate to the surrounding context and be sustainable, cost effective and durable. The modern design responds to the surrounding historic buildings, including Barton Arcade. The proposal would be a contemporary addition to the skyline and create modern office floorspace within a Conservation Area. The architecture aims to strengthen the heritage setting and within its surroundings.

The materials seek to respond to surrounding heritage assets including Barton Arcade, in a modern contemporary way. The tonal aluminium proposed would provide contrast in light and shade across the folded profiled piers and banding. Anodised aluminium was not considered appropriate owing to the angles and folds in the facade elements, however, there are many metallic PPC coatings that provide a distinctive sheen and depth, whilst giving a more consistent surface finish. As part of the decentralised ventilation strategy, 'look-a-like' spandrel panels with concealed vents at intermediate floor junctions would be overlaid with decorative metal screens. They are envisaged to reflect the layering effect of the delicate ironwork throughout Barton Arcade. The decorative metal screens would be matched to the colour of window framing. A perforated metal vent panel would also be incorporated within the profiled metal banding.

A condition relating to the submission of full specifications and samples of all materials to be used for the external envelope of the building is included on the approval.

#### Sustainable Design and Construction

An Energy and Sustainability Statement and a BREEAM pre-assessment report outline the sustainability measures proposed, including energy efficiency and environmental design. Sustainability and measures to reduce energy consumption have been considered from the initial phases and for each stage of the build process. The proposal has been developed with sustainable design and innovation as a priority, from controlling solar gain through passive measures to incorporating low and zero carbon technologies to reduce day to day emissions.

A 'Be Lean, Be Clean, Be Green' design hierarchy was adopted during design development to minimise energy demand and CO2 emissions. This is achieved through: passive measures including enhanced building fabric to meet Building Regulation ADL2A (2016); enhanced air tightness and thermal bridging; heating and cooling by a VRF heat pump system; hot water provided by localised electric water heaters; ventilation provided by mechanical ventilation and heat recovery (MVHR) units; and lighting to be provided to all areas by high-efficacy LED-type fittings.

There is a commitment to a BREEAM 'Excellent' rating with a "Fabric First" approach to sustainability which reduces the energy required to heat and cool the building and negates the need for Photovoltaics to generate energy. Target U-Values for the building envelope are a 28.9% improvement over Part L2A building regulations.

The development has no parking provision and would provide enhanced cycle parking over and above the levels prescribed by both MCC and BREEAM.

The site is highly sustainable and accessible via a range of transport modes including walking, cycling, bus, Metrolink and train. The proposal would remove the existing parking provision on site, and provide 96 secure cycle spaces in the basement. The basement would incorporate a cycle maintenance area; shower and changing cubicles, with vanity area; heated drying area for equipment; lockers for personal storage; accessible WC and shower; and direct access to the main reception lobby via the main core, offering a 'cycle in / cycle out' facility.

The proposal would accord with the energy efficiency requirements and carbon dioxide emission reduction targets within the Core Strategy policies EN4 and EN6 and the Manchester Guide to Development Supplementary Planning Document. The development would be designed and specified in accordance with the principles of the energy hierarchy in line with Policy EN4 of the Core Strategy and would achieve high levels of insulation in the building fabric and high specification energy efficiency measures. Given the above, it is considered therefore that the design and construction would be sustainable.

#### Credibility of the Design

The design team has recognised the high profile nature of the application site and the requirement for design quality and architectural excellence. A significant amount of time has been spent developing the proposals to ensure that it can be delivered.

Tall buildings are expensive to build so the standard of architectural quality must be maintained through the process of procurement, detailed design and construction. The materials proposed are considered to be appropriate for the building's context and are consistent to ensure that the proposals are achievable and deliverable. The final proposals have been costed and fully tested for viability.

#### Contribution to Public Spaces and Facilities

The proposal would be located on a prominent site and the commercial units would lead to activity at street level. The footways would be improved and opportunities for street trees have been explored.

#### Effect on the Local Environment

This examines, amongst other things, the impact the scheme would have on nearby and adjoining residents and includes the consideration of issues such as impact on privacy, daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements, air quality and the environment and amenity of those in the vicinity of the building.

##### a) Privacy and overlooking

Within the City Centre there are no prescribed separation distances between buildings, and City Centre developments are, by their very nature, more dense and

closer together than in suburban locations. The site layout has been considered carefully in relation to adjacent residential properties.

At the narrowest point, from the face of the angled upper floors of the residential block at No. 1 Deansgate to the north east corner of the proposal, the distance would be 16.3m. At its widest, it would be 18.75m. A taller building would change the outlook for residents in the upper half floors of No. 1 Deansgate. However, the offices would predominantly be in use during weekday working hours (but it is acknowledged that they could be used during evenings and weekends if desired) and would not be facing directly onto bedrooms. Views into living areas would be obscured to some extent by the balconies' external glazing. The proposal would face on to the fully enclosed balconies and not directly into living areas. The office building would be fitted with solar blinds to further limit any potential issues associated with privacy. An office should create less privacy issues than other forms of development such as residential or hotel uses.

Smaller separation distances between buildings are characteristic of dense urban environments and No. 1 Deansgate has benefitted from conditions which are relatively unusual in a City Centre. The smallest distance between the proposal and the nearest apartments at No. 1 Deansgate is over 16m, and as the proposal is for offices and is in the City Centre where developments are located closer together, the impact on privacy is on balance acceptable.

The upper floors of Speakers House overlook the roof terrace of Barton Arcade. The offices would predominately be used during working hours Monday to Friday. The office building would be fitted with solar blinds to further limit any potential issues associated with privacy.

#### b) Sunlight, Daylight and Overshadowing

The application is supported by a Daylight and Sunlight Assessment using the methodologies set out within the Building Research Establishment (BRE) Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'. No. 1 Deansgate, which is situated to the north of the site was considered.

The BRE Guide provides three methodologies for daylight assessment, namely:

- The Vertical Sky Component (VSC);
- The No Sky Line (NSL); and
- The Average Daylight Factor (ADF).

There is also one methodology for sunlight assessment, denoted as Annual Probable Sunlight Hours (APSH).

The assessment concludes that No.1 Deansgate would be fully compliant with both No Sky Line (NSL) daylight and Annual Probable Sunlight Hours (ASPH) sunlight with the proposal.

When assessed against Vertical Sky Component (VSC), 34 out of 39 (87%) rooms in No. 1 Deansgate were compliant. Of the 5 rooms which would not meet the criteria,

all 5 would be marginally short of the target reduction of 20%, and none would be reduced by more than 25% (so are only slightly deficient). Detailed floor plans of No.1 Deansgate have revealed that the 5 affected rooms are dual aspect living kitchen dining rooms on each floor between the fourth and eighth floor. Whilst these rooms would fall marginally short of the 20% target (i.e. between 21.4% and 24.8%), they would still achieve a good VSC level for a City Centre location.

For Average Daylight Factor (ADF), tests revealed that the 5 living kitchen dining areas that would fall short of the VSC targets would achieve ADF levels of between 7.2% and 8.4%. These are all well in excess of the 2% ADF target so all rooms within No.1 Deansgate would comply with the ADF targets.

The results show that all rooms would continue to receive good (high) levels of daylight, in a city centre context. All would receive nearly four times the ADF daylight targets. The living rooms would receive approximately five times the winter sunlight hours target and twice to three times the annual sunlight hours. It would therefore remain a well-lit building with the proposal in place.

Given the above, it is considered that the proposal would not have an unacceptable impact in terms loss of sunlight and daylight with regard to No. 1 Deansgate.

The BRE Guide does not require the assessment of commercial properties and Barton Arcade was excluded from the original assessment. Retail properties rely on artificial light, specific to their layout and displays. It is normal that retail units do not have natural light at the rear. However, the applicant carried out a further assessment in response to concerns raised from neighbours. As the development would be to the north of the listed building, it would have no impact upon the light coming through the Arcade at any time of day. In maintaining views of the sky and light, the architectural character and expression of the glazed roof would remain fully appreciable, forming an integral part of how the heritage asset is experienced and appreciated as a Victorian Shopping Arcade. The existing lightwell which divides the north elevation of the Barton Arcade Buildings from the south elevation of the development would be retained.

There is an apartment at the top of Barton Arcade however the main windows face east/west, and not towards the development. The roof top amenity area associated with the flat is also located to the south and could not be overshadowed.

### (c) Wind

A Wind Microclimate Assessment Report examines pedestrian wind comfort and safety in both existing and cumulative surrounds. The assessment was performed using the LDDC variant of the Lawson Comfort Criteria, well established in the UK for quantifying wind conditions in relation to build developments. Although not a UK 'standard', the criteria are recognised by local authorities as a suitable benchmark for wind assessments.

The proposal would make conditions a category windier around the corner of Deansgate and St Mary's Gate, but still suitable for the area's intended use by pedestrians, cyclists and vehicles, and would not require any wind mitigation.

Without mitigation for either the existing or cumulative surrounds, there was assessed to be:

- substantial adverse wind effects in the service courtyard to the east of the development
- moderate adverse wind effects by the service entrance to the east of the development.
- moderate adverse wind effects by the north west entrance, if the recess at this entrance was not accounted for.

Measures to mitigate these adverse effects included the introduction of a wall across the southern edge of the bin store region and a recessed (chamfered) entrance on the north-western corner. These were incorporated into the final design. With the mitigation measures in place, the wind conditions are suitable for their intended usage. Residual effects in the service courtyard were considered to be negligible, with residual effects by the building entrances deemed to be moderate beneficial. It is considered therefore that the proposal would not have a detrimental effect on the wind environment in and around the site.

In response to neighbour comments received, the applicant has undertaken a further wind study focused solely on the impact of the development on the unique ventilation system in place at No. 1 Deansgate. Surface pressure coefficients on No. 1 Deansgate were measured in computational fluid dynamics (CFD) simulations to assess whether more extreme peak positive or negative pressures would be expected due to the development relative to the existing conditions. More extreme peak positive or negative pressures would result in the wind sensors in No. 1 Deansgate reading higher wind speeds and increase the risk of the louvres within the building being forced to close.

Pressures were measured from a southerly sector (the dominant wind direction) and from a westerly sector (the second dominant wind direction). The pressures were assessed on the south, east and west façades of No. 1 Deansgate. The north façade was not assessed as it was considered to be sufficiently far enough away from the development site to be reasonably expected to not be impacted. Surface pressures for 170deg, 260deg and 280deg were consistent between the existing conditions and the conditions with the proposal. Surface pressures for 190deg and 210deg were less extreme with the proposal than for the existing conditions. This should allow the No. 1 Deansgate louvres, which are controlled centrally, to be open for a greater percentage of the year.

In conclusion, the additional wind study found no adverse impacts as a result of the proposal on the operation of the No. 1 Deansgate louvres and found that the proposal should have a beneficial impact on the operation of the louvres from key wind angles.

#### (d) Air Quality

The site is located within the Greater Manchester Air Quality Management Area which is designated for the potential exceedance of the annual mean nitrogen

dioxide (NO<sub>2</sub>) air quality objective. An Air Quality Assessment was undertaken in support of the application.

A qualitative construction phase dust assessment recommended measures for inclusion in a Dust Management Plan to minimise emissions during construction. These measures would mean that the impact of construction phase dust would not be significant and accord with the Institute of Air Quality Management guidance.

The trip generation was screened using the Institute of Air Quality Management and Environmental Protection UK two stage screening process, to determine whether a detailed road traffic emissions impact assessment was required. The trip generation did not exceed the relevant screening criteria and therefore detailed dispersion modelling of development-generated road traffic was not undertaken.

Dust and increased emissions during construction is likely to be temporary, short term and of a minor impact, and could be mitigated by the use of good practice control measures. The traffic generated by the proposal would have a minimal effect on local pollution concentrations. The site is situated in a highly sustainable location within the City Centre which affords significant opportunities for travel by non-car modes including walking, cycling and public transport. The proposal does not propose any car parking but would incorporate 96 no. secure cycle spaces on site.

Overall, the proposed development would be acceptable in air quality terms and would comply with Core Strategy policy EN16 and the relevant provisions of national guidance.

#### (e) Noise and vibration impact

Whilst the principle of the proposed uses is acceptable, the use of one or both of the commercial units could impact upon amenity within the area through noise generation from within the premises and there could be noise generated from plant and equipment at the site. A roof terrace is also proposed. However appropriate conditions could deal with acoustic insulation, fume extraction and hours of use for the roof terrace. The main use of the building (offices) would not be a noise generating use, however an acoustic report has been submitted, which outlines how the premises and any external plant would be acoustically insulated to prevent unacceptable levels of noise breakout within the building as a whole and to ensure adequate levels of acoustic insulation are achieved within the accommodation. The offices are permitted to open 24 hours a day but the commercial units would have to agree their hours with the Local Planning Authority prior to first operation. Conditions relating to delivery and servicing hours and hours for the use of the roof terrace are recommended.

#### (g) TV reception

A survey has determined the potential effects on television and radio broadcast services. Impacts to the reception of VHF (FM) radio, digital terrestrial television (Freeview) and digital satellite television services (such as Freesat and Sky), have been assessed. The proposal is not expected to cause any interference to the reception of either television or radio services and mitigation is not needed.

However, a condition requiring a post-construction survey would check for any adverse impact from the development and ensure that any mitigation is completed.

#### Provision of a well-designed inclusive environment

Access for office users would be off Deansgate and would be step-free from street level. Inclusive access has been integrated into all aspects of the design and the development would be compliant with Approved Document Part M. All parts of the building (with the exception of some plant rooms) would be accessible via step-free level access and/or lifts). The site as a whole is relatively flat, rising approximately 100mm from Barton Arcade to the junction between Deansgate and St Mary's Gate, resulting in a good opportunity for level access across the planned development without the need for any step changes between the office and retail entrances.

#### Contribution to permeability

The development would not adversely affect permeability within the area and the chamfered corner would enhance pedestrian movement. Whilst a small area of footpath on Deansgate would be lost, it would provide an opportunity to improve the public realm immediately surrounding the building following completion of the new building. The proposal would significantly enhance the streetscene and public realm compared with the existing building and would enhance the legibility of this prominent corner sit, creating a sense of place and rebalancing this end of Deansgate.

#### **Relationship to Transport Infrastructure**

The site is within walking distance of bus routes and rail and Metrolink stations and would encourage the use of sustainable modes of transport. A Transport Assessment and Interim Travel Plan detail the traffic and transport impacts, examines highway considerations and promotes suitable and appropriate measures to ensure that all highways impacts have been minimised.

The proposal would be 'car-free' and would remove 13 spaces on site. Despite the site's highly sustainable location there are a number of public car parks in the local vicinity. A secure 'cycle hub' containing 96 spaces and other facilities to encourage occupiers to cycle would be provided in the basement.

#### **Flood Risk**

The site lies wholly within Flood Zone 1. A Flood Risk Assessment and Drainage Strategy shows there would be no change in hard surfaced area at the site post-development. Surface water would be discharged to the adopted combined sewer system at locations along the diverted sewer line within the new building envelope.

All feasible SuDS methods have been assessed but given the nature and location of the development site, none are considered feasible other than the blue roof system which would retain the flow of water into the sewer system.

It is proposed to discharge post-development foul water to the adopted combined sewer system. With careful design of the drainage elements, there would be no residual flood related risks remaining after the development has been completed. Overall, the proposal would fully accord with Core Strategy Policy EN14 and provisions of the NPPF.

### **Waste management and servicing**

The refuse store would be to the rear of the ground floor back of house area. Bin capacity has been calculated using MCC standards, for weekly collections. For the proposal, this equates to a requirement for 44 bins. The most suitable containers for the general waste and recycling streams would be a combination of 1,100l Eurobin and 660l and 240l wheeled bins. Refuse collection for the office use and retail unit 2 would be via the proposed service yard. Refuse collection for retail unit 1 would be from an existing loading bay on St. Mary's Gate.

For servicing and deliveries, vehicles would enter the service yard at the rear of the site via the access off Exchange Street. Access to the service area would be limited by droppable bollards as occurs currently, which are lowered automatically from 7am to 11am for service vehicle access. Direct access to a goods lift within the building would be available via the service yard. There are temporary loading areas on St. Mary's Gate.

The Waste Management Strategy concludes that the forecast deliveries, waste management and refuse collection proposed is appropriate and servicing and waste collection could be undertaken in an efficient manner.

Given the use of the building, most of the stored waste is anticipated to be recycled paper waste. Each of the retail units would be required to provide their own refuse and recycling storage within their demise.

### **Crime and Security**

A Crime Impact Statement has been produced by Greater Manchester Police Design for Security. Several recommendations were made which have been incorporated into the design. A condition has been imposed on the approval requiring the development to achieve full Secured by Design accreditation.

### **Biodiversity, ecological enhancements and blue and green infrastructure**

The site does not currently incorporate any planting or specific features to enhance biodiversity. The proposed green/blue roof would provide a 'stepping stone' for biodiversity, targeting species that could be reasonably expected to benefit such as birds, bats, bees and other insects. The planters on the roof terrace would constitute an additional opportunity to enhance biodiversity, and create an attractive environment. Bat and bird boxes would provide resources for species likely to use the River Irwell. A roof level wild-flower bed is proposed. As part of the sustainable drainage strategy, the development would have a 'blue roof' for rainwater attenuation to reduce the impact of urban runoff. The landscaping, including the green/blue roof, would be actively managed through a Landscape and Ecological Management Plan.



The applicant has reviewed the feasibility of incorporating street trees and there is potential to include a street on the corner of Deansgate and St Mary's Gate. However, this would necessitate the diversion of services in order to deliver an embedded solution and would prove costly. As part of the s278 agreement, the applicant has offered to secure either a tree on the corner of the application site or provide finance for the provision of three street trees in a different public realm location as determined by the City Council.

### **Archaeology**

An Archaeological Desk-Based Assessment establishes that there are no recorded archaeological remains from the prehistoric, Roman, Saxon, Early Medieval and Medieval periods within the site, and limited evidence in its surroundings. It concludes that no further archaeological investigations is required. GMAAS concur with this view.

### **Local Labour**

The applicant is committed to working with the Work and Skills Team at MCC in order to ensure that employment opportunities resulting from the development are made available to Manchester residents during the construction phase through to operational stage to allow hard to reach groups equal opportunity to be successful in applying.

### **Construction Management**

Measures would be put in place to minimise the impact of the development on local residents such as dust suppression, minimising stock piling and use of screenings to cover materials. Plant would also be turned off when not needed and no waste or material would be burned on site. Provided appropriate management measures are put in place, the impacts of construction management on surrounding residents and the highway network could be mitigated to be minimal. A condition regarding submission of a construction management plan prior to development commencing has been attached to the approval.

### **Contaminated Land and Unexploded Ordnance**

A Phase 1 site investigation into contaminated land has been submitted. The site is situated in an area that has been densely developed since the 1840s. The surrounding area has remained generally unchanged; however, the site appears to have been redeveloped three times since the 1840s with the re-building of a number of buildings, including the buildings on site following WWII and a shift toward primarily commercial land use.

The risk from onsite sources is considered low due to the lack of significantly contaminative processes and the removal of the majority of made ground through the development of the site. The risk from ground gas is considered low due to the inherent level of protection included within the proposed building design. The risk for offsite sources is considered low. The risk to controlled waters is considered to be low due to the lack of significantly contaminative processes, this site not being within

500m of an SPZ or within 2000m of a potable water abstraction, and the site being covered by hard standing.

To confirm the risks to the identified receptors and the ground conditions in respect to the identified geotechnical and geo-environmental risks, an appropriate intrusive investigation will need to be undertaken. An appropriate condition requiring this and any necessary remediation has been attached to the approval.

An initial risk assessment found that the site is in an area designated as 'Moderate Risk' from Unexploded Ordnance (UXO) and in close proximity to a 'High Risk' area and to the recorded location of a bomb strike. On this basis, a Detailed Risk Assessment Report was undertaken for the site in view of the proposed works; demolition of the existing building, intrusive site investigation and construction of a new high-rise development including deep piled foundations to bedrock.

The detailed risk assessment found that that UXO poses a moderate risk to the proposed works. This is due to an elevated likelihood of German UXO remaining present in undisturbed virgin WWII-era soils. On this basis, intrusive site investigation and foundation piling activities are potentially at risk due to the high force and the blind nature. Consequently, the following activities have been recommended:

1. Prior to any intrusive works, an appropriately experienced person must give a UXO Safety Awareness Briefing (toolbox talk) to all personnel conducting intrusive works.
2. For intrusive site investigation, an appropriately qualified EOD Engineer (banksman) is required to provide a watching brief on all exploratory holes (trial pits, boreholes etc.). The EOD engineer is able to give the above recommended briefings, will identify UXO objects in open excavations and will clear exploratory hole locations using a portable magnetometer.
3. Prior to foundation piling, an Intrusive Magnetometer Probe Survey is recommended to clear all pile locations. This can be done using open-hole drilling techniques and an EOD engineer to use a portable magnetometer within each hole to clear to the maximum bomb penetration depth. One open hole per planned piled foundation location is usually required.

### **Additional responses to neighbour comments**

A detailed TVIA has comprehensively assessed the potential impacts of the proposals on the local townscape. A reference to the Visual Representation of Development Proposals Technical Guidance Note 06/19 published by the Landscape Institute in October 2019 has been added to the updated TVIA. The TVIA assessment has been carried out in accordance with the updated Guidance Note. The visualisations were produced by Virtual Planit, a specialist visualisation studio with over 20 years experience in producing visualisations for the purposes of TVIAs.

The TVIA is not part of an EIA. The Guidelines for Landscape and Visual Impact Assessment state that an assessment of significance is not required for non-EIA assessments but it does not state that to include an assessment of significance would be either confusing or misleading. Where reference is made to EIA guidance,

this is purely to fully explain the methodology and criteria used of potential effects resulting from the proposal.

The process for selecting key views was carried out in accordance with the Guidelines with input from the planning consultant and heritage consultant, and the views were agreed with the Local Planning Authority prior to undertaking the assessment.

The TVIA does not form part of, or include, a formal heritage assessment which would consider the historic significance of a heritage asset within the wider setting, but considers the effects on heritage purely as an intrinsic part of the townscape.

The Landscape Institute Guidance states that the cumulative landscape and visual effects must be considered in an LVIA when it is carried out as part of EIA. As this assessment does not form part of an EIA, the cumulative effects were omitted. A cumulative assessment has however been undertaken for completeness. A large number of schemes have been scoped out of the cumulative assessment and the majority of the remaining schemes have been assessed as having no potential visual relationship with the site, and do not have the potential to impact on the townscape character around the site. 2 remaining schemes were considered:

- 17/70626/FUL Embankment West, Salford.
- 19/74205/FULEIA One Heritage.

Photomontages from the key viewpoints have demonstrated that there would be no visibility of either of the schemes from any of the key viewpoints and they are located outside the immediate townscape character area containing the proposal, so there would therefore be no cumulative visual effects or cumulative townscape effects. The proposal is in accordance with the vision outlined in the SRF, and therefore has the potential to result in positive cumulative townscape effects.

The current building is considered to make a neutral contribution to the setting of the Grade II\* listed Barton Arcade and the wider streetscape setting of the designated heritage asset has been identified within the significance appraisal as being of low significance. The proposals are considered to enhance the setting of the listed building to a minor extent.

The harm to the character and appearance of St. Ann's Square has been acknowledged throughout, forming a key discussion point for design development. Historic England were consulted pre-application and noted no substantial issues with the proposed height (Deansgate elevation) but agreed that the proposal would result in an adverse impact upon the setting of the Grade II listed townhouses to the west side of St Ann's Square. However, the proposed development would result in a beneficial impact on the setting of the Grade II\* listed Barton Arcade Building and Grade II listed Haywards building. Historic England were satisfied with the VIA information and had no objection to the demolition of the existing building. They generally agreed with the 'moderate adverse impact' from Viewpoint 1.

The scale of the proposal has been developed in response to the site's existing context within the St. Anns Square Conservation Area and adjacent to No.1

Deansgate, but also to its emerging context with the Ramada Complex SRF area and the cluster of taller buildings being established across the River Irwell in Salford. A further cluster of taller buildings is being created at the southern end of Deansgate. The character of Deansgate and the City Centre more widely is evolving and dynamic with the creation of height at key gateways into the City. As tall building clusters are established at the opposite end of Deansgate, this has already altered the previous symmetry of the street. The proposed development would help to balance this end of Deansgate. Massing tests were carried out early on and shared with Manchester City Council and Historic England for feedback.

The Ramada SRF has been endorsed as a material consideration in the determination of planning applications. The lapsed planning application was referenced to indicate that a building of scale in the vicinity of No.1 Deansgate had previously been considered acceptable to the Council.

The existing building does not form part of the designated listed building at Barton Arcade, nor is it within its curtilage. Its redevelopment would not result in physical change or alteration to the adjoining listed building and all works would be carried out within the boundaries of the site. Listed Building Consent is therefore not required. The application red line boundary does not encroach on Barton Arcade but is subject to a Party Wall Agreement which will seek to rationalise and resolve the gable wall build-up following demolition of the existing building. No Certificate B notice is required to be served.

The proposal would reinstate the historic building line and rationalise the footway in line with the remainder of Deansgate to the south. 4.4m is considered to be an acceptable width for maintaining pedestrian flow. Outdoor seating is in place on other parts of Deansgate where the pavement is already narrower.

Policy CC1 gives encouragement to development in certain locations within the City but doesn't preclude development in locations not listed. There is overall support for high density development in the City and for the redevelopment of previously developed sites.

The country is facing challenging times as a result of Covid-19. However, in Manchester, there remains a significant demand/supply imbalance for prime office stock and it is anticipated that occupiers will continue to favour high-quality buildings in the City Centre. Grade A office space in Manchester is becoming increasingly constrained and the City continues to attract significant interest from existing and new businesses. The proposal would help meet this identified demand. Despite there now being a downgraded growth forecast due to Covid-19, small growth is still expected, including from 'north shoring', where large occupiers are looking at Manchester as a viable location to relocate their London staff.

The TVIA has not been re-written, but the report takes on board comments raised by neighbours. The updated TVIA has additional explanatory text to address concerns raised. The conclusions of the TVIA are unchanged.

The proposal has been subject to rigorous viability/technical feasibility testing to ensure it meets the applicant's brief and is deliverable. However, viability is just one

element of design feasibility alongside other matters including Area; buildability/complexity; plannable as office space, and contextual/ technical considerations. The proposals have been designed to make maximum efficient use of a prominent brownfield site, to secure the highest quality design and materiality, and to generate the widest possible range of public benefits.

The pre-application comments received from various parties resulted in a series of alterations to the emerging scheme, including:

- Reduction in height from 20 storeys to 15 storeys over ground and mezzanine (17 storeys in total);
- Removal of car parking spaces from the basement and addition of cycle storage facilities accessed via a dedicated ramp;
- Choice of a tonal aluminium façade treatment instead of stone cladding;
- Creation of a blue/green roof to enhance biodiversity and manage surface water drainage;
- Enhancements to the surrounding public realm (to be agreed by s278 Agreement); and
- Restriction of hours of use of the roof terrace to limit potential impacts on surrounding residential amenity.

The original TVIA did not conclude that ‘moderately significant’ effects trip the threshold for EIA. The proposed development was subject to screening by the City Council which concluded that an Environmental Statement was not required. The technical assessments submitted also support this. The screening opinion issued by the City Council lists the potential impacts associated with the proposal and sets out mitigation associated with each potential impact topic area in line with Regulation 5.

The other comments made by neighbours have been covered elsewhere in this report.

## **CONCLUSION**

The proposal would have a positive impact on the regeneration of this part of the City Centre, contribute to the supply of Grade A office accommodation, provide significant investment in the City Centre supporting the economy, and create both direct and indirect employment. The proposal is in accordance with relevant National and Local Planning Policies. In addition, a convincing, well considered approach to the design, scale, architecture and appearance of the building has resulted in a high quality development that would make a positive contribution to the streetscene. Any harm to heritage assets would be less than substantial and would be outweighed by the public benefits of the scheme, in accordance with the provisions of Section 66 and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Accordingly, this application is recommended for approval, subject to conditions.

**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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation      APPROVE**

### **Article 35 Declaration**

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

### **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:

Application Forms, Certificates, Notices and Covering Letter prepared by CBRE (February 2020);  
 Planning and Tall Building Statement prepared by CBRE (February 2020);  
 Statement of Consultation prepared by CBRE (February 2020);  
 Economic Statement prepared by CBRE (February 2020);  
 Design and Access Statement (ref. 6145-SRA-XX-XX-RP-A-02003 P03 S2) prepared by Sheppard Robson Architects (January 2020);  
 Heritage Statement: Significance and Impact prepared by Stephen Levrant Heritage Architecture (January 2020);  
 Daylight and Sunlight Assessment prepared by GIA (November 2018);  
 Wind Micro-Climate Assessment Report prepared by GIA (December 2019);  
 Crime Impact Statement prepared by GMP Design for Security (December 2019);  
 Transport Statement (ref. 70691-CUR-00-XX-RP-TP-001) prepared by Curtins (January 2020);

Interim Travel Plan (ref. 70691-CUR-00-XX-RP-TP-002) prepared by Curtins (January 2020);  
 Waste Management and Servicing Strategy (ref. 70691-CUR-00-XX-RP-TP-003) prepared by Curtins (January 2020);  
 Phase 1 Geo-environmental Report (ref. 1901-02 Rev P02) prepared by Renaissance (January 2020);  
 UXO Risk Assessment prepared by IGE Consulting (January 2020);  
 Flood Risk Assessment & Drainage Strategy (ref. 3174-03 Rev A) prepared by IGE Consulting (December 2019);  
 Archaeological Desk-Based Assessment prepared by Orion Heritage (January 2020);  
 Air Quality Assessment prepared by BWB Consulting (January 2020);  
 Noise Impact Assessment prepared by BWB Consulting (January 2020);  
 Preliminary Bat Roost Assessment (ref. 12095\_R01a) prepared by Tyler Grange (January 2020);  
 Energy, Sustainability and Waste Management Statement (ref. Z30031 Rev. 1) prepared by Energy Council (February 2020);  
 Ventilation Strategy (ref. 2217-EDPI-XX-XX-RP-Z-57-10001) prepared by EDPI;  
 Television and Radio Reception Impact Assessment prepared by G-Tech Surveys (January 2020);  
 Operational Management Strategy prepared by CBRE (February 2020);  
 Construction Management Plan including Demolition Management Plan prepared by CBRE (January 2020);  
 Acoustic Technical Note (ref. MCA2017/TN/39D/SG) prepared by BWB Consulting (March 2020);  
 Summary of Public Benefits prepared by CBRE (April 2020);  
 Acoustic Technical Note (ref. MCA2017/TN/39D/SG) prepared by BWB (May 2020);  
 Townscape and Visual Impact Statement Main Report (ref. 2071-06-LV-003-03) prepared by Planit-IE (May 2020);  
 Townscape and Visual Impact Statement Appendix 1 - Townscape Assessment (ref. 2071-06-LV-002-02) prepared by Planit-IE (May 2020);  
 Townscape and Visual Impact Statement Appendix 2 - Visual Assessment (ref. 2071-06-LV-001-02) prepared by Planit-IE (May 2020);  
 Townscape and Visual Impact Statement Appendix 3 - Townscape Figures (ref. 2071-06-FB-003-01) prepared by Planit-IE (May 2020);  
 Townscape and Visual Impact Statement Appendix 4 - Views (ref. 2071-06-FB-002-02) prepared by Planit-IE (May 2020);  
 Townscape and Visual Impact Statement Appendix 5 - AVR Methodology (ref. 2071-06-FB-004-00) prepared by Planit-IE (May 2020), and  
 Analysis of Impact on 1 Deansgate Louvres prepared by GIA (September 2020)

#### Application Drawings:

Location Plan (ref. 6145-SRA-XX-XX-DR-A-02101)  
 Site Plan (ref. 6145-SRA-XX-XX-DR-A-02001)  
 Existing Ground Floor Plan (ref. 6145-SRA-XX-00-DR-A-02801)  
 Existing First Floor Plan (ref. 6145-SRA-XX-01-DR-A-02802)  
 Existing Roof Plan (ref. 6145-SRA-XX-RF-DR-A-02804)  
 Existing Typical Floor Plan (ref. 6145-SRA-XX-XX-DR-A-02803)  
 Proposed Basement Plan (ref. 6145-SRA-XX-B1-DR-A-02199)

Proposed Ground Floor Plan (ref. 6145-SRA-XX-00-DR-A-02110)  
 Proposed Mezzanine Floor Plan (ref. 6145-SRA-XX-01-DR-A-02111)  
 Proposed Level Three Floor Plan (ref. 6145-SRA-XX-03-DR-A-02113)  
 Proposed Level Seven Floor Plan (ref. 6145-SRA-XX-07-DR-A-02115)  
 Proposed Level Fifteen Floor Plan (ref. 6145-SRA-XX-15-DR-A-02117)  
 Proposed Roof Plan (ref. 6145-SRA-XX-RF-DR-A-02118)  
 Proposed Typical Lower Floor Plan (Levels 1-2) (ref. 6145-SRA-XX-ZZ-DR-A-02112)  
 Proposed Typical Lower Floor Plan (Levels 4-6) (ref. 6145-SRA-XX-ZZ-DR-A-02114)  
 Proposed Typical Upper Floor Plan (Levels 8-14) (ref. 6145-SRA-XX-ZZ-DR-A-02116)  
 Existing North Elevation - City Context (ref. 6145-SRA-XX-XX-DR-A-02851)  
 Existing East Elevation - City Context (ref. 6145-SRA-XX-XX-DR-A-02852)  
 Existing South Elevation - City Context (ref. 6145-SRA-XX-XX-DR-A-02853)  
 Existing West Elevation - City Context (ref. 6145-SRA-XX-XX-DR-A-02854)  
 Proposed North & East Elevation (ref. 6145-SRA-XX-XX-DR-A-02151)  
 Proposed South & West Elevation (ref. 6145-SRA-XX-XX-DR-A-02152)  
 Proposed North Elevation City Context and Street Scene (ref. 6145-SRA-XX-XX-DR-A-02051)  
 Proposed East Elevation City Context and Street Scene (ref. 6145-SRA-XX-XX-DR-A-02052)  
 Proposed South Elevation City Context and Street Scene (ref. 6145-SRA-XX-XX-DR-A-02053)  
 Proposed West Elevation City Context and Street Scene (ref. 6145-SRA-XX-XX-DR-A-02054)  
 Proposed Sections A-A & B-B (ref. 6145-SRA-XX-XX-DR-A-02161)  
 Proposed Typical Façade Bay Study (ref. 6145-SRA-XX-XX-DR-A-02501)  
 Proposed Retail Façade Bay Study (ref. 6145-SRA-XX-XX-DR-A-02502)  
 Demolition Plan (ref. 6145-SRA-XX-ZZ-DR-A-02805)  
 Topographic Survey (ref. SSL:19457:100:1:1:TOPO-UTIL)  
 Tree Pit Feasibility Note (ref. DNG-REN-00-00-SK-C-01001)

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) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development and drawings to illustrate details of the full sized sample panels that will be produced. 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 to include jointing and fixing details, details of the drips to be used to prevent staining, details of the glazing and a strategy for quality control management.

(b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition.



The development shall be carried out in accordance with the approved materials.

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

4) No demolition shall occur until a detailed bird nest survey, undertaken by a suitably experienced ecologist, has been carried out immediately prior to the demolition and written confirmation has been provided that no active bird nests are present, unless the species present is feral pigeon, in which case a general license issued by Natural England authorising destruction of feral nests could be provided. All of the required information/evidence as above shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the demolition of the existing building commencing.

Reason - To ensure wildlife habitats are not adversely affected and to be consistent with policies EN15 and DM1 of the Manchester Core Strategy.

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

07:30 to 20:00, Monday to Saturday  
10.00 to 18.00 on Sundays and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

6) Before any unit within the development requiring fume extraction is first brought into use, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. An odour impact assessment is required together with suitable mitigation measures, information regarding the proposed cleaning/maintenance regime for the fume extraction equipment, and details in relation to replacement air. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eaves level and/or any openable windows/ventilation intakes of nearby properties. Any scheme should make reference to risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems', dated September 2018. The scheme shall be implemented in accordance with the approved details prior to first occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) Prior to the commencement of the development, a detailed construction/fit-out management plan outlining working practices during development shall be submitted

to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt this should include;

- Hours of site opening/operation
- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions during the enabling and build phases;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (site waste management plan);
- Phasing and quantification/classification of vehicular activity
- Types and frequency of vehicular demands
- Routing strategy and swept path analysis;
- Parking for construction vehicles and staff;
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;
- Construction and demolition methods to be used, including the use of cranes (and their location);
- The erection and maintenance of security hoardings;
- Details on the timing of construction of scaffolding;
- Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times
- Community consultation strategy, including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure.

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

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

8) a) No commercial unit within the ground floor shall become operational until the opening hours for each unit have been submitted to and approved in writing by the City Council as Local Planning Authority. Each commercial unit shall operate in accordance with the approved hours

b) The proposed office floors are permitted to be used 00.00 to 00.00 (24 hours a day)

c) The external roof terrace shall not be used outside of the hours of:

07:00 and 23:00 Monday to Friday

10:00 and 22:00 on Saturdays, Sundays and Bank Holidays

The roof terrace shall be used solely in association with the office use within the building only and for no other purpose, and shall have no sound or amplified sound played within it and shall not contain any external speakers.

Reason - In order that the local planning authority can achieve the objectives both of protecting the amenity of local residents and ensuring a variety of uses at street level in the redeveloped area in accordance with saved policy DC 26 in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

9) a) 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 before the development commences. The scheme shall be implemented in full before the use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Where any Class A3/A4/A5 use is proposed, before development commences on this use, 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. The scheme proposed shall normally include measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels. Any scheme approved in discharge of this condition shall be implemented in full before the use commences.

b) Upon completion of the development and before the development becomes operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the above criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the new use becomes operational.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policy DM1 of the Core Strategy.

10) a) Any 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.

Before development commences on this element of the scheme, 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.

b) Upon completion of the development and before any of the external plant is first operational, a verification report will be required to validate that the work undertaken confirms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the plant and any mitigation measures have been installed. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the plant is first brought into use.

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

11) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse for the different parts of the development (i.e. both the commercial and office space) has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. The scheme shall include:

- Estimated volumes and types of waste produced by the development,
- Details of internal and external stores for both waste and recycling, including any plans and designs,
- Location of the proposed collection point and details of the route the collection vehicle will take,
- Details of how waste will be transferred between stores and to the collection location,
- Details of number and capacity of bins proposed and collection frequency.

Reason - To ensure an acceptable development and to protect amenity, pursuant to policy DM1 of the Manchester Core Strategy.

12) In terms of air quality, the development shall be carried out in accordance with the following report:

Air Quality Assessment prepared by BWB (ref. MCA2017, dated January 2020)

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

13) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council

as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - 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.

14) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, the hierarchy of drainage options in the National Planning Practice Guidance, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the City Council as Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

In the event of the surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s.

Foul and surface water shall be drained on separate systems.

The drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

15) 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 in writing by the City Council as 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;
- As built construction drawings (if different from design construction drawings).
- A management and maintenance plan for the lifetime of the development which shall include the arrangement for adoption by an appropriate 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, to ensure that a managing body is in place for the sustainable drainage system and to ensure there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Core Strategy.

16) (a) Prior to the commencement of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for both the construction and operational elements of the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases of the development.

(b) Within six months of the first occupation of the development, details of the results of the scheme shall be submitted to the Local Planning Authority for consideration.

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

17) a) Before development commences, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the City Council as Local Planning Authority.

b) When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.

Reason - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

18) a) Before first occupation of any part of the development, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The Travel Plan shall also include details of the cycle hire scheme at the hotel and how that will be monitored as part of the Travel Plan process.

b) Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered under part a) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be kept in operation at all times thereafter.

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

19) The cycle parking areas shown on the approved plans shall be made available at all times whilst the site is occupied.

Reason - To ensure that there is adequate cycle parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

20) Within 3 months of first occupation of the building, written evidence shall be provided to the City Council as local planning authority that the development has been built in accordance with the recommendations contained within the submitted Crime Impact Statement, ref. 2019/0797/CIS/01, Version B, dated 23/12/19, and that a secured by design accreditation has been awarded for the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

21) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'Excellent'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of Practical Completion of the building hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy.

22) No externally mounted telecommunications equipment, except that relating to the servicing of the building hereby approved, shall be mounted on any part of the building, including the roof.

Reason - In the interests of visual amenity, pursuant to Core Strategy Policies DM1 and SP1.

23) Within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area, a new television signal survey shall be submitted to the City Council as Local Planning Authority that shall identify any measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the Television and Radio Reception Impact Assessment by GTech Surveys Limited, received by the Local Planning Authority on 25 February 2020. 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 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 interests of residential amenity, as specified in policy DM1 of Core Strategy.

24) a) Prior to the commencement of development, a programme for the submission of final details of the landscaping, ecological enhancements and public realm works shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details:

- (i) The proposed hard landscape materials, including the materials to be used for the footpaths surrounding the site and for the areas between the pavement and the line of the proposed building;
- (ii) Any external lighting;
- (iii) The ecological enhancements to be installed at the building to enhance and create new biodiversity within the development;
- (iv) The landscaping proposed for the roof terrace
- (v) A strategy for the planting of street trees within the pavement adjacent to the site, or a mechanism for funding the provision of off-site street trees, including details of overall numbers, size, species and planting specification, constraints to further planting and details of ongoing maintenance.

The approved scheme for part (v) shall be implemented not later than 12 months from the date the proposed building is 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,



b) The above details shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition. The development shall be carried out in accordance with the approved details.

Reason - To ensure that a satisfactory landscaping scheme and ecological enhancements for the development are carried out, in accordance with saved policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

25) Prior to any part of the building first being brought into use, a servicing management strategy that details the scheme proposed for the servicing of the office floors and commercial units shall be submitted to and approved in writing by the City Council as Local Planning Authority. The strategy shall give details including the duration, time and frequency of servicing, size of vehicles required and the proposal for parking and manoeuvring of vehicles around the site. The development shall be carried out in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of amenity and highway safety, pursuant to policy DM1 of the Core Strategy.

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

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 126328/FO/2020 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**  
**City Centre Regeneration**  
**Central Neighbourhood Team**  
**Work & Skills Team**  
**Greater Manchester Police**  
**Historic England (North West)**  
**Environment Agency**  
**Transport For Greater Manchester**  
**Greater Manchester Archaeological Advisory Service**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**Manchester Airport Safeguarding Officer**  
**National Air Traffic Safety (NATS)**

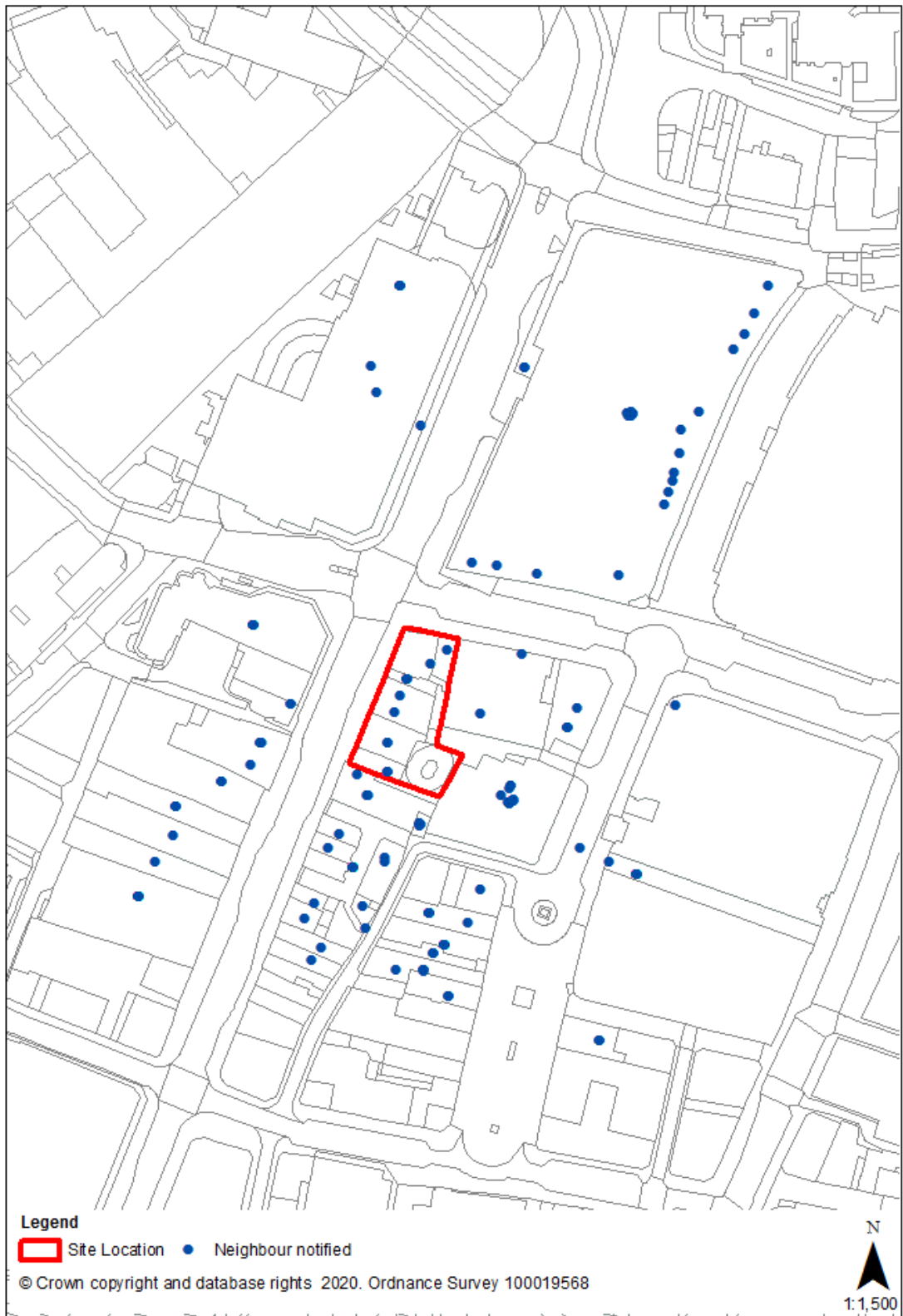
**Oliver West (Sustainable Travel)  
Strategic Development Team  
United Utilities Water PLC  
MCC Flood Risk Management  
Civil Aviation Authority**

**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:**

Highway Services  
Environmental Health  
Work & Skills Team  
Greater Manchester Police  
Historic England (North West)  
Transport For Greater Manchester  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
Manchester Airport Safeguarding Officer  
National Air Traffic Safety (NATS)  
United Utilities Water PLC  
MCC Flood Risk Management

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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
126422/FO/2020 and 126423/LO/2020	7th May 2020	22 <sup>nd</sup> Oct 2020	Deansgate Ward

**Proposal** Refurbishment and extension of existing office building to include elevational alterations and new two storey roof extension to provide additional office accommodation (Use Class B1) and external roof terrace with associated stair cores, change of use of existing restaurant (Use Class A3) at ground floor level to provide commercial floorspace (Use Classes A1, A3 and B1) and at first floor level to provide office accommodation (Use Class B1) (associated listed building consent application reference 126423/LO/2020)

Listed building consent for refurbishment and extension of existing office building comprising new two storey roof extension and external roof terrace, external alterations to windows and doorways, internal strip-out and layout amendments, new lift, and general fit-out including M&E to provide commercial floorspace (associated planning permission application reference 126422/FO/2020)

**Location** Cavendish House, Chapel Walks, Manchester, M2 1HN

**Applicant** Investstream Limited, C/o Agent,

**Agent** Miss Emily Roberts, Avison Young, Norfolk House, 7 Norfolk Street, Manchester, M2 1DW

### **Executive Summary**

The proposal is for: internal restoration and refurbishment of the ground, first, second and third floors into offices with active uses on the ground floor; external restoration and refurbishment including reinstatement of previously lost chimneys; a two storey roof extension; and retention of Sam's Chop House.

**Representations:** One letter of support from the owner of Sam's Chop House.

### **Key Issues**

**Principle:** This is a highly sustainable location and an area where change and development activity is anticipated.

**Quality of the scheme and its contribution to regeneration:** The design, appearance and overall sustainability of the scheme is considered acceptable. The proposal would allow the heritage asset to positively contribute to and support the continued success of the city centre. The proposals could generate up to 160 new jobs, and around 100 full and part time jobs during construction.

**Heritage impacts:** Cavendish House is Grade II listed and in the Upper King Street Conservation Area. The external and internal restoration works would have significant benefits in regards to preserving and enhancing its heritage significance. The 2 storey roof top extension is required to make the scheme commercially deliverable. This would cause less than substantial harm but this would be outweighed by the public benefits that would be delivered.

**Social Value:** The refurbishment and full occupation of the building would arrest the danger of this listed building falling into further disrepair and disuse. The retention of Sam's Chop House is welcomed. The applicant's commitment to a local labour agreement would support apprenticeships, training and other forms of employment through the construction phase of the development.

**Climate Change:** The development would improve the emissions rate by more than 50%. The construction would source materials and labour locally where possible.

A full report is attached below for Members consideration.

### **Description of the site**



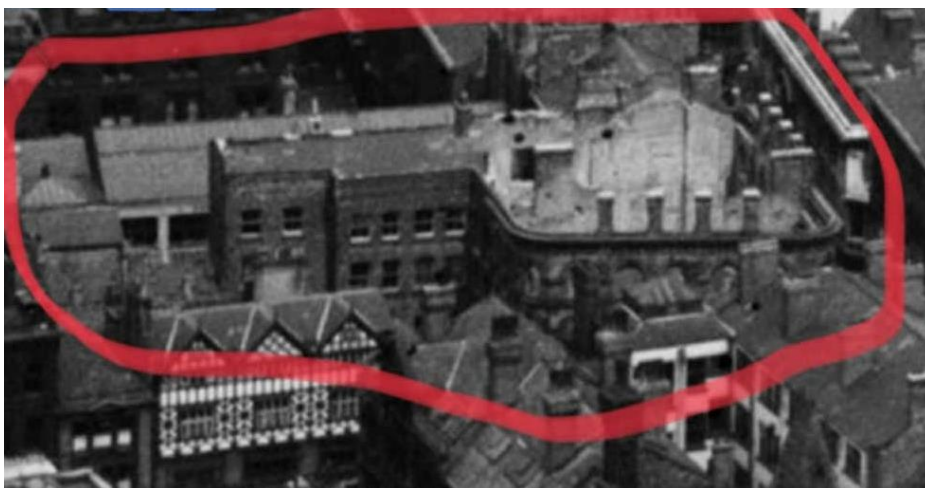
*Existing view from the junction of Chapel Walks and Cheapside*

Cavendish House is a 4-storey, Grade II listed building with frontages to Chapel Walks, Pall Mall and Back Pool Fold. Sam's Chop House occupies the lower ground floor and the vacant ground and first floor were previously occupied as a restaurant. The upper floors comprises vacant office space. The building has suffered from a

level of neglect by previous owners, and the upper office floors are understood to have been largely vacant for over 10 years.

The Motel One Manchester-Royal Exchange adjoins the site and the Grade II listed Northern Stock Exchange, a boutique hotel is to the north east. One Marsden Street, an 11 storey office is on the opposite side of Chapel Walks. Further south is a gym and retail units. To the west is 5-7, 9-11 & 15-17 Chapel Walks whose upper floors are being converted to residential use.

The building was damaged during World War and aerial photographs show the building to have been extensively damaged with the roof and at least the top floor missing. The existing corrugated metal roof is estimated to have been fitted in the early 1950s when many repairs to war damage were finally completed. It is uncertain how much of the interior remained after the war damage, and what was subsequently removed, but there is little evidence of surviving fabric. The cast iron columns in lower floors are historic and the second floor appears to have old floor timbers in places, matching those visible on the lower ground floor.



*Aerial photograph showing bomb damage (Britain from above ref. EAW038398)*

The site is in the Upper King Street Conservation Area designated in November 1974 and was extended in June 1985, to include properties up to Market Street and Mosley Street. The street pattern in the area is generally orthogonal and follows an offset grid with generally very narrow streets and there are few long views.



*View of the Site taken from  
Cross Street 1914  
(Manchester Archives)*

The buildings in this area vary in height from 4 storeys up to 14 storeys with a mix of historic and modern buildings. The area predominantly comprises office and commercial uses, but also includes residential, retail, leisure and entertainment along Market Street. There has been some redevelopment in recent years, and significant developments have taken place or are currently under construction. As such, there is a wide range of architectural styles, scale and uses that have evolved the character of the area.

### **Description of the proposals**

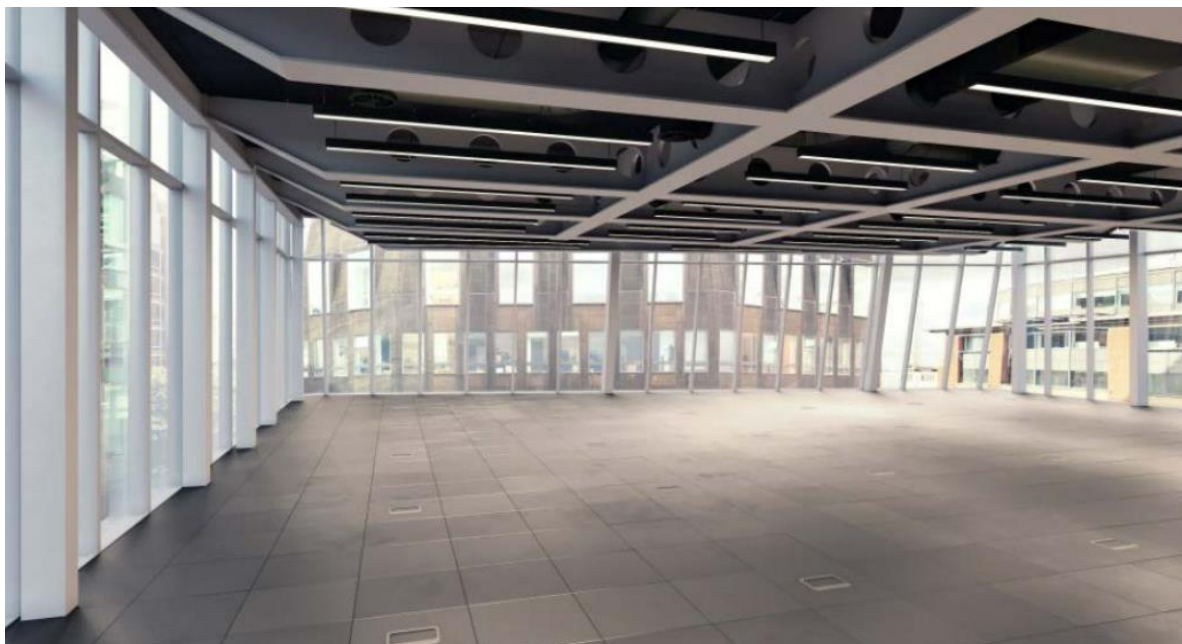
The applications propose to restore and refurbish the existing interior and exterior of the building, including a two storey roof extension to provide additional office space with an external roof terrace, and use of the ground floor and first floor former restaurant as office space with a reconfigured ancillary A1/A3 unit at ground floor.

Listed building consent has been sought for the refurbishment and extension of the building including a two storey roof extension and external roof terrace, external alterations to windows and doorways, internal strip-out and layout amendments, new lift, and general fit-out including M&E to provide commercial floorspace.

The proposal would:

- Retain Sam's Chop House at lower ground floor level.
- Convert former restaurant space on the ground and upper ground floor to create entrance/reception and office space.
- Convert and create modern office space on floors 1 – 4.
- Add a two-story roof extension, with roof terrace.
- Reintroduce the historic brick chimney stacks to the listed building to recreate the historic stacks.





*Proposed fifth floor roof extension internal CGI*

A Viability Appraisal submitted in support of the proposals by the Applicant concludes that the proposed two storey, plus roof terrace, extension is required in order to ensure the scheme is deliverable and viable. The roof extension design is of a contemporary form which contrasts with the historic aesthetic of the existing building.

The proposals would significantly improve DDA access into and throughout the building by virtue of the internal reconfigurations to access. Further, dedicated internal waste storage provision would be possible along with dedicated internal cycle storage.

The restoration of a Grade II listed heritage asset would include the total replacement of the 'temporary' roof structure constructed in the 1940s and the reinstatement of historic chimneys.

#### Scope of general works and restoration of the listed building

##### **External facade works**

- Brickwork pointing and repair
  - Repair of rending to stonework plinth and stone coping repairs
  - Localised masonry cleaning of biological growth
  - Repair and renewal of lead guttering
  - Removal of redundant fixtures and fittings
  - Timber sash window frame repairs e.g. localised rot, beading renewal.
  - Replacement of non-original casement windows with 27 no. timber sash windows.
- Internal

##### **Internal strip out of non-original features**

-Careful removal of; existing non-original M&E services; non-original stud walls, plasterboard, insulation and doors; plasterboard boxing to beams and columns; and non-original contemporary wall and floor finishes.

### **Internal works and restoration**

- Repair and reinstate decorative plaster work.
- Exposing original columns and timber beams throughout the ground, first and second floors.
- Floorboards would be upgraded from underneath to meet fire regulations, and floors would have slim raised access.
- Restore historic ceiling detail at second floor level.
- WCs and plant to sit behind the circulation core at each upper floor level, enabling risers to function vertically through this central core area.

The supporting Design and Access Statement sets out general design and conservation principles which would guide the final detailed design and implementation of works related to the restoration of the listed building.

The creation of grade A office accommodation would enhance the original space and fabric, causing minimal detriment to the significance as possible, whilst bringing the asset back into viable use.

The principles of such works are briefly set out as follows:

Minimum loss of fabric – Conserve and repair existing historically significance fabric.

Minimum intervention – New partitions and livings over existing fabric to be minimised to ensure readability of the original layout, including exposing existing column heads and timber beams.

Reversibility – Proposals would where possible be reversible and cause minimal damage to the existing original building fabric.

Honesty of interventions – Design contemporary insertions which can be read as such, while minimise their extent. Ensure new and historic fabric can be clearly understood and read visually to ensure no confusion as to the historical layouts or design of the heritage asset. For example, provide shadow gap details at new junctions with historic fabric. Intrusive and damaging non-historic elements which clearly detract from the significance of the asset would be removed, for example false ceilings which conceal historic features.

The following documents are submitted in support of this application:

- Full set of existing and proposed drawings prepared by Atelier MB Urban Architects
- Supporting Planning Statement prepared by Avison Young
- Design and Access Statement prepared by Atelier MB Urban Architects
- Transport Statement prepared by Mode Transport
- Draft Travel Plan Framework prepared by Mode Transport
- Bat Report prepared by TEP

- Planning Noise Assessment prepared by Cole Jarman
- Crime Impact Statement prepared by Design for Security
- Energy and Sustainability Statement prepared by Marketaylor
- Heritage Statement prepared by Atelier MB Urban Architects
- Access Strategy prepared by Atelier MB Urban Architects as part of the Design and Access Statement
- A Viability Statement prepared by DS2.

### **Consultations**

**Local publicity** - The occupiers of adjacent premises were notified and the development was advertised in the local press as affecting a Listed Building and affecting a Conservation Area, and a site notice was displayed at the site.

As a result of this local publicity one letter of support was received by the current tenant of the lower ground floor restaurant (Sam's Chophouse). The letter of support is detailed as follows:

Sam's Chop House was established on Cockpit Hill in Manchester in 1868 by brothers Samuel and Thomas Studd. Sam's has occupied three sites over 152 years. The first relocation in 1872 was to Market Street and the chop house has been in its current location in Cavendish House since 1958. In this period Sam's has become a Manchester institution, or, as City Life magazine put it, "as much a part of the city as rain".

The bar is famous as artist LS Lowry's local and it is graced by a life-sized bronze of arguably Manchester's most famous son. He is further made flesh inside by Sefton Samuels' iconic photographs from the 1960s which depict Lowry the human being in the way we have come to remember him. Many other artists have trodden in Lowry's footsteps in Sam's – from Lowry's friend Harold Riley to the Northern Boys of recent times. From iconic Private Eye cartoonist Tony Husband to giants of Manchester's music scene, artists of a different kind like Guy Garvey and his bandmates from Elbow through Damon Gough and the Buzzcocks to pretty much every band from the Madchester era. This is a culturally significant space rather than just a clone from the blueprint of a chain. Sam's is itself is a heritage asset without formal designation. And, to this day, before Covid-19 placed its future in jeopardy, it has supported emerging local talent with weekly live music nights. Further, the restaurant has served the people of the city with the best of British food made with fresh local ingredients for decades.

For all but 20 years of this time, when it was within the ownership of Scottish & Newcastle Brewery, Sam's has been an independently-owned, local family business and one of the establishments that make the city of Manchester unique.

Sam's now faces an existential threat and it is no exaggeration to say that the future of Sam' Chop House relies upon the redevelopment of Cavendish House proposed by the applicant. Furthermore, that it relies upon the approval of the proposed scheme at the earliest possible opportunity.

Any delay will likely lead to the failure of the business whilst we wait for the project that will breathe new life into this location. Investstream have demonstrated to Sam's their impressive ability to move quickly, to be flexible and to be responsible stakeholders. I the Planning Department to take the initiative and to help enable resolution of any planning problems to the benefit of all parties including the city itself.

Sam's is a sub-basement business in a building which has remained unlet for more than 30 years. Below a site which failed last year. At the end of an alley (Back Pool Fold) which is so unloved that it has become home to rough sleepers, vermin and an explosion of bins, drug paraphernalia, petty crime and waste.

In other words, Cavendish House lies at the heart of an area which needs regeneration. The city has been unable to fund this regeneration. We have tried for years to get schemes off the ground. Every approach has failed because of lack of funds. Now we have an investor ready to take the initiative. Ready to improve the building. Ready to bring new people to a space that was once at the very heart of the city's office sector. And more importantly ready also to invest in the public realm outside in Back Pool Fold to bring to life an informal BID-supported scheme which was approved in principle last year by Sir Ricard Leese.

If this application secures consent, Sam's will get a new space, an exterior make-over and an attractive outside dining space which is critical to any chance of prospering in a future where we get used to living with annual coronavirus infections. The city will get new life in a backwater that needs it, and we stand a chance of surviving.

Without it, quite simply, there will be no Sam's. Our business needs the support of a successful and generous landlord to bridge the period until the economy can reboot. To do this the landlord needs an approved scheme that can begin this year before the restrictions of the Christmas cranes embargo. Which means the planning department will be determining the future of the Manchester's independent chop houses as well as this one project.

The applicant has demonstrated their ability to work with us. I urge you to give them the opportunity to work with you to secure the approval they need in the timeframe the emergency dictates. This is an opportunity to embrace the flexibility and new ways of thinking we have heard so much of in the city's response to this crisis. Please take it.

**Head of Regulatory and Enforcement Services (Environmental Health)** – No objections subject to conditions regarding; acoustics (use and external plant); deliveries, servicing and collection hours; fume, vapours and odours (associated with A1/A3 use); hours of operation; and waste storage and collection.

**The Head of Neighbourhood Services (Highway Services)** – No objections. A car-free approach is appropriate in this location and the Transport Assessment has highlighted opportunities for Car Club and disabled car parking nearby. Requested that; on site cycle parking; a construction management plan; and a travel plan be implemented and controlled via appropriate conditions.

**The Head of Neighbourhood Services (Flood Risk Management)** – No objection to the proposal and given that there is no increase in footprint of the building or alteration of existing drainage from the roof, no further drainage or flood mitigations measures are required.

**Historic England** – Have no comments and suggest views are sought our specialist conservation adviser.

**Manchester Conservation Area and Historic Buildings Panel** – Welcomed the building being brought back into use but the two storey extension needs to be fully justified, in terms of its visibility from certain locations and key viewpoints. The mansard could look cumbersome on the roof and a single storey may fit more comfortably. The lift shaft creates an awkward junction and clearer lines would be preferred.

The views up Chapel Walks could be enhanced by the reinstatement of the chimneys but suggested that they had been lost many years ago, new stacks would be for decoration only and not functional. Roof top extensions are often let down by the final details, designs, materials and finish and this needs to be fully detailed.

**Greater Manchester Police (Design for Security)** – No objections subject to the physical security specifications of the Crime Impact Statement being adhered to.

**Cadent (Gas Network)** – No objections and provided informative notes to the applicant.

**Greater Manchester Ecology Unit** – No objections and recommended reasonable avoidance measures during any roof works regarding potential for bats and a condition relating the protection of any breeding birds.

**Ward Councillors** – No representations received.

## Issues

### National Policy

The revised National Planning Policy Framework (Feb 2019) sets out the Government's planning policies for England and how these are expected to apply. It aims to promote sustainable development. The Government states that sustainable development has an economic role, a social role and an environmental role (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan. Paragraphs 11 and 12 state that:

"For decision- taking this means: approving development proposals that accord with an up-to-date development plan without delay" and "where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date

development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

The proposed development is considered to be consistent with sections 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF for the reasons briefly outlined below, and further explored in the Issues section of this report.

NPPF Section 6 - Building a strong and competitive economy - The development would be highly sustainable and deliver high quality office space. It would promote the use of sustainable transport and would create a well-designed place and reduce the need to travel.

It would develop a building which has long standing vacancy issues and create employment during construction and assist economic growth. It would complement the wider area, enhance the built and natural environment and help to create a neighbourhood where people would choose to be.

NPPF Section 7 Ensuring the Vitality of Town Centres – The Regional Centre is the focus for economic and commercial development, leisure and cultural activity, alongside city living. The proposal would help to create a neighbourhood which would attract and retain a diverse labour market.

Section 8 Promoting healthy and safe communities – The potential reuse of the site at full occupancy would help to re-integrate the site into the locality and increase levels of natural surveillance in the area.

NPPF Section 9 Promoting Sustainable Transport – This highly sustainable location would give people choice about how they travel and contribute to sustainability and health objectives. The site is close to train, tram and bus links and would help to connect residents to jobs, and local facilities.

NPPF Sections 11 (Making Effective Use of Land) and 12 (Achieving Well Designed Places) - The proposal would be appropriate to its context, the extension would be of an acceptable quality and would deliver regeneration. Further justification for the scale and massing and the positive aspects of the design are discussed below.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) - The site is highly sustainable. The development would accord with principles that promote energy efficiency, integrating sustainable technologies from conception, through feasibility, design and build and in operation.

Section 16 (Conserving and Enhancing the Historic Environment) – The design has been carefully considered. Parts of the building that have been vacant for many years would be brought back into beneficial use. The heritage impacts are discussed in more detail below.

In terms of the NPPF the following should also be noted:

Paragraph 193 states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the

asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Section 195 states that where a proposal will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Section 196 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Section 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.

Paragraph 200 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The proposal would re-use a currently largely vacant listed building and introduce a high quality two store extension that would ensure the future use, and therefore preservation, of the building is secured for this and future generations.

## **Local Development Framework**

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. The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein. Those which are of particular relevance to the current hotel proposals are as follows:

Policy SP 1 (Spatial Principles) - The development would be highly sustainable and would deliver economic and commercial development within the Regional Centre.

It would be accessible by all forms of sustainable travel. It would enhance the built environment and create a well designed place that would enhance and create character, re-use previously developed land and reduce the need to travel.

Policy EN1 (Design Principles and Strategic Character Areas) – The proposals would ensure that the existing rich pattern of development and legacy of the evolution of the City would be preserved and maintained for future use.

Policy EN3 (Heritage) - The proposal would improve the condition of Cavendish House and protect its heritage significance. It would create modern refurbished office space and bring vacant space back into long term viable use.

Policy EN4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development – The proposal would be serviced by low energy equipment which would deliver a reduction of 50% carbon dioxide emissions over existing services.

Policy EN8 (Adaptation to Climate Change) – The reuse of the building is inherently sustainable and the low energy equipment would reduce carbon dioxide emissions by 50%.

Policy EN14 (Flood Risk) – The building footprint would not change and the roof drainage arrangements would remain the same.

Policy EC 1 (Employment and Economic Growth) - The proposals would provide over 2200 sq. m of office floorspace and could generate up to 160 new jobs, and around 100 full and part time jobs during construction.

Policy EN19 Waste - Conditions would ensure that the proposal is consistent with MCC waste strategy requirements.

Policy T1 (Sustainable Transport) – This highly sustainable location would increase the use of sustainable transport modes such as walking and cycling.



Policy T2 Accessible Areas of Opportunity and Need - The proposal would create employment opportunities that are accessible to Manchester residents for a variety of skill sets and qualifications. The site is accessible by a range of transport modes and close to bus, train and tram routes.

Policy DM 1 (Development Management) - Outlines a range of general issues that all development should have regard. The application is supported by reports in relation to Noise, Transport, Ecology, and Waste Management. The application is also supported by a CIS. These reports assess the impact of the proposals upon the local environment, recommend mitigation measures where necessary and conclude that the proposals would not have an adverse impact on the amenity of surrounding users, provided appropriate mitigation measures are in place.

Policy CC1 (Primary Economic Development Focus: City Centre and Fringe) - The proposals would deliver high quality refurbished floorspace which would contribute to economic growth and provide employment in an accessible location.

Policy CC5 (Transport) – A Transport Statement concludes that that there would be no significant detrimental impacts to the highway network. The site is accessible by public transport and sustainable modes of travel. A Travel Plan would promote the use of sustainable transport modes by staff and visitors.

Policy CC6 (City Centre High Density Development) – The proposal would increase the density and use of the existing building.

Policy CC8 (Change and Renewal) – The reuse and refurbishment of the vacant space and two storey extension would create employment which should be supported subject to the balance of any heritage issues associated.

Policy CC9 (Design and Heritage Design) – The internal and external works would be of an appropriate quality and would on balance serve enhance the heritage asset.

Policy CC10 (A Place for Everyone) - The building would be inclusive with level external door thresholds, auto operating entrance doors, accessible toilets, lifts, DDA compliant corridor and door widths throughout the design where possible given heritage related constraints.

### **Saved Unitary Development Plan policies**

Whilst the Core Strategy has now been adopted, some UDP policies have been saved. The proposal is considered to be consistent with the following saved UDP policies DC10 (Food and Drink uses), DC18 (Conservation Areas), DC19 (Listed Buildings) and DC26 (Development and Noise) for the reasons set out in this report.

Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of its policies:

SO1. Spatial Principles – This is a highly accessible location, close to good public transport links, and the proposal would reduce the need to travel by private car.

SO2. Economy - The reuse of vacant office space would help to improve the City's economic performance. It would provide jobs during construction and permanent employment in a highly accessible location and would support the business functions of the city centre and the region.

SO5. Transport – This is in a highly accessible location and would reduce the need to travel by private car and make the most effective use of sustainable transport.

SO6. Environment - The proposal would help to protect and enhance the City's built environment and ensure the sustainable use of natural resources, in order to mitigate and adapt to climate change so as to ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

### **Supplementary Planning Guidance**

Guide to Development in Manchester Supplementary Planning Document 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. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposals would be consistent with these principles and standards.

Manchester City Centre Strategic Plan - The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the city centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over period of the plan, updates the vision for the city centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the city centre neighbourhoods and describe the partnerships in place to deliver those priorities. The proposed development would be complementary to the realisation of the opportunities set out above.

Stronger Together: Greater Manchester Strategy 2013 - This is the sustainable community strategy for the Greater Manchester City Region. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life. The proposal would help to achieve a number of key growth priorities set out within the GM strategy including the reshaping of the economy to meet global demand, building Manchester's global brand and improving international competitiveness.

### **Other Relevant City Council Policy Documents**

## Climate Change

Our Manchester Strategy 2016-25 – sets out the vision for Manchester to become a liveable and low carbon city which will:

- Continue to encourage walking, cycling and public transport journeys;
- Improve green spaces and waterways including them in new developments to enhance quality of life;
- Harness technology to improve the city’s liveability, sustainability and connectivity;
- Develop a post-2020 carbon reduction target informed by 2015's intergovernmental Paris meeting, using devolution to control more of our energy and transport;
- Argue to localise Greater Manchester's climate change levy so it supports new investment models;
- Protect our communities from climate change and build climate resilience.

Manchester: A Certain Future (MACF) – This is the city wide climate change action plan, which calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city by 2020. Manchester City Council (MCC) has committed to contribute to the delivery of the city’s plan, and set out its commitments in the MCC Climate Change Delivery Plan 2010-20.

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. 1.3 In November 2018, the MCCB made a proposal to update the city’s carbon reduction commitment in line with the Paris Agreement, in the context of achieving the “Our Manchester” objectives and asked the Council to endorse these ambitious new targets.

The Zero Carbon Framework - outlines the approach which will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the world-renowned Tyndall Centre for Climate Change, based at the University of Manchester.

Manchester’s science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO<sub>2</sub> from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's ‘carbon budget’ will run out in 2025, unless urgent action is taken.

Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus the development of a ‘circular economy’, in which sustainable and renewable materials are reused and recycled as much as possible.

Climate Change and Low Emissions Implementation Plan (2016-2020) -This Implementation Plan is Greater Manchester’s Whole Place Low Carbon Plan. It sets out the steps we will take to become energy-efficient, and investing in our natural

environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester's air quality. These have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation

The alignment of the proposals with the policy objectives set out above are set out in the report below.

### **Conservation Area Declarations**

#### **Upper King Street Conservation Area Declaration**

The Upper King Street Conservation Area has been designated as a Conservation Area as it lies at the heart of Manchester's business and commercial district and to preserve and enhance the impressive grandeur of this part of the city historically associated with major banking, insurance and other financial institutions for the North of England. The area today is remarkable for buildings which whilst of a variety of architectural styles stand well together. The area was designated in November 1970 and extended in June 1986.

### **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 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 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.

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.

### **The Scheme's Contribution to Regeneration**

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the Region and is crucial to its longer term economic success. Manchester's population grew by 19% between 2001 and 2011 making it the fastest growing city in the UK outside London. The Greater Manchester Forecasting Model, prepared by Oxford Economics 2015, forecasts growth between 2014 and 2024 of around 128,300 more people, 109,500 net new jobs and £17.3 billion more GVA. Manchester's economic success has been driven by its role as the leading educational, professional and business service centre outside of London, its global connectivity through Manchester International Airport, the growth of business and leisure tourism. The proposal would continue the City's economic growth while retaining and enhancing the existing associated culturally significant venue established at the site.

The office accommodation has been designed for a specific end user but would be a flexible and adaptable space. It could in the future be occupied by a single end-user or multiple tenancies. There is demand for high quality office space in the City Centre and it is essential that highly sustainable locations are able to deliver the development necessary to meet this demand.

The proposal would improve the environment for those who choose to live, work in and visit the area; and help to ensure that the City Centre is competitive. It would strengthen the business sector, be accessible to all users and promote investment opportunities. It would preserve and enhance the City's architectural and historic fabric and create jobs and, therefore, help to continue the successful regeneration of the city centre and its economy.

In view of the above, the development would be in keeping with the relevant planning policies referred to above.

### **Impact on Designated and Non Designated Heritage Assets and Visual Impact Assessment**

#### Heritage significance of existing building

A Heritage Assessment explores the heritage significance of the building using methodology set out by Historic England. The Aesthetic value, Historical value, Communal value and Evidential value are set out below.

**Aesthetic value** - The elevations are a good example of 19th century commercial architecture in this part of the city. The rounded corner and pairing of red brick and stone is attractive though there are no features of particular distinction. The later changes and loss of the interior have detracted from this significance. The aesthetic value is deemed to be medium.

**Historical value** - The building is of historical interest as an example of its time. Its survival and altered form following the blitz attack lends it some historical interest. The historical value is medium.

**Communal value** - The building holds an amount of communal value as part of the streetscape but has no particular significance for any specific group of people. The communal value is deemed to be low.

**Evidential value** - The pairing of the ornate façade of Cavendish House and plainer aesthetic of Pool Fold Chambers, and the contribution the whole makes to the unusual narrow passageway of Back Pool Fold, are of significance. However, the building has been much altered inside and retains few original features beyond the façade. The roof has been replaced, there are areas of infill, and the windows are also altered at upper level. Evidential value is deemed to be low.

#### Significant elements

As a direct consequence of the WWII bombing, the larger Chapel Walks block was rebuilt internally, at least at upper floor levels. There are some remaining features detailed below, but the photographic evidence clearly demonstrates that a significant proportion of original fabric was lost.

The partial basement appears to be much in its original brick-built form, with original brick arched ceilings and some timber beams and chamfered features. This area has undergone more modern non-original additions such as new walls and refrigeration equipment. The head height is limited and there is little sign of decoration. It is considered that the heritage significance of this space and fabric is Medium.



positioned on the corner of the building, is now an important feature of the building in the streetscape. It is considered the heritage significance of this space and fabric overall is low, notwithstanding notable features.

*Entrance to Sam's Chop House, corner of Chapel Walks and Back Pool Fold*

The lower ground floor has been occupied by Sam's Chop House, since around 1958.

The majority of the physical fabric appears to have been installed at this date or later. Original cast iron columns are the most significant features, highlighting construction methods and giving evidential and historic value.

The pub and dining room have the feel of being older with some attractive tiling features, but their historical value is limited given their date. The space in general, whilst having some associative community heritage value as a long standing venue in the City Centre has slight historical or architectural significance.

The entrance to the unit, which is an important feature of the building in the streetscape. It is considered the heritage significance of this space and fabric overall is low, notwithstanding notable features.



The upper ground floor and first floor was last used as a restaurant via an entrance off Chapel Walks. Internally it has undergone significant modern alterations, including a large modern staircase with large black beams, which are somewhat at odds with the age and style of the building.

The restaurant has toilets in the longer back (Pool Fold Chambers) which are new and have no heritage significance. However, cast iron columns are present in this space, similar to the lower ground floor.

It is considered that the heritage significance of this space overall is Low, notwithstanding the cast iron columns which are of Medium significance.

*Cast iron columns within existing restaurant space*



*Internal view floor two*



*Internal view floor three*

The upper floor internal spaces at second and third floor are mostly open plan to the Princes' Chambers block, apart from the circulation core. Floors are non-original at 3<sup>rd</sup> floor level and most likely parts of the 2<sup>nd</sup> floor have been replaced post WWII.

The internal columns are non-original and the surviving original fabric largely related to the original brick walls which survived the bomb damage in WWII. The rear of the second and third floors have evidence of former window openings between the dividing wall, but these appear to be related to the former adjoining property and whilst of evidential interest, were not designed to be viewed. The heritage



significance of these spaces and fabric is considered to be Medium (walls and window openings and original boards) with Low value to later changes.

Pool Fold Chambers has smaller internal rooms at second and third floor levels which feature plaster ceilings which appear original but are in badly damaged condition. The same room at third floor has evidence of a chimney breast but has suffered damage and the original fireplace is no longer in place. The heritage significance of these features is Medium, as one of the few remaining internal decorative features, though evidential value is limited given the isolated, damaged and fragmented remaining fabric.

The third floor in Pool Fold Chambers has exposed timber trusses, and the space has been renovated in recent years, but it is uncertain if these are original or refurbished structures and an internal wall obstructs full views of the timbers.



*Internal view of non-original roof structure*

The metal roof is not original and its form is unsightly. It is unlikely to have been seen as a permanent feature when it was fitted, post WWII. Whilst it is a reminder of part of the building's story, it detracts from the asset as a whole and, whilst it cannot be seen from street level, from the interior its finish is poor and it is not in keeping with the character or quality of the building. The heritage significance of the roof is therefore considered as Low.

The elevations of Chapel Walks and Pall Mall are attractively detailed and of a good quality design. The buildings architectural and historic interest, and aesthetic and

historical value are principally derived from its external appearance, which is of high significance.

The elevation facing Back Pool Fold has had some infill and alteration and it is uncertain what date this took place, but the resulting façade does not read as a cohesive elevation and the brickwork, windows and sills are likely additions to facilitate loading areas. These non-original alterations detract from the original elevation, including evidence of a previous external fire escape. The heritage significance of the crude infill is low.

The window openings are largely original in shape and the bomb damage sustained indicates that the glazing is replacement with some, if not all, of the timber frames. There are two distinct profiles of windows on the building. Slimmer, high quality sashes with fine detailed profiles, which survive, may be original in some instances or a later replacement after war damage but are in any case of architectural value. The second type are chunkier and heavier modern replacements which are of a lower quality craftsmanship and therefore less valued. Glazing patterns follow sash form at lower floors and multi paned casements at upper floor levels. The heritage significance of the original sash form is high and the later casements are low.

The Pool Fold Chambers entrances are of a High significance however the adjoined non-original infill loading bay to the right, which has been infilled with a glazed screen design at an unknown date, are of Low significance and detract from the buildings overall high quality aesthetics.

There are internal features which are worthy of retention but in general due to either bomb damage or past unsympathetic alterations the character of surviving features has been eroded by the isolated and fragmented nature of what remains.

#### Impacts on Significance of the Listed Building

The design of the scheme has changed since submission and the roof extension was revised to include the introduction of the decorative chimney stacks along with horizontal features which aim to minimise the impact of the roof extension.

A Soft Strip Methodology and Conservation and Repair Strategy sets out how the works designed, implemented and finished. Conservation Principles would guide the final details of the refurbishment works. .

Internally, ground floor original columns will be exposed. Non-original partitions will be removed and an opening created to link the circulation core. At first and second floor the original columns would be exposed. The remaining historic ceiling detail will be restored to the room within Pool Fold Chambers. At the third floor level the non-original columns are to be removed. These works would be minor, beneficial. At all floors the floorboards would be upgraded from underneath to meet fire regulations, and floors would have slim raised access. These works would be minor, beneficial.

The WCs and plant will sit behind the circulation core, enabling risers to function vertically through this central core area. These works would be minor, neutral.

Works to the external elevations, including extensive repair and restoration would be minor, beneficial. The repair of original windows and the replacement of poor non-original replacement windows with replica timber sashes would restore the fenestration to its original form and would have a high, beneficial impact. The replacement of the two altered bays at ground level on Back Pool Fold with glazing would remove a negative addition and re-expose the former volume of the bays would have a moderate, beneficial impact.

The primary facade of the roof extension would be structural silicone glass, set back from Chapel Walks and Pall Mall with an internal frame and rounded corner design. The circulation cores would be clad in a semi-permeable solution in order to dilute the massing and volume. The design and use of high quality materials would be clearly recognised and read as a contemporary addition.

The existing metal roof and timber floor at third floor level, which was added post-war following the bomb damage, would be removed. This would have no direct impact upon historic fabric. The design of the roof extension was amended to reinstate the 'lost' brick chimneys on the main elevation. The reinstatement of the chimneys on the principle elevation would be considered to have a moderate, beneficial impact.

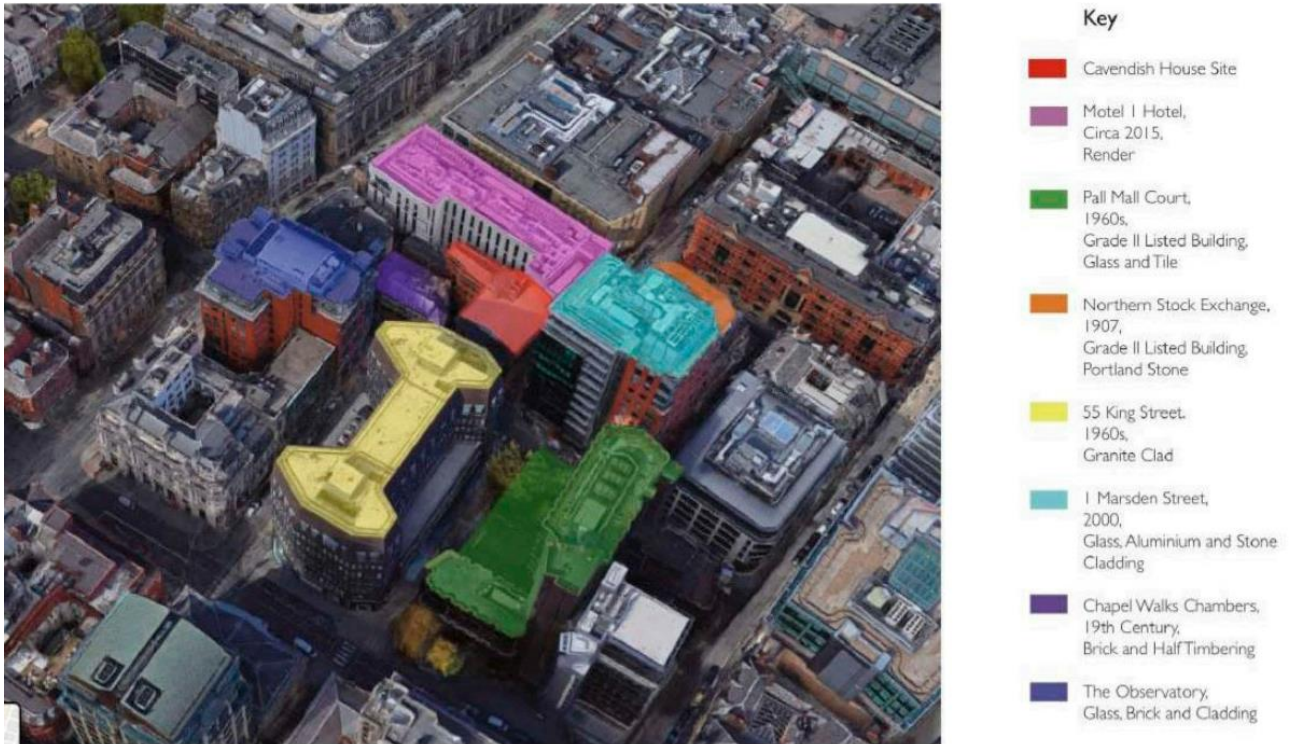
The impact of the roof extension on the physical original fabric of the building would be minimal. Its impact in the streetscape, which is discussed in more detail below, is considered to be greater and would have an overall adverse impact. This impact could be seen as 'less than substantial harm' to the historic and architectural significance of the asset.

To conclude the instances of adverse impacts relate to the two storey extension. The beneficial impacts relate to the substantial repair and removal of elements that detract from the buildings architectural value, such as the complete refurbishment of the vacant upper floors and repair of the exterior elevations. It is considered that these impacts, which would allow the re-use of the building, would cause less than substantial harm.

When balanced against the benefits of bringing the building back into viable end use, comprehensively restoring the original exterior, reinstating the original chimney forms and adding a high quality office space extension, it is considered that the wider benefits outweigh the relatively minor degree of harm.

#### Impacts on setting of Conservation Area and other Heritage Assets

Cavendish House is in the Upper King St Conservation Area, and Chapel Walks is a busy route through the busy commercial core. Cavendish House is one of the few remaining predominantly brick and stone buildings in an area, which since the 1960s has seen some larger developments of glass, steel, and concrete.



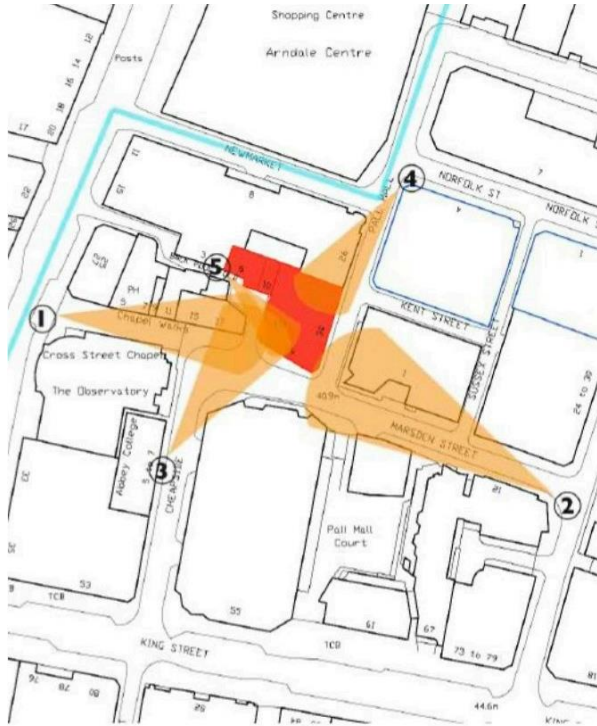
*Aerial view highlighting building character in the area (Google Earth)*

The dense street patterns and the scale of some of the surrounding buildings means there are very few long range views of Cavendish House, and most neighbouring buildings, but not all, are taller. In this context there may be an opportunity to deliver a modern, contemporary addition to the heritage asset, while respecting the character of the Conservation Area.

When approaching the site from Pall Mall or Marsden Street would largely be obscured by existing buildings. Views of the extension from Back Pool Fold would be limited given how narrow this passage is.

The main views affected are from Cross Street and Cheap Side. Views from Cross Street would arguably be improved by the reinstatement of the historic chimneys. The full extent of the proposal would only be prominent from relatively limited views when approaching the site from Cheap Side.

The following 'key views' diagram and proposed CGI views from Cheapside, Cross Street and Marsden Street, provide a better understanding of the visibility of the site in the immediate and wider street scenes.



Key views towards the site



Key proposed CGI views from Cheap Side



Key proposed CGI views towards the site from Cross Street (left) and Marsden Street (right)

A significant element of its character of the Upper King Street Conservation Area is its mixture of historic and contemporary architecture and there are examples of roof top extensions to historic buildings in this Conservation Area. There would be an impact upon a limited number of views, the overall impact on the heritage value and significance of the wider Conservation Area is considered to be minor.

The proposed development is not considered to affect the setting of the nearby Grade II Northern Stock Exchange (Norfolk Street) as these buildings would not be read together in the street scene. Indeed, this nearby listed building has recently undergone a relatively substantial modern roof extension.

### Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the detailed design, procurement and construction process. The design team recognises the high profile nature of the proposal and the design response is appropriate for this prominent site. The range of technical expertise that has input to the application is indicative that the design is technically credible. The proposal has been prepared by a design team familiar with the issues associated with developing high quality buildings in city centre locations, with a track record and capability to deliver a project of the right quality.

### Architectural Quality

The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures.

The contemporary minimalist would be clearly read and defined as a modern addition to the heritage asset. The majority of the surrounding buildings are mainly glass and metallic pallets.

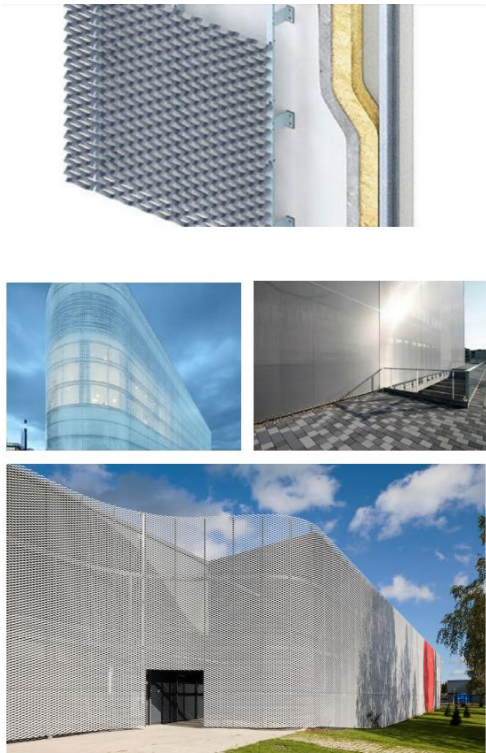
When viewed from the most prominent street views the predominantly glazed roof extension would reflect the surrounding glasswork of the contemporary buildings. The reinstatement of the historic chimneys would, to some extent, draw the eye away from the extension behind.

The structural design has been refined such that the section sizes are minimised, and these are set back from the glazing line and follow the frameless mullion rhythm of the glazing. This rhythm would follow the historic fenestration beneath.

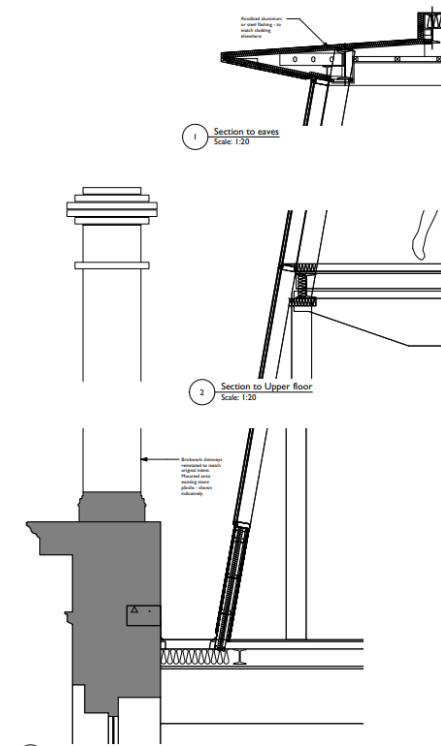
The circulation core has been treated as a distinct element which is inevitably taller than the main glazed form. A reflective metallic mesh covering the built form would seek to accord with the predominant glazed façade. The distinction in materials is necessary due to practicalities regarding fire safety requirements, and also taking into account that positioning the main circulation elsewhere in the building would result in significantly more harm to the internal historic fabric and spatial character of the listed building.



*Precedent images for the glazed volume*



*Precedent images for metallic mesh*



*Technical roof extension details*

### **Consideration of the merits of the proposals within the National and Local Policy Context relating to Heritage Assets**

Development decisions should also 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. Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission for proposals which would affect it. However section 72 of the Act also requires members to give special consideration and considerable weight to the desirability of preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it. Of particular relevance to the consideration of this application are paragraph's 192, 193, 196, 197 and 200.

The NPPF (paragraph 193) stresses that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Significance of an asset can be harmed or lost through alteration or destruction or by development within its setting. As heritage assets are irreplaceable, any harm or loss should clearly and convincingly justified.

The majority external and internal work would be beneficial to varying degrees. It is acknowledged that the roof extension, while removing a non-original roof structure that detracts from the asset, would cause a degree of harm, which is less than substantial, in regard to the listed building and setting of the designated Upper King Street Conservation Area.

Paragraph 20 of the NPPF Planning Practice Guidance states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits may include heritage benefits.

The public benefits arising from the development are clearly set out in this report. The harm to the listed building and character of the designated Upper King Street Conservation Area would not be fundamentally compromised and the impacts would be outweighed by the public benefits.

The benefits are consistent with paragraphs 196 and 197 of the NPPF. For the reasons set out above it is also considered that there has been special regard to the desirability of preserving the building, its setting and the features of special architectural or historic interest which it possesses and in relation to sections 16, 66 and 72 of the Planning Act the case for demolition has considered the desirability in relation to preservation and enhancement in respect of both the listed buildings on the site, their setting and the conservation area.

Paragraph 015 in the NPPG states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset notwithstanding the loss of significance caused, and provided the harm is minimised.



It is considered, and demonstrated, that the roof extension would be necessary to allow the site owners to bring forward a viable development, which would seek to substantially restore the remaining historic fabric of the listed building internally and externally, and retain and expand its recognised use as an office.

The design has been refined and overall responds to the local character, history and the fabric of the building and immediate surroundings, in accordance with the NPPF. This equally applies to the setting and character of the Upper King Street Conservation Area.

Taking into account the internal refurbishment and restorative works to the exterior, the impact on the listed building and the wider designated Conservation Area would be assessed as 'neutral'.

In accordance with paragraph 196 of the NPPF, the harm would be less than substantial, and would be outweighed by the public benefits, which include bringing the listed building back into economic use by providing modern office space to meet the requirements of the City Centre market.

The proposal would also help to secure the long-term future of Sam's Chop House. Having operated in the City Centre for over 152 years, and from its Cavendish House premises since 1958, Sam's Chop House is widely recognised as an esteemed Manchester institution.

It is therefore considered 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 S12, S66 and S72 of the Listed Buildings Act within the context of the above the overall impact of the proposal including the impact on heritage assets would meet the tests set out in paragraphs 193, 196, 197 and 200 of the NPPF and that there is a clear and convincing case to support the harm which is outweighed by the overall public benefits of significantly restoring the largely vacant building and bringing it back into full economic use.

### **Benefits of the Proposed Redevelopment**

#### **Social benefits**

- a policy-compliant end use for the heritage asset which is in serious danger of falling into further dereliction and disuse;
- full occupancy and use of the building, with increased footfall, would reduce illicit activities and anti-social behaviour experienced in the local vicinity and specifically along Back Pool Fold which currently cause problems to existing businesses and residents close to the site and discourages further investment; and
- Retention of Sam's Chop House would continue to provide residents and visitors places for meeting and enjoyment which in turn promote social activity and inclusion.

#### **Economic benefits**

- 100 full and part time jobs would be created during the construction phase;
- 160 permanent jobs would be created through the reuse of the site;

- Support for commercial, retail and leisure operators through increased spending from workers.

### Environmental benefits

- Arrest further deterioration and regenerate the site bringing the long term vacant floorspace within the building back in to positive use;
- Improve the environment and visual quality of the site which detracts from the streetscene and conservation area;
- Make a positive contribution to local character and distinctiveness;
- Promotion of urban vitality and place enhancements.
- No negative impacts on protected species or the natural environment at the site would occur from the proposals.
- Increased energy efficiency of the existing building, offsetting the proposed two storey extension.

### Impacts on Amenity

#### Privacy and Overlooking

Small separation distances between buildings is characteristic in the area and is consistent with a dense urban environment. There are currently very short separation distances between windows to adjacent sites, as would be expected in a City Centre location. The nearest residential building adjacent to the site is opposite Back Pool Fold, and this building would not have any direct windows facing the proposed roof extension. It is therefore considered that in this context the upward extension would not generate any significant overlooking or privacy concerns for existing residents.

#### Daylight, Sunlight and Overshadowing

The nature of high density developments in City Centre locations means that amenity issues, such as daylight, sunlight and the proximity of buildings to one another have to be dealt with in a manner that is appropriate to their context.

In this instance the existing site is already largely overshadowed for much of the day by various taller multi storey buildings to the east, south and south west of the site. The proposed roof extension would cause very minor overshadowing of the Hotel Motel One Manchester-Royal Exchange which directly abuts the site. This neighbouring hotel already exceeds the height of the existing roof level of the proposal site by one storey and has a number of windows along the south elevation, which are set back from the proposal site.

Given the nature of the use of this neighbouring building, and the context of the site, it would be considered that the proposed roof extension does not have any unacceptable impacts on daylight, sunlight or overshadowing.

#### Noise and vibration

There are no amenity issues that would impact on surrounding residential properties over and above those expected in the city centre. The impact of adjacent noise sources on occupiers needs to be considered and a Noise Reports conclude that the internal noise levels can be set at an acceptable level with appropriate acoustic design and mitigation. The level of noise and any mitigation measures required in relation to the operation of any plant and ventilation would be controlled through a recommended condition.

Disruption could arise during the construction phase and the applicant and their contractors would work with the local authority and local communities to seek to minimise disruption. The contractors would be required to engage directly with local residents. The provision of a Construction Management Plan is recommended to be conditioned to any approval to ensure no unacceptable impacts on resident's amenity during construction.

A condition is recommended requiring the hours of operation, for proposed internal and external aspects of the proposal, to be agreed at a later date would ensure no unacceptable impacts on neighbouring occupier's amenity.

### **Full Access and Inclusive Design**

The Applicant has submitted a robust options analysis demonstrating how they have considered all options for providing full access to all areas of the building. The conclusion of this analysis highlights that full level access would be achievable on all internal floors at grounds level and above. The options analysis concluded that level access from Back Pool Fold was the most practical point to achieve full level access into the building. Options considered in regards to providing full access to the lower ground floor have been reasonably demonstrated to be unviable due to a mixture of issues including; significant loss of commercial floor space; physical constraints of the site; and due to the amount of physical fabric harm which would be caused to facilitate such access.

The Applicant accepts that the current situation regarding waste storage on the Highway does not make level access via Back Pool Fold ideal at this very moment. However, they are committed to turning this into an attractive entrance. Significantly, because of the location of the lift and stairs this entrance is expected to be an entrance of choice for staff and visitors. It would have a full video access control from the reception area so that all would be able to enter over a level threshold into a compliant lift and lobby which would lead them to the reception area.

### **Transport Issues / Relationship to Transport Infrastructure**

The location would enable visitors and staff to take full advantage of nearby sustainable transport modes including walking, cycling, bus, tram and rail.

There would be no on site car parking. However, the development would be expected to generate a low number of vehicle trips during peak periods and therefore would have a negligible impact on the local highway network. Any increased use of parking demand associated with the development could be

comfortably met by over 3,000 available off-street parking spaces within 500m of the site.

Deliveries, servicing and collections including waste collections would be controlled through the recommended conditions, and the applicant has demonstrated how the building could be easily accessed by such vehicles within the existing Highway of Chapel Walks.

A Draft Travel Plan sets out how occupants and visitors would be encouraged to use non-car modes of travel. The Draft Travel Plan would be implemented prior to the first occupation of the development and the Applicant would be required to appoint a Travel Plan Co-ordinator whom would be responsible for both implementing, monitoring, developing and reviewing a full Travel Plan. This would be controlled through conditions.

The construction may cause some temporary and predictable impacts on the local highway network through compounds, construction vehicle traffic and site hoardings. These impacts are temporary and would be controlled partly through the recommended Construction Management Plan (CMP) condition and licenses under the Highways Act.

### **Waste Management**

The development includes an additional internal bin store on the Lower Ground Floor accessed via Back Pool Fold. It is proposed that Sam's Chop House, and the Upper Ground Floor tenant would be responsible for using this bin store, involving these occupiers moving collection bins onto Back Pool Fold for bin lorries to collect, on a weekly basis, from nearby loading bays on the corner of Cheapside and Chapel Walks. Both parties would be responsible for returning the collection bins back to the internal bin store location, and this would be enforced by on-site building managers. The Applicant has confirmed that such instructions are contained within the relevant tenant's lease covenants.

The waste management for the offices would be dealt with via daily collections. Tenants will place their waste into designated bags and each day the bags will be placed in a designated location and collected by the waste management company.

A recommended condition would ensure that adequate internal waste storage capacity is provided for general waste, pulpable, mixed recycling and food waste, including a detailed collection strategy.

Back Pool Fold is currently poorly managed and unattractive due to existing waste management issues, which are not necessarily caused by the Applicant's site. It is further understood that the adjacent buildings on Back Pool Fold, which recently received planning permission for residential accommodation, would soon also include internal bin storage locations. It is considered likely that the partial re-activation of Back Pool Fold by this proposal and nearby development would culminate in a much better managed situation along Back Pool Fold.

### **Crime and Disorder**

A Crime Impact Statement (CIS) prepared by Greater Manchester Police supports the proposal and subject to the incorporation of measures included in the report would be acceptable.

### **Sustainability, Energy Efficiency and Reduction of CO2 Emissions**

The listed status means that it has not been possible to improve the thermal performance of the building, excluding the two storey extension. All existing services, which are very inefficient due to age, would be totally replaced and improved. New installations including LED fittings, presence detection and daylight harvesting significantly reduce energy consumption and offset energy consumed by the new fixed building services.

The new equipment would be listed on the Energy Technology List (ETL) and would therefore satisfy the requirements of the Enhanced Capital Allowances (ECA) scheme for the installation of energy efficient plant and machinery. The predicted modelling indicates an improvement of more than 50% of the current emission rate.

A condition is recommended to ensure that as part of construction the developer explores how all new materials could be sourced, if practical, from local supply chains, reducing the embodied carbon associated with transportation as much as possible. Further, and where viable and not at odds with heritage values, the specification of new materials used in construction would also be expected to use the lowest embodied carbon option.

### **Biodiversity/Wildlife Issues**

A Preliminary Bat Roost Assessment (PRA) accompanies the proposals and indicates that the building has no roosting potential for bats.

The assessment did identify potential for nesting birds and advises that any works relating to the proposed roof extension should be undertaken outside of the breeding bird season (1st March to 31st August inclusive). If this is not possible, a nesting bird check must be performed by a qualified ecologist a maximum of 24 hours prior to the works being undertaken.

The PRA confirms that if nesting birds are found, an appropriate exclusion zone would need to be set up around any active nests until the young have fledged. Regular monitoring checks would need to be undertaken by an ecologist to advise when it is possible for works to proceed. The extent of the exclusion zone is dependent upon the species nesting.

A condition is recommended which would ensure no disturbance to any potential breeding birds discovered during construction or bats.

### **Flood Risk**

Site is within Flood Zone 1 and low risk of surface water flooding. The proposals would not change the Flood Risk Vulnerability Classification as the proposal would

not increase the footprint of the existing building. The existing roof drains directly into existing drainage channels and this would not be changed by the proposals.

Attempting to improve rainwater run off rates on proposed roof would almost certainly require significant physical alterations to the fabric and would likely further increase the quantum of development necessary to ensure such could be achieved, which in this instance would be undesirable.

In this context the Flood Risk Management team have not requested any improvements of the existing roof rainwater runoff rates.

## **Conclusion**

There is an important link between economic growth, regeneration and the provision of new high quality office accommodation. There is an acknowledged need to provide high quality office accommodation in the city centre in order to support and sustain growth of the region's economy.

Officers have been mindful that consideration of the historic environment and its heritage assets is a principal objective of sustainable development. Sustainable development has three broad roles: economic, social and environmental. The environmental role is "contributing to protecting and enhancing our...historic environment..." amongst other things (paragraph 8 NPPF). This would include preserving and enhancing the listed building, and the character of the Conservation Area, all of which would be undermined should the building be allowed to continue to degrade over time through lack of economic use.

Social benefits would be derived from an appreciation of the above and the continued use of Sam's Chop House. Economic benefits would be derived from job creation including supply side employment and the provision of additional office accommodation for which there is still demand. Should these proposals not be supported the further deterioration of the building is considered to be a realistic prospect.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving and enhancing the listed building, the setting of the listed buildings and Conservation Area as required by virtue of S16, S66 and S72 of the Listed Buildings Act within the context of the above the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 196, 197 and 200 of the NPPF and that there is a clear and convincing case to support the limited identified harm - the two storey extension - which is outweighed by the associated public benefits of bringing the site back into full economic use.

On balance given the overall previously emphasised policy support for the proposals, and notwithstanding the limited identified heritage harm, the proposals represent sustainable development and will bring significant social, economic and environmental benefits, as such they merit the granting of planning permission and listed building consent.

**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 Director 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 application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

### **Application 126422/FO/2020**

**Recommendation(s) 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 case amendments were proposed to the scheme following consultation responses and discussions with Officers. Appropriate conditions have been attached to the approval with the agreement of the applicant / agent.

#### **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 No & Titled:

P(001)	CHAPEL WALK COLOURED ELEVATION;
P(002)	CHAPEL WALK LONG COLOURED ELEVATION;
P(003)	PALL MALL COLOURED ELEVATION;
P(004)	PALL MALL LONG COLOURED ELEVATION;
P(163)	FOURTH FLOOR PLAN - OPT B(CHIM AND EAVES);
P(173)	FIFTH FLOOR PLAN - CHIM AND EAVES);

P(183) ROOF TERRACE PLAN - (OPT B (CHIM AND EAVES));  
 P(193) ROOF PLAN - (OPT B (CHIM AND EAVES));  
 P(203A) PALL MALL ELEVATION (OPTION B);  
 P(205B) PALL MALL LONG ELEVATION (OPTION B);  
 P(213D) CHAPEL WALK ELEVATION (OPTION B);  
 P(215A) CHAPEL WALK LONGELEVATION (OPTION B);  
 P(223E) BACK POOL FOLD ELEVATION (OPTION B);  
 P(223E) BACK POOL FOLD ELEVATION (OPTION B);  
 P(100) BASEMENT FLOOR PLAN;  
 P(110) REV F LOWER GROUND FLOOR PLAN;  
 P(111) REV A LOWER GROUND FLOOR PLAN (STRIP OUT);  
 P(120) REV H GROUND FLOOR PLAN;  
 P(121) REV A GROUND FLOOR PLAN STRIP OUT;  
 P(130) REV F FIRST FLOOR PLAN;  
 P(131) REV A FIRST FLOOR STRIP OUT PLAN;  
 P(140) REV F SECOND FLOOR PLAN;  
 P(141) REV A SECOND FLOOR STRIP OUT PLAN;  
 P(150) REV H THIRD FLOOR PLAN;  
 P(151) REV A THIRD FLOOR STRIP OUT PLAN;  
 P(201) REV C PALL MALL STRIP OUT ELEVATION;  
 P(211) REV C CHAPEL WALKS STRIP OUT ELEVATION;  
 P(221) REV C BACK POOL FOLD STRIP OUT ELEVATION;  
 P(230) BACK POOL FOLD ELEVATION 2;  
 P(231) REV B BACK POOL FOLD ELEVATION;  
 P(300) REV E SECTION A-A;  
 P(301) REV C SECTION B-B;  
 P(401) TYPICAL SASH WINDOWS REINSTATEMENT DETAIL;  
 P(402) TYPICAL DETAILS INTERIOR;  
 P(403) REV A SKETCH FACADE DETAILING SHEET 2;  
 P(405) PLASTERWORK REPAIR AND REINSTATEMENT;  
 P(413) SKETCH FACADE DETAILING - OPTION B;  
 E(100) REV A BASEMENT FLOOR PLAN;  
 E(110) REV A LOWER GROUND FLOOR PLAN;  
 E(120) REV A GROUND FLOOR PLAN;  
 E(130) REV A FIRST FLOOR PLAN;  
 E(140) REV A SECOND FLOOR PLAN;  
 E(150) REV A THIRD FLOOR PLAN;  
 E(200) FRONT ELEVATION (PALL MALL);  
 E(201) SIDE ELEVATION (CHAPEL WALKS);  
 E(202) SIDE ELEVATIONS (BACK POOL FOLD);  
 E(300) REV A SECTION A-A;  
 E(301) REV A SECTION B-B;  
 E103 BASEMENT SIGNIFICANCE FLOOR PLAN;  
 E113 LOWER GF SIGNIFICANCE FLOOR PLAN;  
 E123 GF SIGNIFICANCE FLOOR PLAN;  
 E133 1F SIGNIFICANCE FLOOR PLAN;  
 E143 2F SIGNIFICANCE FLOOR PLAN;  
 E153 3F SIGNIFICANCE FLOOR PLAN;  
 E210 PALL MALL ELEVATION SIGNIFICANCE;  
 E211 CHAPEL WALKS ELEVATION SIGNIFICANCE;



E212 BACK POOL FOLD SIDE ELEVATIONS SIGNIFICANCE; and  
 E(001) Location Plan;  
 stamped as received by the City Council as local planning authority on 29  
 September 2020.

Planning Documents and Drawings:  
 Covering Letter 28 September 2020;  
 Design and Access Statement Oct 2019;  
 Supporting Planning Statement September 2020;  
 Energy and Sustainability Statement (MTC588 Rev. v1 | 23.10.19);  
 Heritage Statement (Oct 2019);  
 Financial Viability Assessment February 2020;  
 Planning Noise Assessment (Report 19/0417/R1);  
 A3 Use Odour and Noise Impact Assessment;  
 Crime Impact Statement (Version A: 24.10.19);  
 Transport Statement October 2019;  
 Framework Travel Plan October 2019;  
 Bat Report (Document Ref 7875.001);  
 WASTE PROFORMA Rev B - April 2020;  
 Drawing No. and Title: P115 REV A WASTE AND DELIVERY PLAN,  
 Window Replacement/ Removal Schedule (Issued A 27/04/2020); and  
 Cavendish House Material Precedents,  
 stamped as received by the City Council as local planning authority on 29  
 September 2020.

Photos and Photomontages:  
 1F INTERIOR PHOTOS;  
 2F INTERIOR PHOTOS;  
 3F INTERIOR PHOTOS;  
 3F INTERNAL CGI;  
 5F INTERNAL CGI;  
 BASEMENT INTERIOR PHOTOS;  
 EXTERNAL CLOSEUPS;  
 EXTERNAL FACADE;  
 EXTERNAL VIEWS;  
 GF INTERIOR PHOTOS;  
 LOWER GF INTERIOR PHOTOS;  
 S06\_CROSS\_001;  
 S01\_PALL\_MALL\_002;  
 S02\_MARSDEN\_003; and  
 S03\_CHEAPSIDE\_008,  
 stamped as received by the City Council as local planning authority on 29  
 September 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies EC1, DM1, T1, T2, EN1, EN3, EN4, EN8, EN14, EN15, EN19, CC1, CC6, CC6, CC8, CC9, CC10 and SP1 of the City of Manchester Core Strategy, and saved policies DC10, DC18, DC19 and DC26 of the Unitary Development Plan for the City of Manchester, and the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

3) Prior to the commencement of the development, a detailed construction/fit-out management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt this should include:

- Hours of site opening/operation;
- Display of an emergency contact number;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (site waste management plan);
- Phasing and quantification/classification of vehicular activity;
- Types and frequency of vehicular demands;
- Routing strategy and swept path analysis;
- Parking for construction vehicles and staff;
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;
- The erection and maintenance of security hoardings;
- Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times; and
- Community consultation strategy.
- A commentary of how the development has sought to minimise the impact of construction in terms of reducing carbon emissions

The construction management plan will cover the phased construction of the works if required. The development shall then be carried out in accordance with the approved construction management plan(s).

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies DM1, SP1, T1, EN8, EN9, EN19 and DM1 of the City of Manchester Core Strategy.

4) a) Notwithstanding the submitted plans and documents as specified in condition 2, prior to the commencement of development, other than enabling works comprising demolition, piling and construction of the sub structure, the following shall be submitted to and approved in writing by the City Council, as local planning authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development and drawings to illustrate details of sample panels that will be produced. 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. Full and final details including jointing and fixing details; details of the drips to be used to prevent staining; details of the glazing, a strategy for quality control management; and a commentary of how materials would be sourced, if possible, in the sustainably, as possible.

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme, as agreed in the above part a of this condition, and the development shall be fully implemented in accordance with the approved materials or details thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the recommendations within the submitted Planning Noise Assessment (Report 19/0417/R1), stamped as received by the City Council as local planning authority on 29 September 2020.

The recommendations contained within the above report shall be implemented prior to the first use of the hereby approved offices (B1 Use Class), as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace).

b) Notwithstanding the approved plans and documents as specified in condition 2 and the above part a, prior to the first occupation of the office (B1 Use Class) use a verification report shall be submitted to and approved in writing by City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. Any further mitigations measures proposed shall be implemented prior to the use commencing and retained thereafter while the specific office use is operational.

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

6) a) The A1/A3 (shop/café/restaurant) use, as identified on the proposed ground floor plan, 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 shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of any said use. The scheme shall be implemented in full before any specific A1/A3 uses commence or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the  $L_{Aeq}$  (entertainment noise) shall be controlled to 10dB below the  $L_{A90}$  (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively and as appropriate in the circumstances.

b) Notwithstanding condition 2 or part a, prior to first occupation of the specific A1/A3 (shop/café/restaurant) uses, as identified on the proposed ground floor plans, a

verification report will be required, to be submitted to and approved in writing by the City Council as local planning authority, to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any further mitigations measures proposed shall be implemented prior to the specific use commencing and retained thereafter while said use is operational.

Reason – In the interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

7) a) Notwithstanding the approved plans and documents as specified in condition 2, any externally mounted ancillary equipment, plant 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.

Prior to the first use (notwithstanding limited use for compliance testing) of any associated externally mounted ancillary equipment, plant and servicing, a 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.

b) Notwithstanding the approved plans and documents as specified in condition 2 and part a of this condition, prior to first use of any externally mounted ancillary equipment (notwithstanding limited compliance testing) a verification report will be required, to be submitted to and approved in writing by the City Council as local planning authority, to validate that the work undertaken confirms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the equipment and any mitigation measures have been installed. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance.

The approved report and any further recommended/required mitigation measures shall be implemented in full, and retained thereafter, in accordance with the approved details before any externally mounted ancillary equipment, plant and servicing is first brought into full operational use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

8) In the event that any of the commercial unit, as indicated the proposed ground floor plans, are occupied as an A1/A3 use, prior to their first use the following operational management 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 internal and external areas. For the avoidance of doubt this shall include:

- An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, and management of smokers)
- Details of a Dispersal Procedure

The approved operational management details shall be implemented and maintained 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 City of Manchester Core Strategy and to saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

9) a) 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 any hereby approved A1/A3 (café/restaurant) uses commence. The approved scheme shall be implemented in full prior to the first occupation of said A1/A3 uses and maintained while said uses are in operation.

For the avoidance of doubt, mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Notwithstanding the approved plans and documents as specified in condition 2 and the above part a, prior to the first use of any equipment associated with the handling of fumes, vapours and odours associated with the approved A1/A3 uses, a verification report will be required to validate that the work undertaken throughout the installation conforms to the recommendations and requirements in the approved consultant's report and drawings. The verification report will shall to be submitted to and agreed in writing before use of the equipment, notwithstanding use for limited compliance testing. The report shall also undertake post completion testing to confirm that acceptable criteria has been met.

Any instances of non-conformity with the recommendations in the report with regard to fume, odour and smoke abatement measures recommended shall be detailed along with any further measures required to ensure compliance with the requirements. Photographs should be included within the verification report identifying the abatement equipment, inspection hatches and filters in situ.

Any further mitigations measures approved shall be fully implemented and retained prior to the first occupation of the A1/A3 uses (cafes/restaurant).

Reason - To ensure an adequate fume and odour extraction system is installed in the interest of visual and residential amenity pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

10) a) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of the approved office space (B1 Use Class), as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors, the premises opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The premises shall only operate in accordance with the approved hours thereafter.

b) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of the shop/café/restaurant (A1/A3 Use Class), as identified clearly on the ground floors plans, the premises opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The premises shall only operate in accordance with the approved hours thereafter.

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

11) Notwithstanding the approved plans and documents as specified in condition 2, deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, deliveries/waste collections on Sundays/Bank Holidays confined to 10:00 to 18:00.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to the City of Manchester Core Strategy policies SP1 and DM1 and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

12) Prior to the first occupation and use of the external roof terrace hereby approved, a detailed operation management strategy shall be submitted to and approved in writing by the City Council as local planning authority.

The strategy shall confirm and detail:

- Confirm the hours the external area would be operational
- Confirm no amplified music or sound shall be played in the external terrace area at any time
- Confirm intended uses permitted on the external terrace area
- Detail any associated external furniture, canopies or large non-fixed equipment/planters which would be located externally.
- Detail how the external roof area would be managed to ensure no undue disturbance to neighbouring occupiers
- Detail how smokers would be dealt with

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

13) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including

roof terrace), 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 as part of the development and shall remain in situ whilst the use or development is in operation.

For the avoidance of doubt, new developments shall have refuse storage space for segregated waste collection and recycling, including provisions for general, recycling, pulvable and food waste receptacles being stored internally, as appropriate.

Reason - In order to ensure that adequate provision is made within the development for the collection of waste in accordance with policies DM1 and EN19 of the City of Manchester Core Strategy.

14) 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.

15) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace), the measures set out in the submitted Framework Travel Plan October 2019, stamped as received by the City Council as local planning authority on 29 September 2020, shall be implemented in full and monitored thereafter for a period of at least six months following first occupation of the specified uses.

b) Notwithstanding the approved plans and documents as specified in condition 2 or the above part a of this condition, within six months of the first occupation of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to the Travel Plan monitoring 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, managed and retained in full at all times when the development hereby approved is in use.

Reason - To ensure that measures are in place to reduce the dependency of residents and staff within the building from accessing the building by car pursuant to highway and pedestrian safety and to reduce the highway impacts of the development, pursuant to policies SP1, DM1 and T2 of the City of Manchester Core Strategy.

16) a) Notwithstanding the approved plans and documents as specified in condition 2, the development shall be implemented in full accordance with recommendations as set out in the submitted and hereby approved Crime Impact Statement (Version A: 24.10.19), in particular the recommendations set out between Sections 3.3 to Section 7.0 of the CIS, as prepared by Design for Security at Greater Manchester Police, received by the City Council as local planning authority on 29 September 2020. The recommendations shall be fully implemented retained while the use remains in operation.

b) The permitted B1 and A1/A3 uses, as identified on the proposed floor plans, shall not be first occupied until the City Council as local planning authority has acknowledged in writing that the development 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 City of Manchester Core Strategy and to reflect the guidance contained in the revised National Planning Policy Framework (2019).

17) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace), details regarding space and facilities for bicycle parking shall be submitted to and approved in writing by the City Council as local planning authority. The approved spaces and facilities shall then be retained and permanently reserved for bicycle parking thereafter.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to transport mode, pursuant to policies SP1, T1 and T2 of the City of Manchester Core Strategy.

18) Prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace), full access into and through the site and into and throughout all areas of the building for all persons, including those whose mobility is impaired must be fully implemented and retained thereafter in accordance with the submitted and approved documents as specified in condition 2.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policy DM1 of the City of Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester.



19) Prior to implementation of any proposed external lighting scheme details of the relevant scheme (including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of occupants within this and adjacent developments) shall be submitted to and agreed in writing by the City Council as local planning authority. Any approved details shall be implemented and maintained in accordance with the relevant approved details thereafter.

Reason - In the interests of visual and residential amenity pursuant to the City of Manchester Core Strategy policies SP1, CC9, EN3 and DM1 and saved policy DC18 of the Unitary Development Plan for the City of Manchester.

20) The external façade window(s) at fourth and fifth floor level, fronting onto Pall Mall and Chapel Walks, shall be retained as a clear glazed windows at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street scene consistent with the use of such areas by members of the public, and so as to be consistent with policies EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC14, DC18, DC19 of the Unitary Development Plan for the City of Manchester.

21) Prior to occupation of any of the commercial units (A1/A3 Use Class) details of a signage strategy shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved signage strategy shall thereafter be accorded with by future occupiers unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the interests of visual amenity to enable careful attention to signage details and the level of visual clutter associated with any external seating is required to protect the character and appearance of this building in accordance with policies EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

22) a) If bats, or evidence of bats, is found at any time then all works must cease (internal and external works) until a scheme to deal with bats has been submitted to and approved in writing by the City Council as local planning authority. The scheme and any mitigations measures proposed shall be implemented in full thereafter.

b) No works, including demolition or alteration of the roof structure shall be permitted during bird breeding season, 1<sup>st</sup> March to 31<sup>st</sup> August inclusive. If works are required to the roof structure during this period, a suitably qualified ecologist should carry out a nesting bird check a maximum of 24 hours in advance of the building works commencing. If nesting birds are found, an appropriate exclusion zone, as to be agreed by a suitably qualified ecologist, shall be set up around any active nests until the young have fledged. The ecologist shall be required to carry out regular monitoring checks to advise when it is possible for works to proceed.

For the avoidance of doubt, the size of the exclusion zone will depend on the species nesting, and if the works fall within the ecologist's recommended minimum exclusion zone then no works shall commence to the roof structure until the ecologist advises.

Reason - To ensure a no harm to protected species, such as bats or nesting birds, occurs through the development and ensure appropriate mitigation is proposed should bats, or evidence of bats, be discovered during the works, pursuant to policy EN15 of the City of Manchester Core Strategy.

23) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall only be used for Office (Use Class B1), with ancillary ground floor commercial A1/A3 uses, as identified on the proposed floor plans, and for no other purpose.

Reason - In the interest of retaining the provision of office space within the development, and ensuring no adverse impacts to neighbouring occupier's amenity, pursuant to policies DM1, EC1 of the City of Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan 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, unless otherwise agreed in writing by the City Council as local planning authority.

Reason: In the interest of visual amenity and pursuant to policies EN1, EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

### **Application 126423/LO/2020**

**Recommendation(s) 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 case amendments were proposed to the scheme following consultation responses and discussions with Officers. Appropriate conditions have been attached to the approval with the agreement of the applicant / agent.

### **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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Drawings No & Titled:

P(001) CHAPEL WALK COLOURED ELEVATION;  
 P(002) CHAPEL WALK LONG COLOURED ELEVATION;  
 P(003) PALL MALL COLOURED ELEVATION;  
 P(004) PALL MALL LONG COLOURED ELEVATION;  
 P(163) FOURTH FLOOR PLAN - OPT B(CHIM AND EAVES);  
 P(173) FIFTH FLOOR PLAN - CHIM AND EAVES);  
 P(183) ROOF TERRACE PLAN - (OPT B (CHIM AND EAVES));  
 P(193) ROOF PLAN - (OPT B (CHIM AND EAVES));  
 P(203A) PALL MALL ELEVATION (OPTION B);  
 P(205B) PALL MALL LONG ELEVATION (OPTION B);  
 P(213D) CHAPEL WALK ELEVATION (OPTION B);  
 P(215A) CHAPEL WALK LONGELEVATION (OPTION B);  
 P(223E) BACK POOL FOLD ELEVATION (OPTION B);  
 P(223E) BACK POOL FOLD ELEVATION (OPTION B);  
 P(100) BASEMENT FLOOR PLAN;  
 P(110) REV F LOWER GROUND FLOOR PLAN;  
 P(111) REV A LOWER GROUND FLOOR PLAN (STRIP OUT);  
 P(120) REV H GROUND FLOOR PLAN;  
 P(121) REV A GROUND FLOOR PLAN STRIP OUT;  
 P(130) REV F FIRST FLOOR PLAN;  
 P(131) REV A FIRST FLOOR STRIP OUT PLAN;  
 P(140) REV F SECOND FLOOR PLAN;  
 P(141) REV A SECOND FLOOR STRIP OUT PLAN;  
 P(150) REV H THIRD FLOOR PLAN;  
 P(151) REV A THIRD FLOOR STRIP OUT PLAN;  
 P(201) REV C PALL MALL STRIP OUT ELEVATION;  
 P(211) REV C CHAPEL WALKS STRIP OUT ELEVATION;  
 P(221) REV C BACK POOL FOLD STRIP OUT ELEVATION;  
 P(230) BACK POOL FOLD ELEVATION 2;  
 P(231) REV B BACK POOL FOLD ELEVATION;  
 P(300) REV E SECTION A-A;  
 P(301) REV C SECTION B-B;  
 P(401) TYPICAL SASH WINDOWS REINSTATEMENT DETAIL;  
 P(402) TYPICAL DETAILS INTERIOR;  
 P(403) REV A SKETCH FACADE DETAILING SHEET 2;  
 P(405) PLASTERWORK REPAIR AND REINSTATEMENT;  
 P(413) SKETCH FACADE DETAILING - OPTION B;  
 E(100) REV A BASEMENT FLOOR PLAN;  
 E(110) REV A LOWER GROUND FLOOR PLAN;  
 E(120) REV A GROUND FLOOR PLAN;  
 E(130) REV A FIRST FLOOR PLAN;  
 E(140) REV A SECOND FLOOR PLAN;  
 E(150) REV A THIRD FLOOR PLAN;  
 E(200) FRONT ELEVATION (PALL MALL);  
 E(201) SIDE ELEVATION (CHAPEL WALKS);  
 E(202) SIDE ELEVATIONS (BACK POOL FOLD);

E(300) REV A SECTION A-A;  
 E(301) REV A SECTION B-B;  
 E103 BASEMENT SIGNIFICANCE FLOOR PLAN;  
 E113 LOWER GF SIGNIFICANCE FLOOR PLAN;  
 E123 GF SIGNIFICANCE FLOOR PLAN;  
 E133 1F SIGNIFICANCE FLOOR PLAN;  
 E143 2F SIGNIFICANCE FLOOR PLAN;  
 E153 3F SIGNIFICANCE FLOOR PLAN;  
 E210 PALL MALL ELEVATION SIGNIFICANCE;  
 E211 CHAPEL WALKS ELEVATION SIGNIFICANCE;  
 E212 BACK POOL FOLD SIDE ELEVATIONS SIGNIFICANCE; and  
 E(001) Location Plan;  
 stamped as received by the City Council as local planning authority on 29  
 September 2020.

Planning Documents and Drawings:  
 Covering Letter 28 September 2020;  
 Design and Access Statement Oct 2019;  
 Supporting Planning Statement September 2020;  
 Energy and Sustainability Statement (MTC588 Rev. v1 | 23.10.19);  
 Heritage Statement (Oct 2019);  
 Financial Viability Assessment February 2020;  
 Planning Noise Assessment (Report 19/0417/R1);  
 A3 Use Odour and Noise Impact Assessment;  
 Crime Impact Statement (Version A: 24.10.19);  
 Transport Statement October 2019;  
 Framework Travel Plan October 2019;  
 Bat Report (Document Ref 7875.001);  
 WASTE PROFORMA Rev B - April 2020;  
 Drawing No. and Title: P115 REV A WASTE AND DELIVERY PLAN,  
 Window Replacement/ Removal Schedule (Issued A 27/04/2020); and  
 Cavendish House Material Precedents,  
 stamped as received by the City Council as local planning authority on 29  
 September 2020.

Photos and Photomontages:  
 1F INTERIOR PHOTOS;  
 2F INTERIOR PHOTOS;  
 3F INTERIOR PHOTOS;  
 3F INTERNAL CGI;  
 5F INTERNAL CGI;  
 BASEMENT INTERIOR PHOTOS;  
 EXTERNAL CLOSEUPS;  
 EXTERNAL FACADE;  
 EXTERNAL VIEWS;  
 GF INTERIOR PHOTOS;  
 LOWER GF INTERIOR PHOTOS;  
 S06\_CROSS\_001;  
 S01\_PALL\_MALL\_002;  
 S02\_MARSDEN\_003; and

S03\_CHEAPSIDE\_008,  
stamped as received by the City Council as local planning authority on 29  
September 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, EN3, CC9 and SP1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester, the revised National Planning Policy Framework (Feb 2019), and the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

3) a) Notwithstanding the submitted plans and documents as specified in condition 2 and condition 4, prior to the commencement of development (notwithstanding external scaffolding erection) the following shall be submitted to and approved in writing by the City Council, as local planning authority:

- (i) A programme for the issue of samples and specifications of all material to be used on all internal and external elevations of the development and drawings to illustrate details of sample panels that will be produced. The programme shall include timings for the submission of samples and specifications of all materials to be used on all internal and external parts of the development;
- (ii) full and final details including clearly annotated detailed cross sectional drawings with all relevant jointing and fixing details; and
- (iii) a strategy for quality control management.

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme, as agreed in the above part a of this condition, and the development shall be fully implemented in accordance with the approved materials or details thereafter.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the details shown on/within the approved drawings and documents listed in condition 2 and 3, the following information shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to each particular aspect of the specific specified works commencing:

- a) Detailed schedule of all (i) internal and (ii) external repairs, including specifications and methodologies for all of the repair/restorations works to the building including cleaning strategy.
- b) Detailed schedule of all (i) internal physical works to both existing and proposed building fabric including, specifications and methodologies for all floors, walls, ceilings and other internal fabric (both original and non-original).

c) A strategy for the location and detailing of all M&E building services, including electrics, plumbing, telecommunications, fire/security alarms, communal tv/satellite connections and aerials CCTV cameras (and associated cabling and equipment).

d) Details of the interface between new internal walls and existing walls/ceilings and shadow gap details

e) Details method statement for removal of existing glazing, including specification and methodology for replacement glazing.

The works shall be carried out in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) Prior to the commencement of any works to the existing external facade a scheme, including a detailed methodology and specification, for any scaffolding and support structures required in order to carry out the approved works shall be submitted to and approved in writing by the City Council as local planning authority.

The scheme shall explore options considered in order to minimise any potential harm to the asset, and include details of any means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following the removal of the scaffold. Any associated scaffold shall be fully implemented and subsequently removed in accordance with the approved scheme.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding the approved plans and documents as specified in condition 2 and conditions 3 and 4, before any works to the building commences (notwithstanding external scaffold erection) details of a watching brief for the soft strip out shall be submitted to and agreed in writing by the City Council as local planning authority. Details of the findings of the watching brief and the intended treatment, remedial measures and repairs to any original/historic fabric of significance discovered shall then be submitted and agreed in writing by the City Council as local planning authority.

The watching brief and development shall be carried out in accordance with the approved plans and particulars.

All of the above shall be implemented fully in accordance with the approved details with in a period of 6 months following the City Council's written approval of the further details and particulars.

Reason - 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 designated heritage asset, in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

7) Prior to the commencement of the development (notwithstanding external scaffolding erection), a full photographic record of the building (internally and externally before and after any strip out / demolition works) including all areas where physical changes are proposed, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To provide a record of any archaeological remains and of the listed building's appearance and condition before works commence, in accordance with policies SP1, EN3, CC9 and DM1 of the City of Manchester Core Strategy and saved policy DC19 of the Unitary Development Plan for the City of Manchester.

### **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 applications ref: 126422/FO/2020 and 126423/LO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services  
Environmental Health  
MCC Flood Risk Management  
Strategic Development Team  
Urban Design & Conservation  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Historic England (North West)**

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

**Relevant Contact Officer :** Christopher Smith  
**Telephone number :** 0161 234 4529  
**Email :** christopher.smith@manchester.gov.uk





<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
126308/FO/2020	10th Mar 2020	22nd Oct 2020	Deansgate Ward

**Proposal** The demolition of 2 to 4 Whitworth Street West and the construction of a mixed-use building, comprising flexible units for retail, food and drink use at ground floor level with a hotel at upper storeys, together with associated landscaping, servicing, cycle parking and other associated works.

**Location** 2-4 Whitworth Street West, Manchester, M1 5WX

**Applicant** Mr Stuart Howard , Maizelands Ltd and Arringford Ltd, C/o Aberdeen Standard Investments, C/o Agent,

**Agent** Mr Keith Jones, JLL, One Piccadilly Gardens, Manchester, M1 1RG

### Executive Summary

The proposal is for the demolition of 2 to 4 Whitworth Street West and the construction of an 8 storey hotel with retail, food and drink use on the ground floor. Rowendale Street would be closed and the building would occupy the street and the plots either side.

There have been 2 letters of support and 57 letters of objection.

### Key Issues

**Principle of the proposal and the schemes contribution to regeneration:** The development is in accordance with national and local planning policies, and the scheme would bring significant economic benefits in terms of investment, job creation and tourism. This is a highly sustainable location.

**Economic Benefits:** It is estimated that there could be around 96k visitors per year who would spend over £8m in the local economy each year. The hotel would generate 197 construction job years; 31.5 permanent FTE jobs (net) once it is fully operational; the ground floor commercial space is estimated to deliver 20 permanent FTE jobs and the development has an estimated annual rateable value of £600,000.

**Heritage:** The existing buildings are not listed and are not in a conservation area but a number of people have objected to their loss. The proposed development would bring significant public benefits, as detailed in this report. These include investment in the City Centre economy, job creation, both during construction and upon completion, supporting tourism, optimising the use of a site currently occupied by vacant buildings and providing a high quality building which would enhance the local area. 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, there is a clear and convincing case that the harm caused is outweighed by the benefit of bringing the site back into use.

**Design** Details of the design and images are presented in the report below.

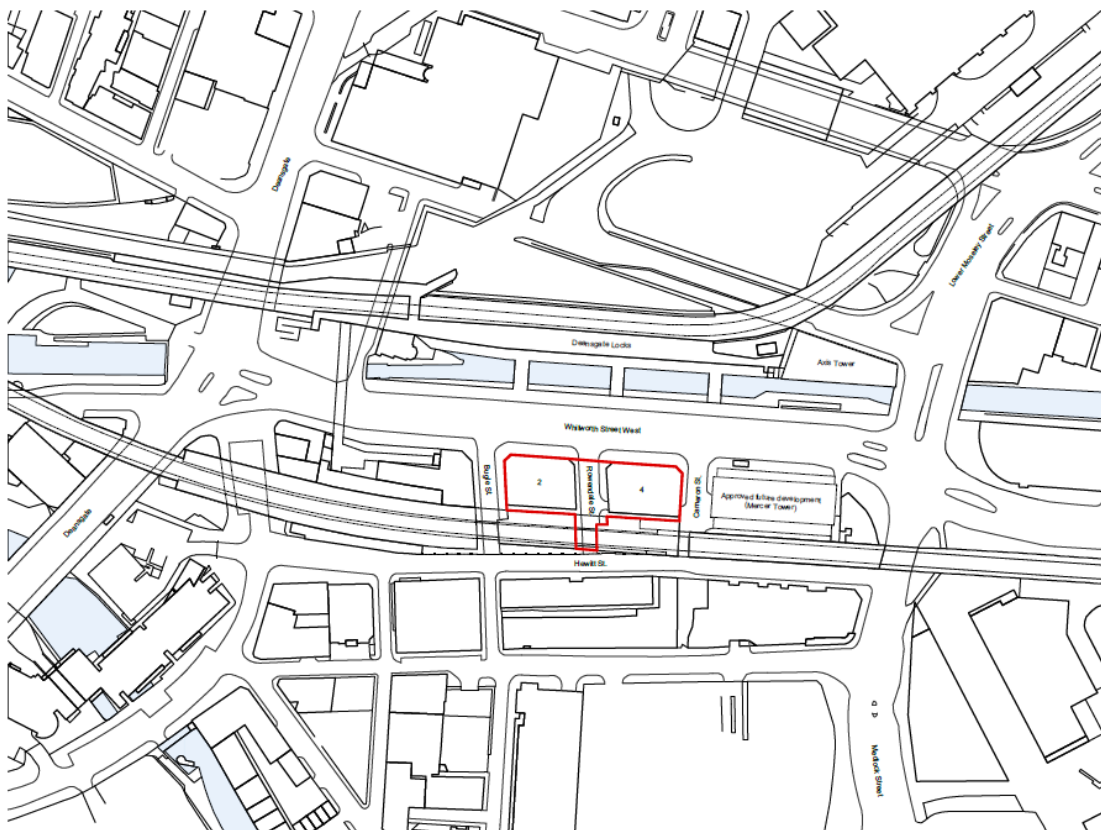
**Climate change** This would be a low carbon building in a highly sustainable location. Sustainability principles would in the construction process to minimise and recycle waste, efficiency in terms of vehicle movements and sourcing and use of materials.

A full report is attached below for Members consideration.

## DESCRIPTION OF SITE AND SURROUNDING AREA.

The site is 0.1ha and opposite Deansgate Locks and the Deansgate Castlefield Metro Station and adjacent to the Deansgate train station. It includes 2 and 4 Whitworth Street West and is bounded by Cameron Street, Bugle Street and the rail viaduct. The site is bisected by Rowendale Street and includes the railway arch which runs between Whitworth Street west and Hewitt Street

2 Whitworth Street West is a four-storey, red-brick building which is vacant. 4 Whitworth Street West is a three-storey red brick building which is also vacant.



LOCATION PLAN 1:1250@A3



### Surrounding area

The site is in an important strategic location at the southern end of Deansgate, close to key public transport hubs, to the south of the Civic Quarter and to the north of Knott Mill.

The Rochdale Canal is on the opposite side of Whitworth Street West and three pedestrian footbridges provide access to Deansgate Locks. Deansgate Locks comprises evening entertainment venues, built into the railway arches. The site to the east has planning permission for a 36-storey residential building. The elevated railway lines to the rear are at first floor level with the current buildings. To the south of the railway lines is an area characterised by a mix of employment and residential buildings. Beyond Bugle Street is a live music venue (Rebellion) and Deansgate Station is beyond this.

The existing vacant buildings on site are not listed. The railway viaduct and Deansgate Station are Grade II listed. Lock 90, 91 and Rochdale canal lock keeper's cottage at lock number 91, to the north are Grade II listed. Castlefield conservation area is located 120m west of the site.

This is a sustainable location, close to the Deansgate-Castlefield Metrolink stop and Deansgate and Oxford Road Railway Station.

### **DESCRIPTION OF DEVELOPMENT.**

The application proposes the demolition of 2 and 4 Whitworth Street West, stopping-up Rowendale Street and the construction a seven-storey hotel. The ground floor

includes flexible retail / food and drink units plus refuse storage and secure cycle storage for 16 cycles and access to the hotel. The ground floor units have double floor to ceiling heights which would provide scope for a partial mezzanine floor. The first floor would provide the core hotel services, including kitchen, laundry, offices and guest cafeteria and 12 bedrooms, including 2 accessible rooms. A typical floor would include 28 rooms, of which 2 would be accessible, 12 family rooms and 14 standard rooms. Overall, there would be 152 rooms. The proposal requires the closure of Rowendale Street.

The commercial units and the hotel would be accessed from Whitworth Street West. The cycle store would be accessed from Bugle Street and the substation from Cameron St. Service access would be from the gated alley behind the building. A service yard would provide access to waste storage area. Once stopped up, Rowendale Street will be fenced and gated to control access.

The building would be seven storeys, a double height ground floor with six storeys above, with an additional plant storey at roof level. The total height of the building would be 27.45 metres. The design and appearance of the building borrow heavily from buildings in the surrounding area to ensure that the proposed façade ties in with the local character of the area.



The building would have a double order open base which would incorporate large, double-height windows. Above this, would be a simple, repetitive middle section within which would be the hotel rooms. Along the top of the proposed building would be a solid frontage and simple signage to the right.

The building is of brick appearance, with textured masonry panel detailing worked into the design, to complement the built development in the area.



The building would be fully accessible. Guests would be assisted by the choice of lighting, signage and colour within the development. This includes access for the general public, as well as for people and employees. The hotel would provide a minimum of 5% of fully accessible rooms, spread across all floors to ensure a truly inclusive design.

The hotel would ensure that inclusive access is available at each level for occupants and visitors and the design does not present barriers to people with disabilities. There would be step free routes to all parts of each building and lift access is provided. Entrances to the hotel and retail units would be clearly identifiable and have level access. Manifestation would be applied to all ground floor glazing for partially sighted people. The entrance lobby and reception areas would be well lit, free of obstructions and with plenty of space for circulation. The hotel reception desk would be designed for ease of use by wheelchair user. All areas will be clearly signed and a fully accessible toilet would be provided at first floor level. Lift access is provided to all hotel floors and would meet the statutory requirements in terms of car size, door opening and clear landing. Escape stairs have been designed to ambulant disabled standard to meet the requirements of Part M of the Building Regulations. Stair core lobbies would have disabled refuges on all upper floors.

Given the site's sustainable location and close proximity to a number of public transport routes, it is considered there is no requirement for any car parking to be provided as part of the development. The application includes a single parking bay for a disabled guest and there are three bays for disabled people on street opposite Cameron Street. The Q-Park at First Street is some 350m via a level access route from the proposed hotel and accommodates 28 disabled spaces. The car park has fully serviced lift facilities.

In addition, the applicant has provided a commitment that they would ensure that the parking needs of all disabled guests are met at a reasonable cost, and this is included in the recommended conditions.

The hotel includes 16 secured cycle spaces and lockers. The stores would consist of a combination of two-tier and semi vertical bike racks. As part of employee welfare for the hotel, personal secured lockers will be located in the staff room at first floor level.

Dedicated refuse stores would be located to the rear of the building and the hotel and commercial unit would have separate dedicated stores which have been sized in accordance with the GD04 document. Nine 1100 litre eurobins will be provided, 6 for the Hotel and 3 for the commercial units including separate eurobins for recyclable waste. Bins would be wheeled from the refuse store directly outside and collected from the street side on Bugle Street. A private, licenced waste collection company would collect the waste 5 times per week for both the hotel and the commercial unit. The bin stores have been sized to accommodate this frequency of collection.

## **CONSULTATIONS**

The proposal has been advertised as a major development, being of public interest, affecting the setting of listed buildings. Site notices have been displayed and notification letters were sent to local residents and businesses. There have been 2 letters offering general support and 57 letters of objection.

Common to most of the objections are concerns regarding the appearance of the proposed building, and the loss of two important heritage buildings. Sustainability issues are also raised, questioning why the existing buildings cannot be re-used, and comments also state that the proposals are not in accordance with planning policy include references to planning policy.

In terms of the details included in the objections, the following specific points are raised.

### Design and appearance

The proposed building is incredibly generic and could be anywhere. It's not worthy a prominent position in Central Manchester on a main thoroughfare and certainly not a worthy replacement of buildings that do not need replacing!

Manchester City Council's Core Strategy States that Development in all parts of the city should; Make a positive contribution to the neighbourhood of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment. I feel that this application fails on all these guidelines.

The proposed building lacks any character or enhancing features. In fact it is just a box that is completely bland and offers nothing to improve the visual quality of Whitworth Street.

Poor quality modern box which is 7 storeys which is totally out of keeping with the location, whereas existing buildings are level and line with the railway arches.

Policy SP1 of MCC's Core Strategy States:

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...
- ...Protect and enhance the built and natural environment.

This proposal fails on all three accounts. There is no positive contribution that such poor architecture can make and there is certainly no enhancement or character creation with a proposal so bland. The proposed building is similar to the applicant's existing premises at 22 Great Ancoats Street which are a blot on the streetscape. The proposed building has a flat roof and generic fenestration which offers absolutely nothing to improve the visual quality of Whitworth Street West.

Paragraph 6.8 elaborates on this:

Good design can contribute to neighbourhoods of choice by making the most of the heritage and natural environment and helping enhance or create a recognisable and welcomed character to the area...MCC (are) a responsible agency for delivering this strategy.

Given the council are responsible for implementing this strategy, they should be insisting on a high quality and memorable design. There are several unfortunate examples, across the city, of what poor architecture can do to the built environment. The proposed hotel fails to create a 'recognisable and welcomed character to the area.' The design could be found in any Western city and it is incredibly generic. 2-4 Whitworth Street West's red brick facades and fenestration are absolutely unique to warehouse buildings in Manchester. We have lost so many of these buildings and I see scant reason why these two should be next.

Policy CC9 also states:

Design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context and character. No attention has been given to the context of this development. It uncomfortably sits on Whitworth Street West and proposes a generic and homogenous style of architecture which is out of keeping with the rest of the street.

Paragraph 8.52 states:

Although the City Centre needs to be able to change in order to accommodate growth and the changing requirements of development, it is important that the character of the City Centre is recognised as a key determinant of decisions to invest in the area. This proposal will be to the city's detriment and I urge you to seek a new design proposal from the developer which retains 2-4 Whitworth Street West.

Scale. Should the applicant retain 2-4 Whitworth Street West, I would have no objection for them to go higher at the rear of the property. This could create a really interesting landmark building whilst retaining two Victorian and Edwardian heritage assets.

Any redevelopment of this site should incorporate 2-4 Whitworth Street West. The applicant's consultant has stated that the proposed design is similar to other warehouses such as Asia House. I find this deeply insulting that a 7 storey box can, in any way, rival the carefully planned Victorian proportions of our built heritage.

The building that is planned will be bland and uninspiring.

Another bland box with zero architectural merit, the type that could be found in any municipal town in Europe, whilst the loss of two historic buildings which would, when carefully repurposed, add significantly to the streetscape. The city deserves better. Much better. Rather than pander to a low end hotel chain that wants to turn a fast profit at the expense of adding anything of quality to the city, MCC should set its sights considerably higher and look to a developer who will treat the site with respect. Dull, bland, unimaginative, cheap.

Any redevelopment of 2-4 Whitworth Street West should incorporate the pre-existing warehouses which form a coherent framed grid around the railway viaduct in a stretch of buildings that cover the whole distance from Piccadilly Station to Castlefield. In and around the historic Knott Mill district, several former warehouses have been very successfully converted to much praise around Little Peter Street and Jordan Street. These plots of land on Whitworth Street are vital to the successful neighbourhood development of this area. The current buildings complement and contribute positively to the area. They fit in with the Grade II listed Deansgate Station and viaduct. It is simply that the present uses of these buildings do not contribute positively to the area. New uses would be welcomed. Re-imagining designs are welcomed. Any conversion of these buildings will be welcomed but destructing our Mancunian industrial heritage to rubble and allowing the construction of a new build plain, boring, rectangular box, amounts to intentionally ripping up one of the core facets that makes Manchester so so special. The planners, investors, and committee members wouldn't voluntarily chose to replace their house with a prefab portacabin-style shelter. Why would they pursue the same for Manchester? The application should be rejected for contravening Manchester's own polices including Mancunian Heritage Motion - for failing to contribute positively to the preservation of our unique industrial heritage.

#### Loss of heritage buildings

The proposed development will seriously affect the setting of the listed buildings whilst it looks to remove two buildings which positively contribute to the setting of listed buildings. There is no coherency with the proposal. It is a building that could be anywhere and not in a prominent position in Central Manchester on a main thoroughfare. It is awkwardly juxtaposed to its surroundings and is particularly poor in design.

I have concerns about how overbearing the scheme will be on neighbouring heritage assets namely Deansgate Station and the associated railway viaduct which are both listed at Grade II. Policy CC 9 Design and Heritage states: Design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context



and character. Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments...developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

I hope you will refuse this dull and cumbersome application whilst implanting the vision set out in The Core Strategy whereby Manchester is seen as:

A City with neighbourhoods where people choose to live all their lives because they offer a wide range of quality housing and an attractive environment where locally distinctive character is conserved and enhanced.

Also, a City defined by excellence in urban design and environmental quality, where its distinctive historic environment is understood, valued, cared for and its potential fully realised. Manchester deserves better!

The buildings could be saved and repurposed

I want these buildings saved. Stop ruining the heart and soul of Manchester by turning into another bland and characterless city.

I object to the plans to demolish the two Victorian warehouses. The reason that I object is that these buildings represent our history; the complex makeup of our city. All that another generic hotel will serve is hen/stag parties and football fans in a building that looks like every new building that has gone up in recent years.

The demolition of the two red brick building would have a detrimental effect on the local area. Other similar buildings in the local area such as the hacienda building have already been demolished and these are vital to show the history of the city and add unique character to the area.

There is adequate vacant space in the close vicinity (such as the First Street development) on brownfield sites where this would be appropriate. In addition, the current buildings can provide a wide variety of uses and are in good condition. It's a waste of resources to remove them.

With the current pandemic is it highly likely that these building will be knocked down and nothing will be built on the site for many years. We saw this after the 2008 crash. Having empty spaces in the city centre is a waste of land. Please refuse this development to save a little bit of Manchester's history.

Please do not destroy these historic buildings. Don't lose all of Manchester's heritage.

With the demolition of an adjacent warehouse a few years ago, there won't be many buildings of heritage left on this particular stretch of Whitworth Street West if we lose them too.

Not only are the existing buildings on the site a fantastic example of Manchester's rich cultural heritage, but the proposed new development is also bland, generic and entirely out of keeping with the area.

I note Policy SP1 in MCC's Core Strategy stating that development in all parts of Manchester should be well designed, protecting the built & natural environment and make a positive contribution to their environment. I find it difficult to see how the proposed development would meet even one of these criteria, let alone all three. It is my hope that yourself, and the wider team at MCC, will have the sense to reject this proposal which risks contributing to Manchester's transformation from one of the country's leading urban centres into a boring, uninspiring, idenitkit, second rate city.

I could not object more strongly to this development. We have already lost much of our industrial heritage of the city to unsympathetic redevelopment. These are functional, attractive buildings that form part of the industrial nature of the city, something that it is being lost, building by building, replaced with modern structures with no individualism or character. This provides no benefit at all to the residents of this city, and the profiteering should be tempered with the need to preserve the character of the city that birthed the industrial revolution.

Manchester should be building on its heritage not destroying it. Some careful modification should be considered rather than blanket destruction .

We can build plenty of new build buildings but not any new Victorian ones!

These buildings should not be demolished and surely could easily be, and Must be refurbished. They are a perfect example of Manchester architecture which is a huge part of the character to our city. To lose more buildings like this, so unnecessarily is outrageous.

I have concerns about how overbearing the scheme will be on neighbouring heritage assets namely Deansgate Station and the associated railway viaduct which are both listed at Grade II. Policy CC 9 Design and Heritage states: Design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context and character.

Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments....developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form.

New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment. The proposed development will seriously affect the setting of the listed buildings whilst it looks to remove two buildings which positively contribute to the setting of listed buildings. There is no coherency with the proposal. It is a building that could be anywhere and not in a prominent position in Central Manchester on a main thoroughfare. It is awkwardly juxtaposed to its surroundings and is particularly

poor in design.

I hope you will refuse this dull and cumbersome application.

It is inconceivable to me that in 2020, with all the loss of heritage that has gone on in central Manchester in recent years, such proposals are still even being considered. This is a city with an exciting and unique architectural landscape, but this is disappearing before our very eyes. I, like many people who have moved here in the past 20 years, feel like everything that is unique and wonderful is being destroyed, and this includes not only cultural features, but also the built environment. I used to take my many visitors around central Manchester and quip that it is a red-brick city, but that is increasingly untrue. It is becoming a city of cheap cladding and glass, architectural traits that can be found all over the planet and can do nothing but dilute Manchester's character. People do not move here for glass and cladding. They move here for the unique urban culture – and this is both cultural and architectural. It is in grave danger of disappearing completely and I know many people who are considering moving away for this reason, myself included.

How can MCC still be considering the demolition of the unique and well-loved industrial architectural landscape when every other city I know in Europe and Australia moved decades ago to incorporating existing buildings into new designs to retain character? It is like Manchester is stuck in 1965. The design for the new building DOES NOT in any way resemble what is there now. It is a cheap-looking, generic box of a design.

The design of the redevelopment of the site should incorporate 2-4 Whitworth Street West. A well designed building including the character of the existing warehouses will enhance the area instead of summing it down with a rubbish boxy design. Please avoid making the wrong decision so that yet another part of Manchester's heritage. Development in Manchester City Centre should preserve or enhance the heritage assets including listed buildings, conservation areas and scheduled ancient monuments.

The plans show you wish to remove two beautiful buildings and replace them with a building that is not at all sympathetic with its environs and is lacking in character. 2-4 Whitworth Street west are beautiful Victorian buildings and are a reminder of our history. To knock them down and replace them with a characterless box building is morally wrong. It will detract from the urban beauty of the locality; the plans provide no positives at all. In addition, given the devastation that the essential lockdown is having on the hospitality industry and many others there is a very real chance that these stunning buildings will be knocked down and nothing will replace them. Given the unique times we are living in I think it would be irresponsible to allow that risk to happen and no decisions should be made until the economy has recovered. I cannot see why you would allow a building of beautiful architecture and history to be replaced by a building that at best could be called utilitarian and at worse, well, for that the list is endless.

It would seem obvious to anyone with the slightest bit of sense that this is a terrible idea. The loss of these heritage assets in place of a dreadful looking box seems almost callous to be frank. It would quite clearly be detrimental to the character of the

area and be yet one more step towards making this city unattractive. Absolutely not befitting the countries second city status and yet another truly disgraceful planning calamity.

I am alarmed at how recently, we seem to be losing too many old historical buildings. The red brick mills give Manchester its character and they are part of the city's heritage. Please think about this. I am sure Travelodge can find have enough money to do a nice restoration rather than demolish them completely and build some ugly and cheap quality building instead.

While the rapid growth of Manchester City Centre is of great benefit to residents of the Greater Manchester area I feel that replacing historical architecture with identikit modern buildings is detrimental to the cultural heritage which makes Manchester so unique.

As a business owner with offices in Manchester city centre the cultural heritage is of great importance in attracting talent to the city which fuels business growth. Removing historically interesting and important buildings weakens Manchesters appeal and power as a growing hub of business. Please reconsider this application and insist that the existing buildings are used and preserved in any permitted development.

Demolishing old Victorian and Edwardian warehouses that have shaped the base of Manchester's History for centuries will not do well to our economy or to the current and future image of our City.

As Manchester expands, we are losing more and more of the red brick warehouses and buildings that lend the city centre its unique character. If we demolish more of these buildings and replace them with homogenous soulless boxes with little artistic or architectural merit, we risk stripping the soul and heritage out of the city. Why can't these buildings be innovatively renovated or altered to retain their original atmosphere but also reflect a changing city with evolving needs? This planning application lacks imagination and as a resident of the city centre for the last 7 years (and having lived nearby for far longer than that), I know that it does radical Manchester no service at all.

The success of these builds are not just in the design but in the fact that they did not compromise the heritage of the city. What is so wonderful about Manchester and what makes it attractive to local people and visitors from all over the world, is it's Victorian heritage. No one visits a city to look at the type of architecture that is being proposed here, they want to see the history and the beautiful historic architecture that you are proposing to demolish.

This particular part of the City Centre is popular and will become even more so once Deansgate Square is open. What makes it so attractive are the narrow streets like Hewitt Street and Little Peter Street that house interesting Victorian buildings such as a school, Castlefield Gallery and the arches. These connect via Bugle Street and Gilbert Street, through the viaducts onto Whitworth Street West and to unique red brick Victorian warehouses, with loads of character. This will become a thriving area once the development of the square is complete.

Demolishing these buildings will have the complete opposite effect of enhancing the character of the area. The proposed building in this application is completely devoid of any character and adds no positive contribution to the area. We have lost so many of these types of buildings in recent years. Yet those that have been renovated and reused have added so much to the character and success of the City in recent years. You only need to look at the Northern quarter to see this. These buildings should be cherished and put to good use.

There is no way that modern buildings could ever have the detail and character that these buildings have so it would be criminal to demolish them. The council need to be forward thinking in this respect and preserve our heritage. If this application goes ahead, it sets a precedent for more demolition of historical buildings.

I would like to see the buildings retained in some form and incorporated into new uses. I believe this is something that the majority of Mancunians also feel. I feel that it is important to retain heritage buildings where possible in such a central area, nearby to the Knott Mill regeneration area.

Great example of Manchester industrial architecture and far more beautiful than any new build. Stop wiping out Manchester history.

#### Sustainability

No net gain to Carbon neutral agenda targets.

Converting existing buildings to new use would reuse and recycle materials causing less embodied energy.

No green spaces or Carbon off-set

#### Other issues

Loss of employment uses - decisions in such a period of change due to Covid-19 should not be rushed into.

Loss of light creating a narrow sterile corridor facing Deansgate locks.

The cheap hotel chain will be a feeder for the Deansgate Locks venues, which are well known for anti-social behaviour.

There are ample hotel facilities at Hilton, and in First Street; there are also budget hotels in the area such as Premier Inn by Britons Protection as well as other Travelodge accommodation within quarter of a mile.

Manchester City Council are adversely affecting the human scale of this location with a building which is detrimentally over-sized for this location. It is a poor quality proposal and employment uses other than hospitality sector must be encouraged.

Even with soundproofing in the hotel, it will be inevitable that the hotel will have a negative impact on Deansgate Locks. As this is an important area for nightlife in the

city, I think the existing establishments should be prioritised and any potential future conflicts be avoided at all costs. I believe it is only inevitable that the hotel and its guests will be disturbed by the liveliness of the area. Even if it's not to everybody's taste, this unique canal fronting nightlife district, should not be compromised by a soulless Travelodge.

A larger building will cast a shadow over my venue's outdoor balcony and canal-side terrace area. These are areas used by customers throughout the year – especially during the Spring and Summer months – where they enjoy uninterrupted views and direct light throughout the peak periods of business operation. Outside areas in Manchester city centre are extremely limited and having two such areas is critical to the success of the business. The terrace area attracts over 60% of venue bookings all year round and I believe the size and position of the building being proposed will cast a shadow over this area making it a less appealing space which would seriously impact the number of bookings and, subsequently, business profit.

There is enormous potential for beneficial use of this site. If the landowners permitted long leases, were flexible with uses, and made applications for sensitive conversions or extensions of the property these should be loudly welcomed. This application does not achieve that.

Giving the stream of hotel rooms that are due to be delivered in the next 18 months across the city there is no demand for this application which can be used to override the above inconsistencies with Manchester Council's policies.

We do not need another hotel in Manchester, we need more creative and local hubs, spaces where people can create or learn, especially in spaces with such history and so close to other art centres such as HOME. Can the council not see that the reason Manchester became so popular in the first place was for its working class, industrial heritage, so why on earth would you want to demolish those buildings that represent that history!

It's so upsetting that it would even be considered! If there was a dress from that era you wouldn't chuck it in a bin it would be in a museum, preserved for years to come, so why do you knock down these quality built buildings to make way for these cardboard boxes with as much craftsmanship as an Ikea malm bedroom set

## SUPPORT

I support the proposed development as the site has been vacant for a long time.

Also please can I use this opportunity to recommend to councillors that a landscape strategy be drawn up for Whitworth Street West, which is currently a gaping car-dominated canyon. There is plenty of space to have the area remain open to cars, but also introduce parallel cycle lanes, trees, wider pavements and maybe even a pocket park! Perhaps **£106** from this development could help pay for this.

The applicant has addressed the objections raised by providing submissions in response, and these are detailed later in this report.

**Highway Services** – No objections and recommend conditions regarding off-site works, servicing, CMP, Travel Plan and cycle parking.

**Environmental Health** – No objections and recommend conditions regarding deliveries, fumes, CMP, hours, lighting, noise, contamination, plant, waste and air quality

**Flood Management** – No objection and recommend conditions regarding surface water drainage.

**Travel Change Team** – No comments received

**Greater Manchester Police** – No objection. Recommended condition regarding crime safety measures.

**Environment Agency** – No objection.

**Transport for Greater Manchester (TfGM) (Metrolink)** – No objection.

**Greater Manchester Archaeology Unit** – No objection, subject to condition regarding site investigations

**Canal and River Trust** – No objection

**Greater Manchester Ecology Unit** – No objection

**Pedestrian Society** – No comments received

**Network Rail** – No objection.

## **POLICY**

### **The Development Plan**

The Development Plan consists of:

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

The Core Strategy Development Plan Document 2012 -2027 is the key document in Manchester's Local Development Framework. It sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

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

### **Manchester Core Strategy Development Plan Document (July 2012)**

The relevant policies within the Core Strategy are as follows:

**SO1. Spatial Principles** – This is a prominent site and the proposal would provide hotel accommodation in a sustainable location.

**SO2. Economy** – A hotel use is acceptable in this sustainable location and would add to the supply of high quality hotel accommodation. The development would support local employment during its construction and occupation phases.

**SO6. Environment** – The hotel would be low carbon and highly sustainable using up to date energy efficiency measures in the fabric and construction of the building.

**Policy SP1 ‘Spatial Principles** – The proposal would have a positive impact on visual amenity and the character of Whitworth Street West. The design and appearance and landscaping would improve the street scene.

**Policy EC3 ‘The Regional Centre’, Primary Economic Development Focus (City Centre and Fringe and Policy CC8 Change and Renewal**– - The proposal would support tourism close to all forms of sustainable transport.

**Policy CC9 Design and Heritage** – The proposal provides a high quality building

**Policy CC10 A Place for Everyone** – The proposal would complement the ongoing regeneration of this area and would be fully accessible.

**Policy CC4 ‘Visitors - Tourism, Culture and Leisure’** - The proposal would support the ongoing regeneration of this part of the city centre and support tourism.

**Policy T1 ‘Sustainable Transport’** - The site has access to a range of public transport modes.

**Policy T2 ‘Accessible areas of opportunity and needs’** - A transport assessment and travel plan demonstrates that there would be minimal impact on the local highway network and use of sustainable forms of transport would be promoted.

**Policy C1 ‘Centre Hierarchy’** - The proposal would be located in the city centre which is an appropriate location for such uses.

**Policy EN1 ‘Design principles and strategic character areas’** - This high quality scheme would enhance the regeneration of the area.

**Policy EN3 ‘Heritage’** - The impact on the historic environment would be acceptable. This is considered later in the report .



**EN4 'Reducing CO<sub>2</sub> emissions by enabling low and zero carbon development'**

–The proposal would be low carbon. It would have no car parking, a travel plan and cycle provision.

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

- The building would be energy efficient and travel planning would promote sustainable travel patterns.

**Policy EN6 'Target framework for CO<sub>2</sub> reductions from low or zero carbon energy supplies'**

- The buildings functions would reduce overall energy demands. The building fabric would be high quality and energy costs should remain low.

**Policy EN14 'Flood Risk'**- Surface water runoff would be minimised.

**Policy EN16 'Air Quality'** The proposal would not compromise air quality in this location.

**Policy EN18, 'Contaminated Land'** - Any contamination can be dealt with.

**EN19 'Waste'** – The waste management strategy incorporates recycling principles.

**Policy DM1 'Development Management'** - Careful consideration has been given to the design, scale and layout of the hotel.

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

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

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

**Saved policy DC26, Development and Noise** - The impact from noise sources would be minimised and further mitigation would be secured by planning condition.

**Saved policy DC19 'Listed Buildings'** - The proposal would not cause significant impact on the adjacent listed viaduct together with minimising the impact on other nearby listed buildings.

**Saved policy DC20 Archaeology** – An archaeological desk based assessment has been carried out for the site and it is considered that the development would not have an impact on any potentially significant remains on the site.

**Saved policy E3.3-** The proposal would provide a high quality building along Whitworth Street West and would enhance the appearance of this main radial route.

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

### **Other material policy considerations**

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

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

Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;

- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of new developments. 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 Green and Blue Infrastructure Strategy 2015**

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

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

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce.

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.

### **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*".

### **National Planning Policy Framework (2019)**

The revised NPPF was adopted in July 2018 and re-issued in February 2019. The document states that the '*purpose of the planning system is to contribute to the achievement of sustainable development*'. The document clarifies that the '*objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs*' (paragraph 7).

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

Section 6 '*Building a strong and competitive economy*' states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 80).

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

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

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

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

Section 11 '*Making effective use of land*' states that '*planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment.* (paragraph 117). Decisions should support development that makes efficient use of land, taking into account: local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. (Paragraph 122)

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

Planning decisions should ensure that developments: 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.

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (paragraph 131).

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

Section 16 '*Conserving and enhancing the historic environment*' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 189).

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

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

In considering the impacts of proposals, paragraph 193 states that the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should

be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

### **Other legislative requirements**

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

## **ISSUES**

### **Principle of the proposal and the schemes contribution to regeneration**

The Manchester economy and population should continue to grow over the next 20 years and the City Centre must provide amenities and services that encourage people to live, work and visit the City. The City Centre Strategic Plan outlines that the City Centre has an important role in providing homes and other facilities.

The principle of high density, mixed use developments, such as this is acceptable in this area. Tourism is a critical part of the City’s economy generating around £4.5 billion a year and supporting 50,000 jobs. This includes 4.8 m overnight stays. This growth has been significant over the last decade with developments at the Etihad

campus, HOME, National Football Museum, Peoples History Museum along with cultural/music events at the Manchester Arena and premier league football, plus the retail offer, have all strengthened Manchester reputation as a thriving leisure and business destination. Developments at Manchester airport could add a further 10 million passengers over the next decade and the opening of The Factory will add a further 140,000 sq ft cultural space to the city. The provision of more hotel rooms is necessary to meet growing demand in this sector.

Hotel occupancy has remained high demonstrating the continued strength of the market. This is driven by cultural, leisure and business visitors. The operator is internationally recognised and has had a presence in the City for many years.

The ground floor commercial units would contribute to the vitality of the street scene and the hotel would use the site efficiently and meet demand for hotel accommodation. It would also deliver activity and footfall and add to the vitality and mixture of uses to the area. The proposal is therefore considered to be acceptable in principle comply with policies SP1, EC3 and CC4 of the Core Strategy along with the City Centre Strategic Plan.

### **Contribution to Economy**

The application is supported by an analysis of the economic contribution of the proposed development, both in terms of economic benefit and job creation. Visitors staying in the hotel would generate a wider economic impact for Manchester when they go shopping, visit museums/theatres, clubs, concert venues and eat out in local cafes, restaurants and bars etc. The latest available data referred to in the analysis suggests that the average spend per night (excluding accommodation) for a visitor to Greater Manchester is £84

The hotel would have 152 rooms. Taking account of the size of the rooms and the average occupancy rate for a hotel in Manchester, it is estimated that there could be 264 visitors staying in the hotel on a given day. This is equivalent to just over 96k visitors per year.

When the average spend per visitor figure is multiplied by the number of visitors, it is estimated that hotel visitors would spend c£8.1m in the local economy each year. This is equivalent to an annual GVA contribution of £2.7m.

The key findings of the economic assessment include:

- Tourism activity in Manchester supported 53,400 FTEs in 2018 and generated an economic impact of £4.86bn
- The proposed new hotel development is estimated to generate a net impact of 197 construction job years
- The hotel is estimated to create 31.5 permanent FTE jobs (net) once it is fully operational
- The ground floor commercial space is estimated to deliver a net effect of c20 permanent FTE jobs

Overall, the proposed scheme is expected to generate c. £19.4m of net additional GVA in construction, c.£1.3m per annum from permanent employment in the hotel and flexible ground floor space and c£2.7m in annual GVA from hotel visitor spend in

the local economy.

The development has an estimated annual rateable value of £600,000 for the completed hotel development, which can be used to invest in strengthening public services and infrastructure.

### **Design and appearance**

The building would be seven storeys, a double height ground floor with six storeys above, with an additional plant storey at roof level. The total height of the building would be 27.45 metres. The design and appearance of the building borrow heavily from buildings in the surrounding area to ensure that the proposed façade ties in with the local character of the area.

The building would have a double order open base which would incorporate large, double-height windows. Above this, would be a simple, repetitive middle section within which would be the hotel rooms. Along the top of the proposed building would be a solid frontage and simple signage to the right.

The building is of brick appearance, with textured masonry panel detailing worked into the design, to complement the built development in the area. Windows would be deeply recessed.

The scheme is a simple hotel building with commercial uses at ground floor level. Careful testing and consideration was then given to the scale and massing of the building and whilst taller buildings were explored, it was considered that a lower, mid-rise scale building would be more appropriate for the site given the extent of high-rise developments taking place in the surrounding area.

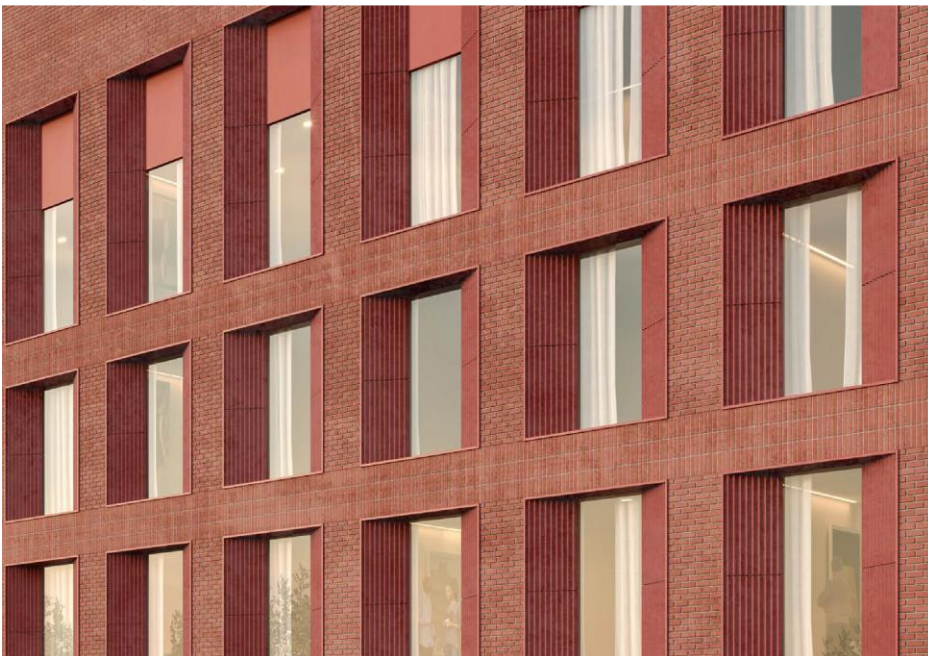
The scale of the hotel responds to its context including Deansgate Locks, Grade II listed viaducts and and would respond well to the pedestrian environment and relate to the scale of buildings elsewhere on Whitworth Street.





The character, scale and urban grain of Whitworth Street West has evolved over time. The grain of the street is a primary East-West axis, with secondary routes running North-South. Earlier building footprints tended to be smaller and fragmented but emerging schemes are larger and unified. Rowendale St has no strategic function and is cut through and its closure is acceptable in principle. Whilst this would change the Street pattern, it would allow the site to be developed comprehensively and would not unduly impact on permeability or pedestrian movement as Bugle Street and Cameron Street would remain open.

The linearity and regularised form of the of the scheme lends itself to repetition and efficiency which is clearly expressed in the façade design..The active ground floor uses would provide life and vitality to the street. The retail units would wrap the front corners of the building, maximising street frontage, as well as animating the street corners along Bugle and Cameron Street. The height of the base would complement Deansgate Locks.



### **Impact of the historic environment and cultural heritage**

The existing buildings on the site are not listed and are not within a conservation area. However, they have some character and their heritage contribution has been assessed. This has concluded that their age, rarity, aesthetic interest, group value,

archival interest, landmark status, social and communal value would not meet the criteria to be considered non-designated heritage assets.

The buildings date from 1908 and 1922 and are neither rare, nor of sufficient quality to distinguish them from other buildings of that period. The buildings are neither particularly old nor are they rare examples of pre-war and post-war Manchester commercial buildings.

Aesthetic interest relates to the intrinsic design value of an asset relating to local styles, materials or any other distinctive local characteristics. The buildings have no special features or intrinsic design value; there is no local style or distinctive local characteristics. The two buildings are not distinctive to Manchester. The use of red brick and slate roof is characteristic of the City period but the buildings are not the work of known architects nor do they include any unusual decorative features or unusual technical design elements. The buildings do not have innovative design and or distinguishing character. The materials alone are not sufficient to identify the structures as NDHAs.

Group value is the grouping of assets with a clear visual design or historic relationship. Although the buildings were built at a similar time, they were designed as individual buildings and have no group value. There is no historic relationship between the two buildings or to the Station or the viaduct. There is no clear visual design between them or to the Station. The buildings have different styles, ages and design. They are all built of brick, but this in itself is not sufficient to warrant identification as NDHA. Their impact on the setting of heritage assets is not a reason for identification as a NDHA.

There is no identified archival interest and no records have been identified which link the buildings to events, people or enterprises of significant historical association. The buildings do not have landmark status.

No records have been identified which link the buildings to events, people or enterprises of either social or communal significance. The two buildings are not Victorian but date from between 1908 and 1922, and are Edwardian and post WWI.

When assessed using Historic England guidance, neither building has sufficient historic or architectural interest to be considered a non-designated heritage asset.

Whilst none of the building on site are listed or within a conservation area, the following listed buildings are nearby: The railway viaduct; Deansgate Station; Lock 90, 91 and Rochdale canal lock keeper's cottage at lock number 91; all Grade II listed. The Castlefield conservation area is located 120m west of the site.

Legislation and planning policy seek to preserve and enhance the character, appearance, and historic interest which heritage assets possess. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("P(LBCA)A 1990") require that 'special regard' be paid in taking decisions affecting listed buildings and their settings and conservation areas.

A heritage assessment has considered the impact of the proposal on the historic environment as required by paragraph 189 of the NPPF. The setting of the heritage assets and any impact on any key views has been addressed to allow the impact of the proposal to be understood and evaluated. Whilst a number of listed buildings have been identified, the key listed and heritage asset affected by the proposal is Grade II viaduct. Other nearby listed buildings form part of the wider character and view of the proposal and have been considered within the Heritage assessment. These listed buildings represent the development of the railways and industry in this part of the City creating a unique environment.

There are a number of instances where the development would be seen in views which contain heritage assets but the impact would not be unduly harmful. Where the development would be seen in the same context as heritage assets, their significance and setting is clearly still evident and any harm that does arise is considered to be modest and outweighed by the substantial regeneration benefits that the development of such a high quality scheme would bring to this area.

NPPF Section 16 '*Conserving and enhancing the historic environment*' Paragraph 196 states that where a development proposal will lead to less than substantial harm this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

The proposed development would bring significant public benefits, as detailed in this report. These include investment in the City Centre economy, job creation, both during construction and upon completion, supporting tourism, optimising the use of a site currently occupied by vacant buildings and providing a high quality building which would enhance the local area.

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 within the context of the above the overall impact of the proposal including the impact on heritage assets would meet the tests set out in paragraphs 193, 196 and 197 of the NPPF and that there is a clear and convincing case to support the harm which is outweighed by the benefit of bringing the site back into use.

## **Sustainability**

Economical design and construction processes combined with good management practice would ensure that material and construction waste would be kept to a minimum throughout the construction phase. A Site Waste Management Plan would be continually maintained. Waste minimisation techniques to be employed and referenced in the SWMP include, but not be limited to:

- eliminate waste at source wherever possible
- reduce waste on site by employing good management systems
- re-cycle waste on site wherever possible.

This hierarchy will be further managed in a number of ways:

- economical design
- ensure correct management procedures are employed when measuring and procuring materials to ensure correct quantity and specification
- clean, tidy and safe storage of materials on site
- timely delivery of materials
- manage client expectations to minimise design changes
- control of quality to minimise defective work
- re-use of materials on site wherever possible
- where space allows the segregation of waste for recycling, or the use of external licensed waste contractors who will collect mixed waste skips, then segregate and recycle from their own premises.

### **Climate change, sustainability and energy efficiency**

The proposal would be a low carbon building in a highly sustainable location with excellent access to public transport for guests and staff. Sustainability principles would be incorporated into the construction process to minimise and recycle waste, efficiency in terms of vehicle movements and sourcing and use of materials.

There would be no onsite car parking and this would limit the level of vehicle emissions ensuring the building does not contribute to local air quality conditions. A travel plan would encourage guests and staff to take advantage of public transport and would ensure vehicle trips are low. There would also be an secure internal cycle store.

The building fabric would be highly efficient with energy saving measures incorporated into the design.

### **Credibility of the Design**

Proposals of this nature are expensive to build so it is important to ensure that the standard of design and architectural quality must be maintained through the process of procurement, detailed design and construction. The design team recognises the high profile nature of the proposal.

The applicants acknowledge that the market is competitive and that the quality of the development is paramount. A significant amount of time has been spent developing and carefully costing the design to ensure that the as scheme submitted can be delivered. The applicant is keen to commence work on site as soon as possible.

## **Impact on Ecology**

An ecological appraisal concludes that there would be no adverse impacts on statutory or non-statutory designated sites. The ecology report would also need revisiting if there was a delay in the implementation of the planning permission.

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

The site is accessible by all transport modes and is close to a range of amenities and services. It immediately adjoins the Deansgate Metrolink stop and Deansgate Station. Many bus routes are nearby.

There would be no on-site car parking, and 16 indoor cycle spaces would be provided. A travel plan would ensure that guests use sustainable transport.

The development would not have an unduly harmful impact on the local highway network. Travel planning would help take advantage of the sustainable location of the site in order to further reduce the reliance on the car. Servicing and construction requirements can also adequately met. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

## **Designing out crime**

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition of the planning approval is that the CIS is implemented in full as part of the development in order to achieve Secured by Design Accreditation.

## **CONCLUSION**

The proposal would have a positive impact on the regeneration of this part of the City Centre and would contribute to the supply of hotel accommodation, would provide significant investment in the City Centre supporting the economy, and would create both direct and indirect employment. The proposal is in accordance with relevant National and Local planning policies

In addition, a convincing, well considered approach to design, scale, architecture and appearance of the building has resulted in a high quality building that would make a positive contribution to the streetscene. Any harm to heritage assets would be less than substantial and would be outweighed by the public benefits of the scheme, in accordance with the provisions of Section 66 and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act")

Accordingly, this application is recommended for approval, subject to appropriate conditions

**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 Director 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**

#### **Conditions to be attached to the decision**

0) 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 other considerations. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of matters arising from the consultation and notification process. As such, the proposal is considered to be acceptable.

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

2068-A-L-005-P03	Proposed Site Plan, showing site edged red
2068-A-L-100-	Proposed Ground Floor Plan
2068-A-L-101-	Proposed First Floor Plan
2068-A-L-102-	Proposed Levels 2-6 Floor Plan
2068-A-L-103-	Proposed Roof Plant Plan
2068-A-L-200-	Context Elevations Existing 01
2068-A-L-201-	Context Elevations Existing 02

2068-A-L-202- Context Elevations Proposed 01  
 2068-A-L-203- Context Elevations Proposed 02  
 2068-A-L-204- Proposed North Elevation  
 2068-A-L-205- Proposed West & East Elevations  
 2068-A-L-206- Proposed South Elevation  
 2068-A-L-210- Proposed Bay Elevations  
 2068-A-L-300- Proposed Section Context  
 2068-A-L-301- Proposed Section AA  
 68114 CUR 00 XX DR TP 03001 P01 - Proposed Parking Bays  
 68114 CUR 00 XX DR TP 05001 P04 - Swept Path Analysis Large Refuse Vehicle

details of extraction system and plant by CWC

1435-ZZ-4001 2nd to 6th Floors Rev P2  
 1435-RF-4001 Roof Level Rev P2  
 1435-GF-4001 Ground Floor Rev P2  
 1435-01-4001 First Floor Rev P2

#### Documents

- o Design and Access Statement by Glenn Howells Architects
- o Design Synopsis by Glenn Howells Architects
- o Planning Statement by JLL
- o Transport Statement by Curtins
- o Travel Plan by Curtins
- o Consultation Statement by Templar Strategies
- o Ecology Statement (Bat Survey) by Rachel Hacking Ecology
- o Updated Heritage Statement by Katheryn Sather & Associates
- o Archaeology Desk Based Assessment by Katheryn Sather & Associates
- o Noise and Vibration Assessment by Hilson Moran
- o CFD Analysis of Wind Microclimate Pedestrian Comfort and Distress by Hilson Moran
- o Air Quality Assessment by Hilson Moran
- o Planning Energy Statement by Crookes Walker Consulting
- o Ventilation Strategy by Crookes Walker Consulting
- o Demolition Method Statement by C&D Demolition Consultants Ltd
- o Refurbishment and Demolition Survey by C&D Demolition Consultants Ltd
- o Crime Impact Statement by Design for Security
- o Stage 1 Site Investigation by RoC Consulting
- o Flood Risk Assessment and Surface Water Drainage Statement by RoC Consulting
- o Waste Management Statement (inc Waste Management Pro-forma) by Curtins
- o Energy Efficiency & Sustainable Development Report by Synergy Building Services
- o Part L2A 2013 Assessment and Energy Hierarchy by Crookes Walker Consulting

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



3) Prior to the commencement of the development, 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. This shall include the submission of samples (including a panel) 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, details of ventilation/air bricks, and a strategy for quality control management.

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

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sunday/Bank Holiday the times shall be confined to 10:00 to 18:00

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

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.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

6) 1) A Construction Management Plan shall be submitted to and approved by the Council. It shall also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such out of hours works. Any proposal for out of hours works (as below) will be submitted to and approved by this section, the details of which shall be submitted at least 4 weeks in advance of such works commencing.

2) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

- o Monday - Friday: 7.30am - 6pm
- o Saturday: 8.30am - 2pm
- o Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to policies SP1 and DM1 of the Core Strategy.

7) Prior to the first use of each commercial unit, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for each respective unit and shall thereafter be retained and maintained.

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

8) Full details of any proposed lighting scheme shall be submitted to, and approved in writing by, the City Council, as local planning authority, prior to installation. The details shall include location and design of fixtures and fittings, together with levels of luminance. External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties.

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

9) 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. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Before any Class A3 use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme proposed shall normally include measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels. Any scheme approved in discharge of this condition shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as Local Planning Authority.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in

the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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

10) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Whitworth Street West and Deansgate Locks shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before the hotel is first occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00)                      30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times)

Due to the proximity of the development to the railway line and Deansgate Station it will be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Ground borne noise/re-radiated noise should also be factored into the assessment and design.

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

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 and DM1 of the Core Strategy.

11) 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. The approved scheme shall be completed before the premises is occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall

be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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 policies SP1 and DM1 of the Core Strategy.

12) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

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

13) Prior to commencement of the development mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

14) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

b) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a

Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase 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 SP1 and DM1 of the Core Strategy.

15) Within six months from first occupation of the development, details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved, and written confirmation of a secure by design accreditation shall be 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.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy.

16) No demolition or development shall take place until the applicant or their agents or successors in title has 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 Manchester Planning Authority. The WSI shall cover the following:

(a) A phased programme and methodology of investigation and recording to include:

- i) an evaluation through trial trenching
- ii) dependent on the above, more detailed excavation (subject to a separate WSI.)

(b) A programme for post investigation assessment to include:

- production of a final report on the investigation results

(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 record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy (2012), saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF.

17) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the City Council, as local planning authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 8 l/s.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies SP1 and DM1 of the Core Strategy.

18) The development hereby permitted shall not be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to, and approved in writing, by the City Council, as local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies SP1 and DM1 of the Core Strategy.

19) Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies SP1 and DM1 of the Core Strategy.

20) 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).

21) (a) Three months prior to the first use of the development by hotel guests, a Local Benefit Proposal Framework that outlines the approach to local recruitment for the end use(s), 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 occupation 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 6 months of the first use of the development by hotel guests, a Local Benefit Proposal 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. Any Local Benefit Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is operation.

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

22) The development hereby approved shall be carried out in accordance with a Travel Plan Framework, to be submitted to, and approved in writing by, the City Council, as Local Planning Authority.

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

- i) the measures proposed to be taken to reduce dependency on the private car by those occupying 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.

The Travel plan will include visitor and staff travel planning measures, targets etc, management of pick-up and drop off activity and coach parking.

Within six months of the first occupation 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.

23) Prior to the first occupation of the hotel element, the provision of 16 cycle spaces 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 and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy.

24) Prior to the first occupation of the hotel element within of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The scheme shall include details of all changes to off-site adopted highways, including (but not limited to): loading bays on Bugle Street and Whitworth Street West, relocation of parking bays/TROs, footway works (reinstatement, resurfacing and installation of dropped kerbs and tactile paving at crossing points), and highway stopping-up.



The approved scheme shall be implemented and be in place prior to the first occupation of the hotel 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

25) Before the development hereby approved is completed, a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around the site shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

Reason: In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to the Guide to Development and policy DM1 of the Core Strategy.

26) No development shall commence unless and until samples and specifications of all hard landscape materials, together with a layout plan identifying the location of the materials have been submitted to and approved in writing by the City Council as local planning authority.

The development shall be constructed only using the approved materials unless otherwise agreed 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 building is first occupied

Reason: To ensure that a satisfactory landscaping scheme is carried out pursuant to policy DM1 of the Core Strategy and the Guide to Development.

27) The wheels of contractor's vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

28) The details of an emergency telephone contact number shall be displayed in a publicly accessible location on the site and shall remain so displayed for the duration of the construction and fitting out of the development.

Reason - In the interests of local amenity, pursuant policies SP1 and DM1 of the Core Strategy.

29) Prior to the first use of the hotel hereby approved a signage strategy for the 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

30) No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs, unless otherwise agreed in writing by the City Council as local planning authority.

Reason: In the interest of visual amenity and pursuant to policy DC18.1 of the Unitary Development Plan for the City of Manchester.

31) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'excellent'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority prior to occupancy of the development.

Reason: In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy

32) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works for the redevelopment of the site which is the subject of this application (ref:126308/FO/2020) has been made, and evidence of that contract has been supplied to the City Council as local planning authority.

Reason - To ensure the satisfactory development of the site, pursuant to policies DM1 and SP1 of the Core Strategy.

33) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

34) Prior to first occupation of the building, the applicant shall provide a commitment, to be agreed with the City Council, as local planning authority, that ensures that the parking needs of all disabled guests are met at a reasonable cost.

Reason - To ensure that the requirements of disabled guests are met in relation to parking and access, pursuant policies T1, T2 and DM1 of the Manchester Core Strategy.

35) The development hereby approved shall not commence, other than enabling works comprising demolition, piling and construction of the sub structure, unless and until a servicing strategy, including a schedule of loading and unloading locations

and times, has been submitted to and agreed in writing by the City Council as local planning authority.

Reason: In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM1 of the Core Strategy

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

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 126308/FO/2020 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.

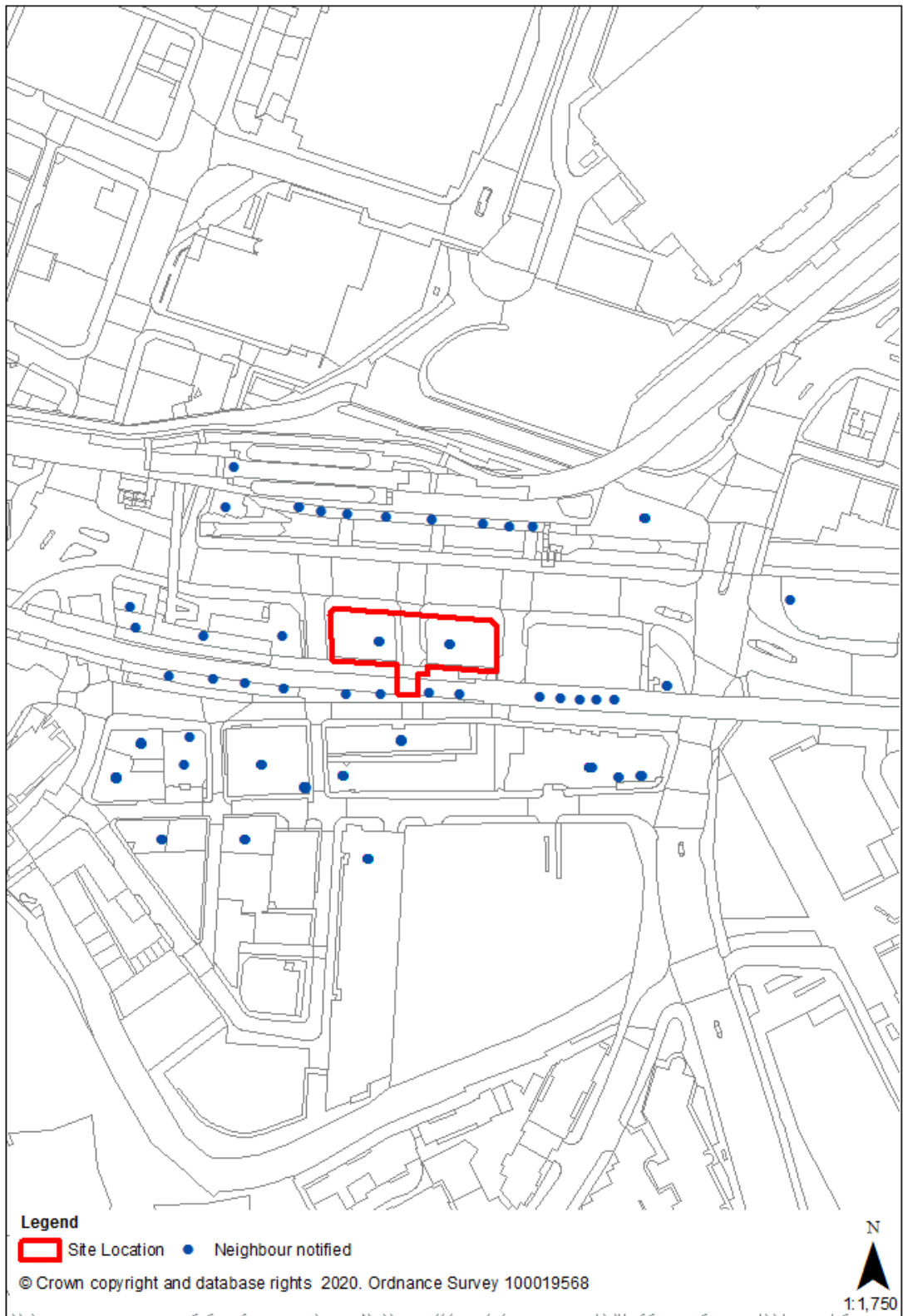
**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services**  
**Environmental Health**  
**MCC Flood Risk Management**  
**Greater Manchester Police**  
**Environment Agency**  
**Transport For Greater Manchester**  
**Greater Manchester Archaeological Advisory Service**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**Network Rail**  
**Oliver West (Sustainable Travel)**  
**United Utilities Water PLC**  
**Canal & River Trust**

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

**Representations were received from the following third parties:**

<b>Relevant Contact Officer :</b>	David Brettell
<b>Telephone number :</b>	0161 234 4556
<b>Email :</b>	dave.brettell@manchester.gov.uk



<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
127696/FO/2020	10th Aug 2020	22 <sup>nd</sup> October 2020	Chorlton Park Ward

**Proposal** Erection of a 4 bedroom detached dwellinghouse with one-bedroom annexe, new access drive and associated car parking and landscaping

**Location** Land Adjacent No 20 Chorlton Villas, Hardy Lane, Manchester, M21 8DN

**Applicant** Hardy Farm Ltd, Unit 4 Royal Mills, Ancoats, Manchester, M4 5BA,

**Agent** Heather Lindley-Clapp, Nexus Planning, Eastgate, 2 Castle Street, Castlefield, Manchester, M3 4LZ

### **Executive Summary**

The application proposals relate to the erection of a dwellinghouse on a recently completed residential development in Chorlton Park ward. The site lies immediately adjacent the Greater Manchester Green Belt but not within it. The proposals seek to resolve the refusal of a previous planning application for 2 no. dwellings partly located within the green belt. The main issues raised by the proposal are set out in detail within the report.

42 nearby properties were notified of the proposals and objections have been received from 12 residents on impacts relating to: the character of the area and on the green belt and Mersey River Valley; loss of residential amenity; construction disruption; design of the proposed property; and, issues relating to its relationship to the adjacent golf club and potential for ball strikes. One further response was supportive of the proposals and it's design.

The proposals are considered to have overcome the previous reasons for refusal through a reduction in the proposed built form and it's location outside of the green belt. It has been established through previous approvals that the area is suitable for residential development and final detailed elements of the development including such matters as landscaping and materials are reserved to be approved via appropriately worded planning conditions. The proposals would result in the development of a further residential dwelling in a sustainable location and are considered to provide a positive visual completion of the wider development.

A full report is attached below for Members consideration.

### **Description**

Chorlton Villas is the name given to a recent housing development at the end of Hardy Lane in Chorlton, Manchester. The site had previously been occupied by student accommodation (137 units in blocks of three and four storeys) and has now been redeveloped with contemporary designed 28 three-storey dwellings, consisting

of 15 'linked detached' properties (with single-storey garages) and 13 townhouses. The development is accessed from a single entrance road off Hardy Lane.

The application site relates to a small plot of land to the far west of Chorlton Villas, which adjoins no. 20 Chorlton Villas. It is currently vacant and fenced off and appears to have been partially cleared as part of the construction works for the adjoining development but some tree cover remains.

To the north, the site is bounded by landscaping and beyond that lies the Metrolink Airport Line, while to the south the site adjoins the Chorlton Golf Club. The wider area is characterised by low-rise family housing and public open space. The site is within the Mersey Valley and the Greater Manchester Greenbelt boundary is located to the immediate west and south of the site.



**Application site edged red with the Chorlton Villas development to the immediate east and land forming Chorlton-cum-Hardy Golf Club to the south**

### **Application proposals**

The application proposals are for the erection of a 3 storey 4 bedroom dwellinghouse with integral one-bedroom annex, the design of the property is intended to reflect the completed development at Chorlton Villas utilising the same materials and detailing finishes.

The proposed dwelling is arranged over three floors with a ground floor comprising:

- living space and a connected annex with bedroom, kitchen and living area to the rear which would be accessed via the main entrance;
- a first floor comprising three bedrooms and living space;
- A second floor comprising a bedroom, living accommodation and an external terrace area on the second floor to the rear and side of the proposed dwelling.

Externally there would be garden areas to the side and rear and hardstanding to the front forming the car parking spaces for the dwelling. The garden areas would be enclosed with 2 metre high boundary fencing on the rear boundary and that adjoining the neighbouring property with a lower level fence to the north and western boundary (1.2 metres).

The proposals includes screening towards the golf course, external amenity space, with on-site car parking spaces. The proposed dwelling has been sited to sit lower than the properties to the west and the applicant has indicated that the design has intended to reflect the boundary of the green belt. The design and appearance of the proposed dwelling is set out in more detail within the issues section of this report.

### **Planning history**

In addition to the application which is the subject of this report, the site has been the subject of the following planning applications:

105936/FO/2014/S1 – Erection of 28 three-storey family dwelling houses with associated parking, landscaping, boundary treatment and access road, following the demolition of the existing student accommodation. Approved 17<sup>th</sup> September 2014.

113441/JO/2016 – Variation of condition 2 attached to planning permission 105936/FO/2014/S1 in respect of amendments to the landscape plan including the omission of rear garden paths and inclusion of shed / bin store within the external communal landscaping. Approved 24<sup>th</sup> January 2019.

120789/FO/2018 - The erection of two no. three-storey linked detached dwellings with integral garages and an associated access drive was refused on the 25<sup>th</sup> September 2019 for the following reasons:

*1) The proposed development is located within the Green Belt where there is a presumption against inappropriate development and where development will only be allowed if it is for an appropriate purpose or where very special circumstances can be demonstrated. The proposed development fails to meet the criteria for such development and would be harmful to the open character of the Green Belt and the Mersey Valley and is contrary to NPPF and policies EN1, EN9 and EN13 of the Core Strategy and Saved UDP Policies CB15, CB23 and CB43.*

*2) The proposed development would harm the spacious character of this part of the area, in particular as a result of the amount of and siting of built form in open land and the scale of the development would result in there being very little land available for a meaningful or appropriate tree planting or landscaping or private amenity space. The development is therefore considered to result in harm to the spacious and landscaped character of the area and to visual amenity contrary to Core Strategy policies SP1, EN1, EN9, EN13 and DM1 and Saved UDP Policies CB15, CB23 and CB43.*

The amended proposals seek to overcome the previous reasons for refusal of 2 no. houses set out in the decision to 120789/FO/2018.

## Consultations

The application was subject to consultation with statutory consultees together with notification of nearby residents. In response 12 objections were received, a summary of the issues raised is set out below:

- The proposed property will change the character of the neighbourhood - as it is designed to house 10 people, it is more of a compound/flat than a house and may attract students/party people rather than families (which was the original vision sold by the property developers).
- There isn't enough room on the site for another house.
- There has been damage to people and property from golf balls from the adjacent golf course.
- The development would cause lengthy disruption to neighbours.
- This proposal is even more different to the existing properties in style and function.
- The flood risk assessment dates to 2014 and assesses the Chorlton Villas Development not the current scheme. Environment Agency flood risk data has been updated since 2014 and therefore the FRA is out of date.
- The Townscape and Visual Impact Assessment includes existing views only with no CGIs provided of the proposed development. It is therefore not possible to assess the impact of the development upon the green belt and Mersey Valley Character Area as the report intends to do.
- The proposed development would adversely affect the setting and character of the green belt which is immediately adjacent to it.
- The proposed development would affect the privacy of residents as it overlooks garden areas
- The proposed development is of a poorer design quality than the existing Chorlton Villas development and despite trying to match the existing houses is out of keeping with the massing and detailing of the existing scheme
- Loss of open outlook
- Change to roads on the development: The proposal includes a change to the existing roads within the development with the addition of a layby this will be done at the expense of the existing green space / communal area
- Discrepancy between visual and application: The number of added parking spaces per the application (4 spaces) contradicts page 28 of the 'Chorlton Villas Townscape and Visual Appraisal' which depicts 3 additional parking spaces.
- Reducing the communal green space for the entire development
- Making no addition to visitor parking
- The planning application incorrectly writes down that while there is a flooding risk there is no increased flood risk elsewhere with the use of the existing water course. However, our experience and that of many residents living on the golf course side is that the existing water course is already insufficient to drain ground water that flows from the golf course to the adjoining back gardens (all sit below the watershed). Multiple gardens have had flooding and there is ongoing standing water issue on the perimeter that adjoins the golf course.
- The existing retaining timber retaining walls are not considered sufficient to vent land movement and the addition of another property with associated clearing off trees will further destabilise the area.



- The proposal provides little in the way of enhancements to counter the negative impact to the birds and species nesting in this area (e.g. additional native tree planting, new roosting opportunities for bats and birds).
- Inconsistencies in information provided in the planning documents in terms of hours of working of the Construction management plan; Contradicting numbers of additional vehicle spaces provided (per above); Flood risk assessment responses does not consider the current situation where there are issues with drainage.
- Past refusals- The proposed development plan remains largely unchanged from the previous application other than combining 2 linked detached 3 storey properties with integral parking into one larger property with 4 bedrooms and 1-bedroom annex without integral parking. Additionally, the absence of scale diagrams makes prevents a true assessment of the impact to the existing development and Green Belt. This suggests that the reasons for the earlier refusal still hold
- The proposed development is located within the Green Belt where there is a presumption against inappropriate development and where development will only be allowed if it is for an appropriate purpose where very special circumstances can be demonstrated
- The amount of and siting of build form in open land and the scale of the development would result in there being very little available for meaningful or appropriate tree planting or landscaping or private amenity space. The development is therefore considered to result in harm to the spacious and landscaped character of the area and to visual amenity contrary to Core Strategy policies SP1, EN1, E9, EN13 and DM1 and Saved UDP Policies CB15, CB23 and 43.
- Developer has not completed or is taking responsibility for snag work on current properties which are 5 years old. The developer should be made to focus on fixing the issues on houses already bought
- A large reason for the site being unsuitable for development is the proximity to the golf course and the direction of play on the course. As a result the issue of golf balls entering properties on Chorlton Villas has never been resolved. There have been numerous incidents with damage to property caused by golf balls. Due to the position of the development, no reasonable mitigations have been put in place for the safety of existing residents and it would be negligent to introduce more buyers to an area with such risks.

1 response has been received in support of the design of the house

Chorlton-cum-Hardy Golf Club – Object to the proposals. The Club are concerned that the proposed property is located too close to the boundary in this area and with the Golf Club. The Golf Club indicates they have an elevated teeing ground that runs along this boundary. They raise issues that they have experienced as part of the wider development in terms of landslip on their side of the boundary. They have at their own cost had to redesign the adjacent golf hole to the area already constructed and do not have available land to take any such safety measures in the event that similar problems arise in the vicinity of the new application. They indicate that their insurance premiums are rising due to the number of ball strikes on the existing properties and in one instance a resident. They would expect something more substantial than timber retaining wall to be in place. They are also concerned that

there is a drainage ditch and pumping station nearby carrying toxic waste from Barlow tip which they fear could be compromised.

MCC Flood Risk Management Team – Raise no objections to the submitted Flood Risk Assessment but recommend conditions relating to the inclusion of the flood resilience measures set out within the submitted FRA and that the drainage of the site be undertaken in accordance with the submitted drainage layout.

MCC Highways Services – Raise no objections on highway or pedestrian safety grounds. The level of car parking provision (3 spaces) is considered acceptable given the application is for a larger family home and that car ownership in this area is higher than other areas of the city. It is recommended that a construction management plan condition is attached to any approval.

MCC Environmental Health – Raise no objections to the proposal and confirm the submitted waste management strategy is acceptable but recommend conditions be attached to any approval relating to contaminated land, acoustic insulation of the property from Metrolink and Construction Management to reflect the Councils recommended hours of working.

Transport for Greater Manchester – The submitted Construction Management Plan does not reflect the proximity of the site and interface with Metrolink and the potential increase in frequency of the use of the uncontrolled track crossing during construction works. It is therefore recommended that a condition is attached to any approval for the submission of a construction management plan that reflects this relationship with Metrolink. It is also recommended that a condition be attached to any approval for the proposed development to be acoustically insulated against noise and vibration from the adjacent Metrolink line.

Environment Agency –Our records show the proposed development site was historically used as a landfill operated by the Manchester Corporation Cleansing Department. The historic landfill noted was in-filled between 1967 and 1974 with construction and demolition waste. Infilling action was undertaken before the Control of Pollution Act 1974 came into force, therefore the records of material used for infilling may not be accurate or complete.

Controlled waters are particularly sensitive in this location because the proposed development site is located upon a principal aquifer. Landfills present a 'high risk' of contamination that could be mobilised during construction to pollute controlled waters.

As submitted, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy and that no pilling works are undertaken to construct the house. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

The EA have no objections subject to the imposition of conditions relating to contaminated land matters as identified above.

## **Policy**

## Core Strategy

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 H1, *Housing* – Proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours.

Policy H6, *South Manchester* – 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 EN1, *Design Principles and Strategic Character Areas* – Development in Manchester will be expected to have regard to the strategic character area in which the development is located, in this case area no. 9, *Mersey Valley Character Area*. This policy states that this is a wide, flat valley with heavily managed open space and tree cover largely found on the valley perimeter where there are localised significant changes in level. The Mersey Valley acts as an important visual break between the South Area and Wythenshawe Environs. Extensive long range views exist from the valley sides and the major road network which bisects and runs along the valley. Developers will need to ensure that any development within or to the periphery of the valley maintains the sense of openness and accessibility.

Policy EN9, *Green Infrastructure* – New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of

a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Green infrastructure forms part of Manchester's landscape character. Existing strategic green infrastructure assets include the Mersey Valley, River Irwell, Medlock Valley, Chorlton Water Park, the Ashton, Rochdale and Bridgewater canal corridors, Alexandra Park, Heaton Park, Phillips Park and Wythenshawe Park. The multi-functionality of these key open spaces and linkages, including biodiversity, recreation and walking/cycling routes, will be supported and enhanced and connections between them reinforced.

Policy EN13, *Green Belt* – The extent of Green Belt in Manchester will be amended in the vicinity of Manchester Airport, in accordance with policy MA1. Otherwise, there are no amendments to the Green Belt boundary to be effected through the Core Strategy. This does not preclude further consideration of sites currently within the Green Belt through subsequent Development Plan Documents.

Policy T1, *Sustainable Transport* – This policies aim is to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport.

Policy T2, *Transport* – This policy states that the Council will actively manage the pattern of development to ensure that new development is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and education opportunities.

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

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

- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-
- For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

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

### **Unitary Development Plan**

Saved UDP Policy CB15, *Mersey Valley Recreation Policies* – Existing land will be conserved and improved and will, for the most part, continue in recreation use.

Saved UDP Policy CB23, *Mersey Valley Landscape and Nature Conservation Policies* – The Council will protect, conserve and improve the landscape quality and natural history of the Valley, encourage the development of a variety of attractive landscape types and, where appropriate, will seek to re-establish a countryside character in the Valley.

Saved UDP Policy CB26, *Mersey Valley Landscape and Nature Conservation Policies* – The Council will not normally permit any development which would damage or destroy those areas or those features, such as woodland and hedgerows, valuable water areas and wetland, identified by the Council as being of landscape or natural history importance.

Saved UDP Policy CB43, *Mersey Valley Policies on the Control and Form of Built Development* – CB43 Within the area defined for this purpose on the Proposals Map, new urban development will not normally be permitted. The only exceptions considered will be where the development would not lead to the division of the open parts of the Valley into sections and falls within the terms of (a) or (b) below: -

- a) Where the area forms part of the green belt, the established green belt policies apply.
- b) Where the area does not form part of the green belt, at Least one of the following circumstances is met: -

- i) that the development represents limited infilling to an established Valley settlement or industrial area;
- ii) that it is an extension to or renewal of an established industry where the economic and employment factors are of overriding importance;
- iii) that the development is required in association with an outdoor recreation or appropriate tourist facility;
- iv) that the development would be appropriate in a green belt;
- v) that the development is necessary to meet an exceptional need which cannot reasonably be met elsewhere.

In determining any planning application, a case of exceptional need must be clearly demonstrated having regard to the objectives of the local plan.

Saved UDP Policy CB44, *Mersey Valley Policies on the Control and Form of Built Development* – Any new development permitted within the Valley shall be of a high standard and by careful attention to siting, design, layout materials and landscape design shall not have a harmful effect on the character of the Valley. Any new development which by reason of its nature, scale or location cannot meet these criteria will not be permitted unless there

#### **Other material considerations**

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

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city.

##### **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 as a material consideration in the Council's decision making as a Local Planning Authority.

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.

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

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

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

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

### **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 133 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

## **Issues**

### **Principle**

The principle of residential development in a predominantly residential area is generally considered acceptable. In this instance given the applications sites relationship to the green belt, the Mersey River Valley, and an existing golf club further consideration of these matters together with impacts on residential and visual amenity are considered necessary.



## **Climate Change**

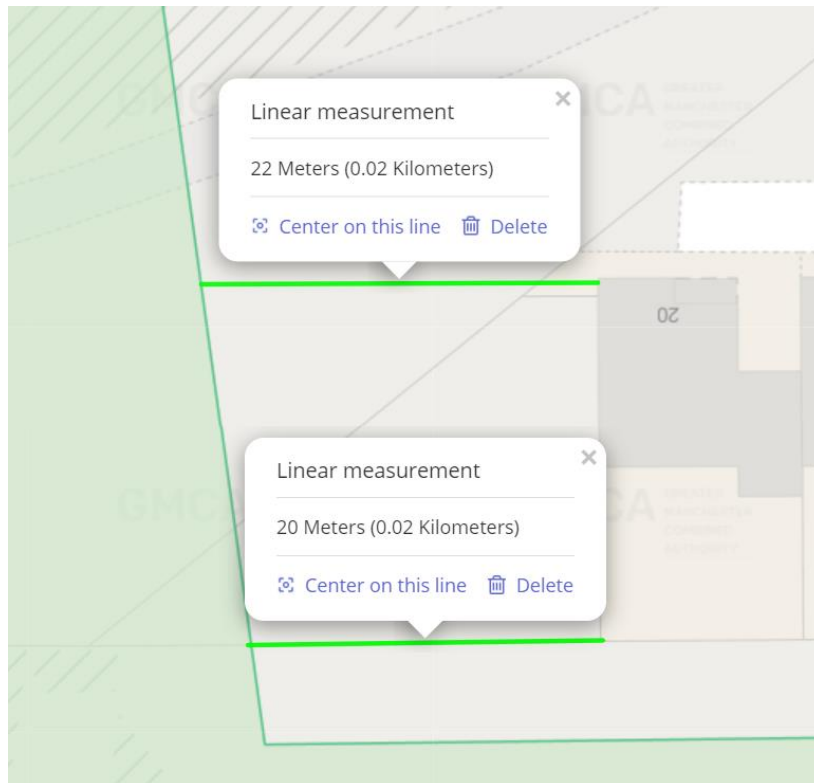
The application proposals would result in the loss of a current area of land that consists of vegetation and some trees. The site is located within a residential area on the urban fringe and is considered to be a sustainable location in which to see development of further residential accommodation due to the existing infrastructure and services that the development and future occupiers can be readily connected to. As set out elsewhere in this report the land is not currently designated either statutorily or non-statutorily in terms of the quality of the habitat contained within it and whilst it is acknowledged that the proposals would result in the loss of existing green infrastructure a range of mitigation measures are proposed to be delivered through appropriately worded conditions.

The development of new residential properties would offer the opportunity of improving the energy performance of the housing stock in the area through the use of modern materials to ensure a fabric first approach is adopted in terms of the sustainability of the new dwellings and would incorporate a drainage scheme to ensure that the proposals would not give rise to increasing the risk of flooding elsewhere.

## **Green Belt**

The application site has been amended from previous proposals put forward and is located wholly outside of the Greater Manchester Metropolitan Green Belt. This has been confirmed within the application submission and a review of the site against the digitised green belt boundary and distances as clarified in the plans below. As such the revised site boundary has resolved one of the elements of the previous reasons for refusal as the site is not located within the GM Metropolitan Green Belt.

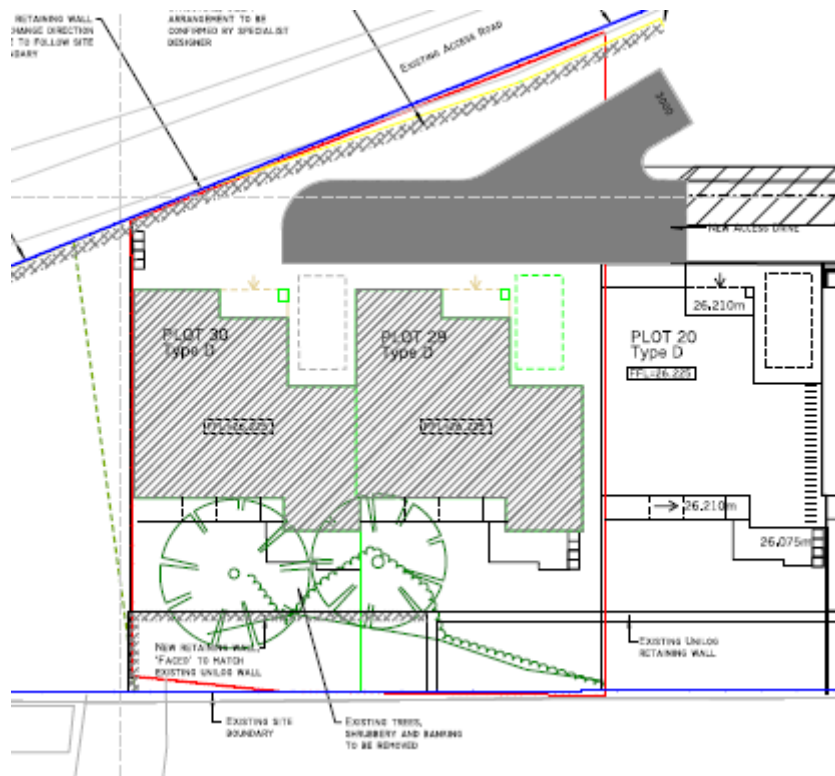
Consideration is given to the visual impacts of the proposal on the green belt within the submitted application and this is considered in more detail in the visual impacts section of this report.



**Measurements taken from the digitised Green Belt Boundary plan showing distance from green belt boundary from number 20 Chorlton Villas ( source [mappinggm.org.uk/GMODIN](http://mappinggm.org.uk/GMODIN) courtesy GM Combined Authority)**

### **Visual Amenity and impact on Mersey River Valley**

The previous proposals refused permission on this site comprised development that fell within the defined Greater Manchester Green Belt and also formed a development that was considered to have harmful impacts on the spacious character of the Mersey Rive Valley. Those proposals incorporated two no. link detached buildings which would have had a total width of approximately 22 metres across the two properties. In addition further structures (boundary fences etc) would encroach further into the green belt and the end property would have resulted in a built edge to the boundary with the green belt.



### Layout of previously refused proposals 120789/FO/2018

The proposals are accompanied by a Townscape and Visual Appraisal which seeks to appraise the visual impacts of the proposal and addresses the reasons for refusal of the previous application in terms of the impact on the character of the area including the visual impacts on the openness of the adjacent green belt.

This appraisal indicates that given that there are no built elements proposed to be within the green belt, the impact in visual terms is considered to be negligible.

The perception of impacts on the green belt's openness from views into the development is limited due to the screening from the mature tree belt located to the west and south of the site. The applicant also indicates that the design of the proposals have reduced the scale and introduced elements to break up the proposed built form to the southern and western elevations. The application proposal would result in a built form that would have a reduced width than that previously refused 13.8 m against 22m with a side garden area to further provide space with the boundary and green belt beyond.



**Existing view towards application site (no 20 Chorlton Villas is the last property in the middle of the photograph)**



**Visualisation of the application proposals in situ adjacent 20 Chorlton Villas**

The submitted appraisal takes a number of principle views to assess the visual impacts of the proposed development including from existing residential properties, whilst there would be some visual impacts by virtue of a built form being located on the application site such impacts would not be significant given the context of the site adjacent recently constructed residential properties; and its distance including the

intervening built form from other residential properties to the north and east on Hardy Lane. The proposals have been designed to provide a visual end to the built form adjacent the boundary to the green belt with glazing. In addition boundary treatments to the front and side adjacent the green belt would be set at 1.2 metres allowing the maintenance of 'openness' to the front and side garden private garden areas.



**View looking east towards the site and the gable end of number 20 Chorlton Villas to the right**

The Mersey River Valley area is generally consistent with the boundary of the green belt save for a number of areas where it is washed over areas which contain buildings. The application site and the adjacent development are all set within the River Valley area. Historically and prior to the development of the Chorlton Villas the site contained former student halls of residence and has for a lengthy period been part of the River Valley that has contained buildings. As such the principle for the proposal in this context is generally acceptable given it is for limited infilling as part of an established pattern of development and as set out below is of a high quality of design reflective of the wider Chorlton Villas development.



UMIST Student Halls Hardy Lane circa 1975 (courtesy of Manchester Libraries)

It is considered that the proposals have been designed and sited to reflect the sites location adjacent the green belt and within the Mersey River Valley area. Whilst the introduction of a built form in this location would give rise to some visual impacts these are not considered significant to warrant refusal of the proposals.

### **Residential Amenity**

Concerns have been raised about the impacts of the proposals on adjacent existing residential properties including from the introduction of a large family dwelling with integral annex, through overlooking and loss of privacy to adjacent properties.

The proposals are for a larger family home adjacent to other detached residential properties. Whilst the size of the property is larger than existing properties the applicant has through the submitted information demonstrated that this can be accommodated on the site providing visual and physical separation from the existing residential properties. The side wall of the proposed dwelling would be approximately 2.8 metres from the nearest gable wall of the adjacent property. A residential use of the site is one that it is considered can be accommodated on the site and would not give rise to unusual or unexpected levels of activity or comings and goings that would warrant its refusal. The property is proposed to be occupied as a C3 residential use and this would be made a condition of any approval.

The adjacent residential property has a side window on the first floor gable wall facing onto the application site, this window appears to have frosted glazing. There would be a reduction of light to this window however, given the gap between the existing and proposed gable walls and the existence of significant glazing to the front and rear of the property it is not considered that the loss of light to this window would warrant refusal of the proposals. A glazed window to ground and first floor is within the proposed dwelling to serve a hallway area, given the relationship it is considered

necessary that this window is obscurely glazed and a suitably worded condition is proposed to achieve this.

The outdoor amenity space would be separated from the neighbouring property by a 2 metre high boundary fence and would afford a similar relationship between outdoor spaces experienced elsewhere in this residential area.

The proposal does incorporate a roof top terrace that would afford views towards the Golf course to the south and west towards the green belt. Concerns have been raised from neighbouring occupiers that this would also give rise to unacceptable opportunities for overlooking of private garden areas and a resulting loss of privacy. The roof terrace reflects the same relationship as those found on the properties to the east of the application property, which include roof terraces. Whilst this arrangement of roof terraces on adjacent properties does set a precedent it is acknowledged that the proposed property is an addition to the area and in this instance it is recommended that a condition be attached to any approval for the incorporation of a privacy screen to the eastern edge of the roof terrace only to prevent direct views across the terrace towards the roof terrace of number 20 Chorlton Villas. It is not considered that views into rear gardens from rear windows is an unusual relationship and reflects the same relationships that exist between the properties to the immediate east. The front of the proposed property would have views over an access road and the Metrolink line as such the proposals would not overlook other residential properties from this aspect. As such it is not considered that the proposals would give rise to unacceptable loss of privacy or overlooking that would warrant refusal of the proposals.

## Design



**View looking south and west towards the application site edged red**

The proposals have been designed to reflect the architectural designs and use of materials of the wider Chorlton Villas properties. Concerns have been raised regarding the approach taken in this instance by objectors.



**Proposed Front and rear elevations**



Whilst the proposed property is larger in width than existing neighbouring properties there is a variation in house types on this development including linked detached properties and groups of terraces some of these are located on the Hardy Lane frontage. This variation in house type gives visual interest across the development.



**Visualisation of the western elevation facing towards the Green Belt**

In this instance the proposals have also been designed to form a visual 'end' to the development with the inclusion of areas of glazing and roof terrace on the western elevation of the property. It is considered that the design approach reflects the adjacent recent development and is acceptable for this location. To ensure materials



are reflective of the wider development a condition is proposed for the approval of these.

## **Ecology**

The application proposals are accompanied by a recently updated Ecological Appraisal. This confirms that the site was subject to clearance as part of the redevelopment of the wider site and has been recolonised with vegetation. The site itself does not contain any statutory ecological designations. The closest areas of ecological importance are at Chorlton Water Park Local Nature Reserve (approximately 0.5km to the south east) and Chorlton Ees and Ivy Green Local Nature Reserve. All nature reserves are separated from the application site. The closest other non-statutory designation is the Hardy Farm Site of Biological Importance located 0.1km to the west of the site but the appraisal confirms this is again separated from the application site.

The survey of the site confirmed it does not contain woodland habitat.

The hedgerow present along the southern site boundary was not recorded to be species rich, albeit provides a dense vegetated corridor and habitat structure along the boundary. The hedgerow is likely to qualify as a Priority Habitat. It is recommended that the hedgerow be retained and protected under the proposed works.

The site is not considered to form an important foraging resource to local bat populations, the southern boundary hedgerow does provide a linear feature that could provide potential for use as a commuting route and/or foraging corridor.

The appraisal indicates that overall the site is likely to be of negligible importance for local populations of mammals, birds and invertebrates.

The appraisal makes recommendations to maximise biodiversity enhancements on the site in the form of bat and bird boxes together with new landscape planting to be comprised of native species. Appropriately worded planning conditions are proposed for these details to be submitted for approval.

## **Trees**

It is noted that the proposals would result in the removal of part of the tree canopy of a group of trees in the south western corner of the site which also extends further west outside of the site. This group of trees is noted as being classified within category C in the submitted tree survey and are not considered to be of high amenity value. The submitted landscaping scheme indicates that part of this group is to be retained with additional planting on the site within the submitted landscaping scheme. Further final details of the landscaping scheme for the site are required, however the indicative details do provide sufficient information to indicate there is adequate space for replacement planting to be included within the development. Together with the biodiversity mitigation identified in the preceding section of this report it is considered that these matters can be resolved by way of an appropriately worded condition attached to any approval.

## **Disabled Access**

The ground floor is wheelchair accessible and car parking to the front of the property provides sufficient space for an accessible car parking space. The self-contained ground floor accommodation would share the ground floor, with a double bedroom, bathroom, open plan kitchen and living room, which would be available for supported living. The submitted information indicates that this ground floor accommodation benefits from a separate entrance and access to the larger home, with the intention that it would provide independent living for a relative.

## **Access**

Access is gained from the existing pedestrian and vehicular accesses from Hardy Lane and then via the internal access estate road. The proposals provide for a short extension to the internal access road to the front of number 20 Chorlton Villas. The proposals also include a short section of layby which is proposed to widen the site access and is similar to the layby provided elsewhere on the site.

The provision of this short section of internal access road is considered acceptable to serve the proposed property and reflects the relationship of other properties on the southern boundary of the wider site to the internal road.

## **Car Parking**

The proposals incorporate 3 off street car parking spaces. This is considered an acceptable level of car parking for the proposed development. The site is well located to benefit from the Barlow Moor Road Metrolink stop and bus service provision. The proposals do not provide details of secure cycle storage and there is space within the site for such provision. It is considered necessary for an appropriately worded condition to be proposed for these details to be provided.

## **Site levels**

There is variation in the site levels from the front of the site towards the rear. The submitted information indicates the need for a retaining wall to the front adjacent the proposed car parking area. The final choice of materials or design for this structure are not include within the submission although landscaping is proposed to the front and would reduce any visual impact of this element. To ensure materials are reflective of the high quality of the overall development a materials condition is proposed to cover this element of the proposal.

## **Crime and Security**

The proposals introduce low level (1.2m) fencing to the front and side of the boundary to ensure that views and the spacious character of the site is retained. Whilst this overcomes issues with regards to the visual impacts of development given its location at the end of the development it could lead to concerns regarding unauthorised access from these points which are not readily overlooked. As such it is considered that the introduction of defensive planting to these boundaries would assist in reducing the opportunities for unauthorised access onto the site. It is

recommended that in addition to attaching a condition that the development should achieve a Secured by Design Accreditation, a further landscaping condition be proposed for further details of defensive planting to be submitted and approved.

### **Flood Risk**

Concerns have been expressed regarding the submitted Flood Risk Assessment for the proposal given its age and preparation for the wider redevelopment of the site.

The application was subject of statutory consultation with the Environment Agency and the Councils Flood Risk Management Team. They have reviewed the submitted information and have recommended conditions for the development to be undertaken in accordance with the submitted Flood Risk Assessment and submitted drainage scheme. The Environment Agency have raised no concerns with regards to the submitted information.

### **Waste**

The proposals incorporate space for the external storage of refuse bins in accordance with the Councils requirements. Bins would be collected from the external layby proposed alongside the other properties within the residential site. These arrangements are considered satisfactory for the proposal.

### **Relationship of proposal to adjacent Golf Club**

Objections have been raised by the neighbouring golf course as a result of the application proposals with the main concerns regarding the potential impacts on future occupiers of the property and measures that the golf club may need to instigate to resolve these. These matters were raised with the applicant's agent who confirmed that:

"The applicant has previously demonstrated.....that the new dwelling is behind the tee box which is resulting in the very occasional instances of ball strikes to the existing homes. The risk from golf ball strikes affecting the new dwelling is minimal, as the Club introduced mitigation when the original development took place, including a fence and additional planting to the boundary. This fence extends to the end of the application site. The tee for hole 15 is located to the rear of the proposed development so golfers would be putting to the south-west, away from the proposed development." In addition they acknowledge that the proposals also incorporate a 2 metre high boundary fence along the rear boundary and additional planting is proposed.

It is considered that the application proposals incorporate suitable measures including the boundary fence and additional landscaping along the rear boundary to mitigate the potential risk of stray golf balls. The applicant's agent has confirmed that the proposed dwelling is sited behind the tee box for the nearest teeing off area which would minimise risk of ball strike from this teeing off area.

It is noted from the published risk assessment for the Golf Club dated July 2019 available on the clubs website, that for the 15<sup>th</sup> Tee (closest to the proposed

development site) the golf club has erected a 2 metre high netting alongside the tee to direct players towards the right of the tee away from the boundary. It is also noted that the level of risk is Low. Whilst the risk of ball strike is noted, given the siting of the proposed dwelling set behind the tee together with the measures proposed in terms of boundary fence and landscaping such matters are not considered to warrant withholding planning consent for the proposal.

### **Construction**

Concerns have been raised about the impacts of construction activity on the amenity of nearby occupiers. It is noted that there would be some level of noise and disturbance as a result of construction activity. These impacts would be over a short period of time given the relatively small scale nature of the proposals.

Notwithstanding the details provided by the applicant and to ensure that hours of working are reflective of the Councils guidance a construction management plan condition is proposed to be attached to any approval.

### **Conclusion**

As set out within this report the application proposals are considered to have overcome previous concerns with development in this location. The site is outside of the green belt and the reduction in the amount of built development together with its design and siting are considered to be a positive addition to the wider Chorlton Villas estate.

**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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation**      APPROVE

### **Article 35 Declaration**

The application has been determined in a positive and proactive manner, issues that have arisen during the processing of the application have been discussed with the

applicant's agent and in instance appropriate conditions have been attached to the decision.

**Conditions to be attached to any 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 Plan reference 002

Ground floor plan 004

First floor plan 005

Second floor plan 006

Roof plan 007

Proposed front and rear elevations 008

Proposed side elevations 009

Landscaping plan 011

Refuse plan 021

Design and Access Statement all prepared by White Box

Update Ecological Appraisal prepared by Aspect Ecology

Phase 3 Drainage layout prepared by Bell Munro

Flood Risk Assessment prepared by LK Consulting April 2014

Waste Management Proforma

All received by the City Council on the 10<sup>th</sup> August 2020

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) No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) including in relation to the interface with Metrolink, has been submitted to, and approved in writing by the City Council. The approved CMP shall include agreed safe access and methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CMP shall provide for: -

- Hours of working;
- the parking of vehicles of site operatives and visitors;
- the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.
- 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; and
- measures to control the deposition of detritus on the track during construction.

Reason - In the interests of highway and tram safety and to safeguard the amenities of the locality pursuant to policy DM1 of the Core Strategy.

3) 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 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 policy EN18 of the Core Strategy.

4) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise and vibration from tram lines shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L<sub>Amax,F</sub> by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq Gardens and terraces (daytime) 55 dB LAeq

Upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post

completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Due to the proximity of the development to the tram line, it will be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise/reradiated noise should also be factored into the assessment and design.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to saved policy DC26 of the Unitary Development Plan and policy DM1 of the Core Strategy

5) Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. This is in line with paragraph 170 of the National Planning Policy Framework.

6) Prior to the commencement of any works on site, including demolition works and vegetation or tree clearance, an Arboricultural Method Statement for works in the vicinity of trees and hedges to be retained on the site shall be submitted to and approved in writing by the City Council. The development shall be carried out in accordance with approved details and until the completion of works on the site.

Reason - In order avoid damage to trees/shrubs to be retained on 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.

7) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the Arboricultural Method Statement approved under condition 6 of this approval; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

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

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

8) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by 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.

9) Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations (including those for the retaining wall) 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.

10) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase 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 policy EN18 of the Core Strategy.

11) Within three months of the commencement of development a scheme to enhance the biodiversity of the site including the provision of nest boxes and bat boxes on site, together with measures to allow the movement of hedgehogs through the site and a timescale for their installation shall be submitted to and approved in writing by the City Council as local planning authority. The measures shall be subsequently undertaken in accordance with the approved details.

Reason – To enhance the biodiversity of the site pursuant to policy EN9 of the Core Strategy.

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

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

13) Within three months of the commencement of development details for the provision of electric vehicle charging infrastructure at the property shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason – In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

14) The storage and disposal of waste shall be undertaken in accordance with the approved Waste Management Strategy and drawings submitted with the application and shall remain in situ whilst the development is in operation.

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

15) The boundary treatment details as set out on drawing reference 011 shall be carried out in accordance with the agreed details and the boundary treatment shall be completed prior to their first occupation.

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 development is located in order to comply with policy DM1 of the Core Strategy.

16) The development hereby approved shall not be occupied unless and until flood resilient measures have been implemented in accordance with the Flood Risk Assessment, LK Consult Limited, April 2014, as follows:

- The internal and external levels are set in accordance with the EA requirements;
- Sockets, meters and other electrical equipment raised above the 0.1% AEP plus climate change level;
- Safe access and egress to be provided for the occupiers;
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning.

Reason: To reduce the risk of flooding pursuant to national policies within the NPPF and local policy EN14.

17) 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 policy DM1 in the Core Strategy Development Plan Document for the City of Manchester

18) The development hereby approved shall not be occupied unless and until surface water management has been implemented in accordance with the Drainage Layout, Dwg Ref: J3425/03 DR01 Rev C, Bell Munro Consulting Ltd, 15/05/20.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

19) Prior to the first occupation of the development hereby approved, details of secure cycle parking spaces for the dwelling shall be installed in accordance with details previously submitted and approved in writing by the City Council as local planning authority.

Reason – To ensure there is sufficient cycles 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).

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification) none of the dwellinghouses shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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

21) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of side, rear or upward extensions to the building shall be undertaken nor any outbuildings erected on the site other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located in particular the Greater Manchester Green Belt and Mersey River Valley pursuant to policies DM1, SP1 and EN13 of the Manchester Core Strategy and saved Unitary Development Plan policy CB44.

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification) no further development in the form of extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located 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: 127696/FO/2020 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.

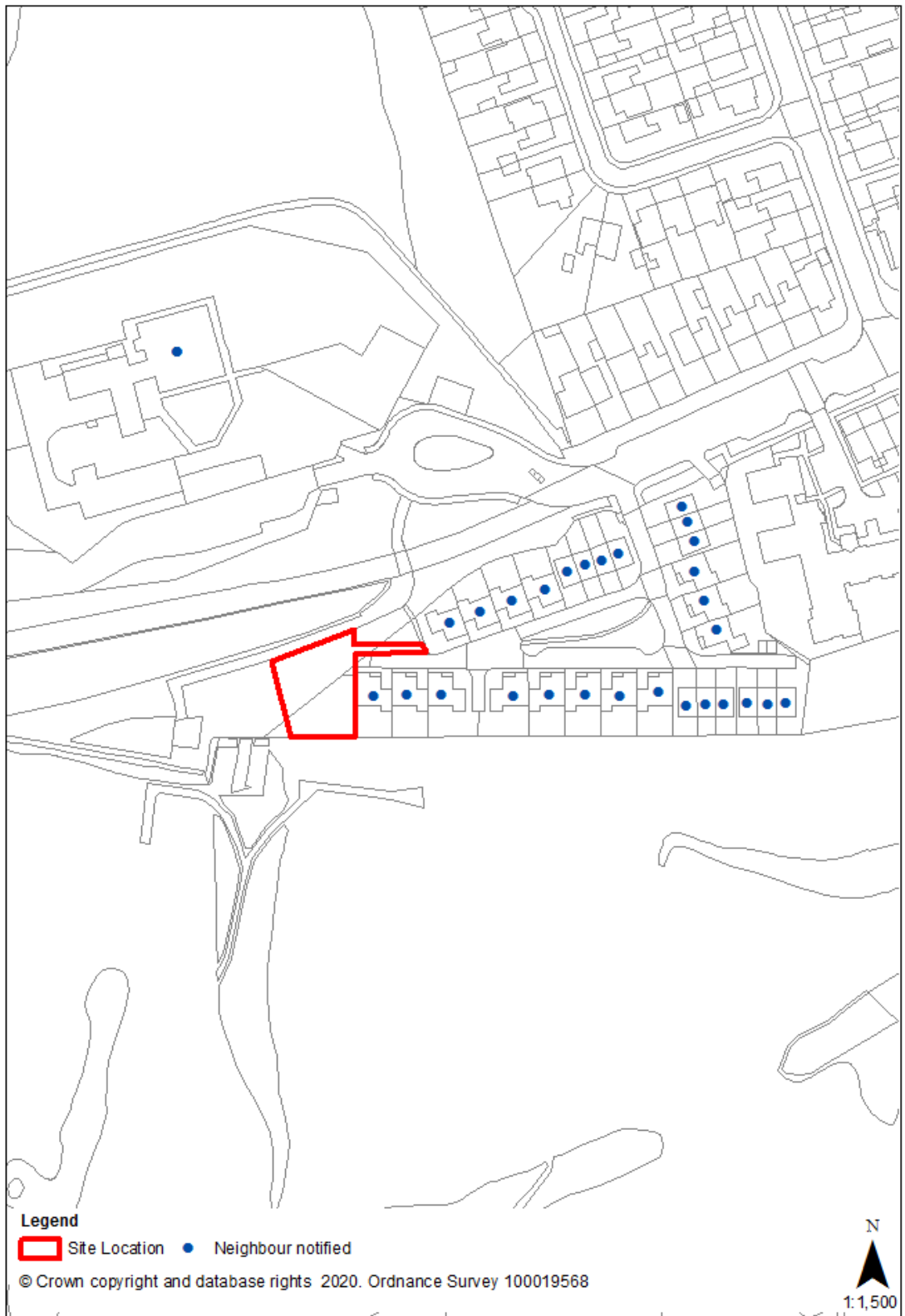
**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services  
Environmental Health  
MCC Flood Risk Management  
Transport For Greater Manchester  
Environment Agency**

**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 :** Robert Griffin  
**Telephone number :** 0161 234 4527  
**Email :** robert.griffin@manchester.gov.uk



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