



Planning and Highways Committee

Date: Thursday, 18 February 2021

Time: 2.00 pm

Venue: Virtual meeting - <https://vimeo.com/509985865>

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 meeting will also be available for viewing after the meeting has closed.

Membership of the Planning and Highways Committee

Councillors

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

Agenda

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 21 January 2021.

7 - 18

5. 127566/FO/2020 - 369 Parrs Wood Road, Manchester, M20 6JE - Didsbury East Ward

19 - 36

The report of the Director of Planning, Building Control and Licensing is enclosed.

6. 121252/FO/2018 - Great Marlborough Street Car Park, Great Marlborough Street, Manchester, M1 5NJ - Deansgate Ward

37 - 184

The report of the Director of Planning, Building Control and Licensing is enclosed.

7. 128920/FO/2020 - Land Off Cringle Road, Manchester, M19 2RR - Levenshulme Ward

185 - 204

The report of the Director of Planning, Building Control and Licensing is enclosed.

8. 129010/FO/2020 - Public Car Park Accessed Via Stockport Road And Albert Road, Manchester, M19 3AB - Levenshulme Ward

205 - 228

The report of the Director of Planning, Building Control and

Licensing is enclosed.

9. **Confirmation of the Manchester City Council (109 Parsonage Road, Manchester) Tree Preservation Order 2020 - Withington Ward** 229 - 238
- The report of the Director of Planning, Building Control and Licensing is enclosed.

Meeting Procedure

The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at <https://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.
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

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

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

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

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

Further Information

For help, advice and information about this meeting please contact the Committee Officer:
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Tel: 0161 234 3011
Email: andrew.woods@manchester.gov.uk

This agenda was issued on **Wednesday, 10 February 2021** 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, 21 January 2021

This Planning and Highways meeting was a meeting 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, Andrews, Y Dar, Davies, Flanagan, Kamal, Leech, Lovecy, Lyons, Madeline Monaghan, Riasat, Watson and White

Apologies:
Councillor Hitchen:

Also Present:
Councillors Jeavons (ward Councillor) and Wheeler (ward Councillor)

PH/20/69 Supplementary Information on Applications Being Considered

A copy of the late representations that were received in respect of applications (128189/FO/2020 and 121252/FO/2018), since the agenda was issued.

Decision

To receive and note the late representations.

PH/21/01 Minutes

Decision

To approve the minutes of the meeting held on 17 December 2020 as a correct record.

PH/21/02 128189/FO/2020 - 39 Daisy Bank Road, Manchester, M14 5GP

This application relates to a change of use to a residential care home providing accommodation for up to 6 people (Class C2). The application relates to a relatively large vacant 2-storey, semi-detached dwelling house with an existing two storey side and rear extension. The application property is unoccupied but has a current licence for use as an 8 person house in multiple occupation (HMO); a use that appears to have first commenced in 1997. The proposed development would relate to the care of up

to 6 adults with mental health needs or learning difficulties requiring 24-hour support over short and longer-term periods.

The Planning Officer provided an update including drawing Members attention to the late representation report. The update referred to the submission of a staff travel plan that has been assessed by Highways officers. Further details are required in relation to implementation and future monitoring however, the submission gives assurance that the details of the recommended staff travel plan condition are capable of being delivered as part of the development. The Committee was informed that if the application is agreed there would be an amendment made to Condition 3 regarding the Permitted Management Plan on the number of residents who could be cared for at the residence.

The applicant or agent did not address the Committee on the proposal.

There was no objector present at the meeting.

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

A member noted that objections had been submitted by local residents on the possible loss of amenity but considered that the proposed application will provide much needed residential care provision and welcomed the application.

Councillor Lovecy moved the recommendation to approve the application, subject to an amendment to Condition 3 to amend the Permitted Management Plan to limit the number of residents who can be cared for at the residence at one time. Councillor Watson seconded the proposal.

Decision

The Committee approved the application subject to the Conditions detailed in the report submitted and subject to the amendment of Condition 3 to amend the Permitted Management Plan to limit the number of residents who can be cared for at the residence at one time.

PH/21/03 121252/FO/2018 - Great Marlborough Street Car Park, Great Marlborough Street, Manchester, M1 5NJ

This application is for the partial reconfiguration of existing Multi-Storey Car Park (MSCP), including temporary access off Great Marlborough Street, construction of 5 storey external ramps, closure of vehicular access to top level; and construction of new facade; and partial demolition of the surplus part of existing MSCP and erection of a part 55, part 11 storey, part 4 storey mixed-use building comprising 853 Purpose Built Student Accommodation units (sui generis), ancillary amenity space and support facilities, and 786sqm (GIA) SME incubator workspace (Use Class B1), including public realm improvements and other associated work.

The Planning Officer provided an update including drawing Members attention to the late representation report. The update referred to further comments received from

the Macintosh Village Residents Company and the responses to the comments from the Director of Planning as follows:

- The objection to the third notification was on behalf of 425 individual objectors;
- Members should receive a copy of their legal advice, and a more professional and accurate record of the impact for the developer, given residents would be successful in injunction (the possibility must be understood by Members);
- A 6-year construction plan has been communicated to residents. The 3 years within the report was a fictional plan and is misleading
- The price point was issued in the consultation documents stating £275 per week so it needs to be in the document and link to profitability and a more transparent S106. The committee report suggests the applicant is borrowing £150 million but is yet to land on a business model or price point?
- A legal offer was made during the second consultation of a direct payment to Macintosh Village Residents after sharing street crime CCTV footage and the acknowledgement that anti-social behaviour will increase pro rata with the increase from student caste V1 before they sold it;
- The statement regarding the track record of the applicant is biased. They no longer own student castle and a balanced report would inform members know of their track record of selling every 3 years;
- There are deliverability challenges and highways have said no access nor use of Hulme Street for cranes. The applicant says they will not use a tower crane as HSE would not allow residents to use the car park. So where is the crane shown on the construction plan during residents' consultation 2 and 3 going to go?
- A miscalculation with the UNITE scheme regarding access for the crane and site was made and the whole road was closed for the duration. You cannot close Great Marlborough Street for the duration nor use or access Hulme Street so where is the evidence of deliverability?
- The report does not reference the previous planning refusals in the area for over dominance of a tall building not on a podium;
- The report does not reference the Manchester Residential Design Guide;
- The report does not reference Part L of the Building Regulations that does not allow the use of an energy tariff to pass sustainability.

Responses for the Director of Planning:

Whilst the proposal would create 853 units, the size of the units means that some could be shared and up to 934 students could live there. The applicant intends to offer room to single occupants with the larger studios reserved for those with disabilities. However, for the purposes of considering the impact of the development, the planning submission, including the Environmental Statement, has considered the maximum capacity of the building. The report notes that room sizes are larger than other nearby student accommodation. 97% of the studios exceed 18 sqm.

The response of the Macintosh Village Residents Company (third notification) was supported by 425 individual objectors. The third notification was subject to a 30-day consultation, and publicised in the form of a press notice, due to information being

received under the EIA Regulations. In addition, this information was the subject of a 21 days re-notification was undertaken with local residents.

The construction period is expected to be 5 years with the build lasting 3 and half years and the remainder for fit out.

The constrained nature of the site and the need to ensure that the MSCP remains operational throughout, creates construction and highway management challenges together with disruption to the surrounding residential area from noise, dust and traffic. The specific logistical requirements are still being considered with Highway Services and indicative details are provided in the report. The final location of the tower crane(s) has yet to be agreed, but Hulme Street would not be used for its erection or dismantling. A tower crane strategy would be required and condition 11 should be amended to make this more explicit.

Access to the MSCP would be managed when the crane is erected/dismantled in the interest of safety and access would be restricted/supervised during this time. The users of the car park would be given prior notification of any restrictions. In any instance where access is required without prior notice, or in the event of an emergency, the car park areas would be made safe in order to facilitate the request for access at the earliest opportunity. It is envisaged that this will be for short periods of time only during the lifting operations.

Once the crane has been erected, general construction exclusions zones would only apply to specific construction areas of the MSCP which include the roof of the car park. As detailed within the report, the car park would remain in use with appropriate protection measures in place to ensure segregation from the construction site. Use of the lifts and main stair core would remain accessible. Any changes to access routes will be communicated in advance and clearly sign posted.

The applicant's contractor has developed management measures to minimise localise impacts on residents and the local highway network. This includes air quality monitoring measures and Just In Time (JIT) delivery systems which ensures that waggons do not idle on the surrounding road network.

The construction impacts of this development can be managed and mitigated so that amenity or highway impacts would not warrant refusal. Condition 11 would ensure that construction impacts are mitigated and agreed to maintain the operational effectiveness of the highway network and pedestrian safety and minimise impact on residential amenity.

Officers are in receipt of a legal opinion obtained by Macintosh Village Residents Company with regards to the impact of the redevelopment of the site on the leaseholders car parking spaces within the MSCP. It notes that the Residents Company oppose the redevelopment of the car park and that the purpose of the legal opinion is to determine whether the redevelopment of the car park is allowed within the confines of the leases and whether the redevelopment would result in an actionable interference with the rights of leaseholders.

The legal opinion states that the redevelopment of the car park, insofar as it would

reduce the number of spaces available, is not permissible by the lease in or of itself and that the development of the car park (both during the 6 year construction phase and upon the completion) would likely result in actional interference with the rights of tenants with the benefit of the right of way and the right to park. The legal opinion concludes that the tenants with the benefits of the rights would be able to seek restrain such interference by injunction.

Members are advised that there are private third-party property rights relating to the right to park in the MSCP. Such rights are protected and enforced through other legislation and are not material planning considerations.

It is noted that Macintosh Village Residents Company disagree with this position and state that the presence of such rights effect the deliverability of the scheme which they believe is material to the planning decision.

Increasing the supply of purpose-built student accommodation would help to relieve pressure on existing homes in the city centre which drives up rents and are Council Tax exempt. There are also known issues, particularly at Manchester Metropolitan University, who is unable to offer all first-year students' accommodation in purpose built student accommodation.

The scheme on New Wakefield Street was promptly delivered upon the grant of planning permission and is now ready for occupation.

The applicant has a track record of delivering student accommodation schemes. It is not material to the determination of this planning application whether the applicant chooses to then sell their interest in a site and all obligations are attached to the land and not the applicant.

This planning application has to be determined on its merits. The scale, height appearance is considered in detail in the report particularly the impacts on the wider townscape and heritage. The images within the report, including cumulative impacts (shown in wire lines) comprehensively considers the local and wider impact on the City scape and concludes, that in most cases, the impacts are beneficial or commensurate with other nearby developments.

Where harm does arise, particularly to the setting of the conservation area and nearby listed buildings, this harm is suitably mitigated by the significant public benefits which would arise from a project of this nature. The proposal therefore accords with paragraphs 193, 194 and 196 of the NPPF and section 72 of the of the Planning (Listed Building and Conservation Areas) Act 1990.

Localised impacts on the wind environment and impacts on daylight, sunlight and loss of privacy are also considered likely and the effects are outlined in some detail in the report. Such impacts are not unusual in a city centre context and would therefore not warrant refusal of this planning application.

The report does reference the Residential Quality Guide a summary of which is included in the policy section of the report.

The correspondence relating to a legal offer etc is not part of this planning application and is not a relevant planning consideration. Designing out crime is a key planning consideration and the application has been reviewed by Design for Security at GMP with recommendations in the Crime Impact Statement. The recommendations in their report have each been included in the design including increased CCTV.

The development exceeds relevant planning policies and those outlined within Part L of the Building Regulations without a specific energy tariff. Commitment to a zerocarbon energy tariff is one additional means, beyond Part L, that forms part of the low carbon strategy.

The objector's representative addressed the Committee and outlined the reasons for the objections submitted.

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

Councillor Jeavons (ward Councillor) addressed the Committee to object to the application due to the potential impact on the surrounding area and the Mackintosh Village and requested the Committee undertake a site visit. The Committee was informed that the development would negatively impact the residential community and unbalance the area through influx of such a large number of students.

The Planning Officer reported that the points raised had been extensively covered in the planning report.

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

A member raised five points in respect of the application and welcomed the proposal for a site visit. The points raised were:

- Is the development deliverable if it is open to legal challenge.
- The cumulative negative impact of the area with the increase in students living in the development.
- The lack of affordable accommodation within the development.
- The details on the infrastructure improvements and the importance of agreeing them before the application could be approved.
- The unacceptable visual appearance of the development.

Members of the Committee supported the request for a site visit

Councillor White moved the proposal for the Committee to undertake a site for the reasons of the size/massing of the proposed building and its potential impact on the surrounding area. Councillor Flanagan seconded the proposal.

Decision

To agree to defer consideration of the planning application to allow a site visit to be carried out by the members of the Committee.

(Councillor Nasrin Ali did not take part in the vote on the decision due to technical issues.)

PH/21/04 126328/FO/2020 - Speakers House, 39 Deansgate Manchester, M3 2BA

This application relates to an application for the 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.

The Planning Officer provided an update on the application. The Committee was advised that two reasons for minded to refusal had been included in the planning report. The Committee was informed that officers did not consider the first reason regarding a loss of amenity to be sufficient to refuse the application. The second reason referred to points raised by Historic England relating to the impact of the building on town houses located nearby but did consider the impact to result in less than substantial harm. The view taken by planning officers is that the benefit of the development to the area will outweigh negative impact.

The objector's representative addressed the Committee and recapped on the reasons for objection.

- The Height and mass and the development;
- Loss of amenity to local residents (loss of privacy and light, overlooking);
- Impact on heritage assets;
- Over development of the site.

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

Councillor Jeavons (ward Councillor) addressed the Committee to object to the application. The committee was advised that the application does not work for the local area or that area of the city centre in terms of height and mass. The impact on local heritage assets is considerable and unacceptable in a city centre concept.

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

The Planning Officer referred to the detailed responses within the planning report to the objections received and the application of planning policies and guidance. Reference was also made to the impact of the scheme which is not considered to be a substantial harm on the surrounding area.

Councillor Lyons moved the proposal for the Committee to refuse the application. Councillor Leech seconded the proposal.

Members of the committee considered that the issues relating to the negative and substantial impact of the proposal had not changed with the loss of amenity and impact on heritage assets and considered that the negative impact of the

development would not outweigh the potential public benefits and agreed that the application be refused for the following reasons:

1. The proposed development would be unacceptable due to the resultant loss of amenity for the residents of No. 1 Deansgate and therefore contrary to guidance within the National Planning Policy Framework and inconsistent with policies SP1 and DM1 of the Core Strategy.
2. The proposed development would represent overdevelopment of the site and would be unacceptable due to the negative impact on the heritage assets of St. Anns's Church, the Royal Exchange and the St. Ann's Square Conservation Area. Furthermore, the negative impact of the development on surrounding heritage assets would not be outweighed by the public benefits of the proposal. The proposed development would therefore be contrary to guidance with the National Planning Policy Framework and inconsistent with policies SP1, EN3, CC9 and DM1 of the Core Strategy and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Decision

The Committee refused the application for the following reasons:

1. The proposed development would be unacceptable due to the resultant loss of amenity for the residents of No. 1 Deansgate and therefore contrary to guidance within the National Planning Policy Framework and inconsistent with policies SP1 and DM1 of the Core Strategy.
2. The proposed development would represent overdevelopment of the site and would be unacceptable due to the negative impact on the heritage assets of St. Anns's Church, the Royal Exchange and the St. Ann's Square Conservation Area. Furthermore, the negative impact of the development on surrounding heritage assets would not be outweighed by the public benefits of the proposal. The proposed development would therefore be contrary to guidance with the National Planning Policy Framework and inconsistent with policies SP1, EN3, CC9 and DM1 of the Core Strategy and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

PH/21/05 128002/FO/2020 - One City Road, 1 City Road East, Manchester, M15 4PN

This application relates to a full Planning Application for demolition of existing structures on site, erection of one 11-storey plus basement office building (Use Class E) and one 14-storey plus basement office building with ground floor commercial unit (Use Class E), landscaping, highways works, and associated works. The application includes 519 cycle parking spaces and on-street parking bays would be re-arranged to include two on-street parking bays for disabled people and a car club space.

The Committee undertook a site visit prior to the meeting.

The Planning Officer did not any further comments of the planning application submitted.

The objector's representative addressed the Committee and referred to the reasons for objection relating to:

- Amendment to the proximity of the development to City South residents;
- Loss of privacy
- Shadowing on City South;
- Loss of natural light;
- Noise concerns.
- Access to City South on Shawcross Street;
- Putting back the development date to 2024;
- Impact on selling of properties at City South development;
- Increase in pollution;
- Construction work impacts;
- Environmental pollution, litter during construction;
- Car parking for the office space;
- Increase in traffic;
- Loss of trees and green space
- Loss of visual amenity.

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

Councillor Jeavons (ward Councillor) addressed the Committee to object to the application. Reference was made to the loss of amenity to the residents of City South as detailed in the planning report.

The Planning Officer reported that it was important that development continues in this area of the city centre to provide homes and places of work and a balance was needed to address resident's tensions with new developments in order to move forward. Officers considered that the design of the development provided an acceptable balance.

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

A member referred to the reference 'bounce back' and made the point that many office workers are working from home and this may continue resulting in another office block becoming unnecessary. Reference was also made to the permeability of the site to pedestrians and the appearance of the access which looked like an entrance to the proposed building.

The Planning Officer reported that there is a belief by developers that there is a requirement for Grade A office accommodation within the city centre and this development would help meet that requirement. The new accessible walkway proposed would be similar to the walkway currently used as a public access between

the Town Hall Extension and the Central Library on Library Walk between St Peter's Square and Mount Street.

Members referred to the assessments made to determine acceptable levels of natural light for new buildings and the issue of noise for the properties with no alternative rooms to move to. The point was made that it is important to assess the impact of new developments on people in their homes. Reference was made to the construction management plan and the importance of the involvement and consultation with residents in process when producing the plan.

The Planning Officer reported that consultation with residents and contractors is at the forefront of any development and consultation on the construction management plan would be raised with the developer. Officers would also look at providing a new format for the presentation of information relating to the impact new development on light levels for residents.

Councillor Andrews moved the proposal for the Committee to approve the application. Councillor Shaukat Ali seconded the proposal.

Decision

The Committee approved the application subject to the Conditions detailed in the report submitted.

(Councillor Flanagan left the meeting took no part in the vote on the application or the remainder of the meeting.)

PH/21/06 127881/FO/2020 and 127882/LO/2020 - 109 -127 Market Street, Manchester, M60 1TA

This application relates to development comprising erection of four storey roof-top extension (for use within Class E (Commercial, Business and Service Uses); for use of floors 1-7 for use within Class E (Commercial, Business and Service Uses) and change of use of the basement and ground floor to permit Use Class E (Commercial, Business and Service Uses) and Drinking Establishments and Hot Food Takeaway (Sui Generis) use, external works associated with the formation of new ground floor entrances, sub-division of the ground floor into 9 units; works to windows including replacements, creation of winter gardens on the 6th floor; creation of external roof top amenity spaces; installation of new rooftop plant; the provision of secure cycle parking (255 spaces) in sub-basement and other associated works.

There is also an application for Listed Building Consent: Internal and external alterations to include: the erection of four storey roof-top extension; partial demolition of the floor structure to create the atrium; installation of a lightwell; external alterations to form new entrances on the ground floor; sub-division of the ground floor into smaller units the refurbishment; works to windows including replacements; demolition of a staircase; partial demolition of kitchen and plant structure on Floor 7; creation of winter gardens on the 6th floor; creation of external roof top amenity spaces; installation of new rooftop plant; refurbishment of the interiors and other associated works.

The Planning Officer provided an update the application and reported that following discussions with the application regarding concerns raised by local residents on the issue of privacy and overlooking. Agreement had been reached that a dense frit would be added to the bottom level of each window to head height to increase privacy of the residential properties adjacent.

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

Councillor Wheeler (ward Councillor) addressed the Committee to comment on the proposal. Reference was made to the extension planned on the top of the current building. Reference was also made on the loss of light to local properties adjacent to the building and impact this may have on the health and wellbeing of residents affected. Reference was made to the planning report that access to light in adjacent buildings it is unrealistic and asked if this could be addressed.

The Planning Officer reported that the planning report provided detailed responses to the points raised.

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

A member referred to the roof top and extension and why the structure is hidden from view and designed in an out of touch manner and the lack of light for residents.

The Planning Officer reported that the building is iconic within the city centre and had come to the end of its useful life in its current use. The applicant has looked at potential uses and has produced a sustainable use for the building that protects its historical integrity and an office building is considered the best future use. The roof top extension was added and is the smallest financially, commercially viable structure and design for the building. This has been assessed independently on its impact and is considered acceptable.

Councillor Shaukat Ali moved the proposal for the Committee to approve the application. Councillor Riasat seconded the proposal.

Decisions

1. The Committee approved the planning application 127881/FO/2020, subject to the Conditions detailed in the report submitted.
2. The Committee approved the application for List Building Consent 127882/LO/2020as detailed in the report submitted.

(Councillors Y Dar, Monaghan and Nasrin Ali left the meeting and did not take part in the vote on the application.)

**PH/21/07 128045/VO/2020 - Manchester Cathedral, Victoria Street.
Manchester**

This is for a City Council Development - Public realm works to create a new public amenity space (Phases 1A, 1B and 1C) comprising the creation of a memorial feature to the Manchester Arena Attack, new entrance square in front of Manchester Cathedral (with potential use as events space), areas of new paving, amenity planting, raised lawns, tree planting, street furniture and lighting.

The proposals would create a public amenity space in 3 phases including the creation of a memorial feature to the Manchester Arena Attack (Phase 1A), new entrance square in front of Manchester Cathedral, paving, amenity planting, raised lawns, tree planting, street furniture and lighting.

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

There was no objector present at the meeting.

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

A member asked officers if the area proposed would be classed as a public park and how many trees would be included in the design, what alternative arrangements would be made for cyclists to avoid using the area for access. Also, did the GMP Safety by Design team have any concerns on the design of the area.

The Planning Officer reported that the area is for the creation of a public realm, and there will be sixty-four trees included in the design. Alternative access arrangements for cyclists routes would be considered because the space would be for pedestrian access only and cyclists would be required to dismount. The GMP concerns had been addressed and the final design would require a Safety by Design accreditation before it could be proceeded with.

A member asked if the area would be fully accessible for people with mobility issues.

The Committee was informed that the area would be full accessible to the public and further negotiations would continue to with access groups to address concerns and ensure full accessibility.

Councillor Lyons moved the proposal for the Committee to approve the application. Councillor Andrews seconded the proposal.

Decision

The Committee approved the planning application, subject to the Conditions detailed in the report submitted.

Application Number	Date of Appln	Committee Date	Ward
127566/FO/2020	4th Sep 2020	18 th Feb 2021	Didsbury East Ward

Proposal Change of use from C3 (dwellinghouse) to C3 (dwellinghouse) and Class E (Osteopathy Clinic) together with a part single/part two storey side extension to provide additional living accommodation at ground and first floor and clinic at ground floor.

Location 369 Parrs Wood Road, Manchester, M20 6JE

Applicant Mr Roy Roberts , True Alignment Osteopathy, 364 Northenden Road, M33 2PW

Executive Summary

The application proposals relate to the extension to an existing residential dwellinghouse to provide further living accommodation together with ground floor space for the applicant to operate his osteopathy business. The proposals have been amended since they were originally submitted to reduce the visual impacts of the proposed extensions to the property and these amendments were subject to renotification of neighbouring properties.

26 neighbouring residents were notified of the proposals and subsequently renotified of amendments to the proposals and 11 objections have been received together with comments from local ward Councillors. In addition, a petition attributed to 33 local addresses has also been received. The concerns raised relate to the impacts of the proposed extensions, the introduction of a commercial property into a residential area and the increase in parking issues that would arise from the proposals.

The proposals have been amended to have a similar physical relationship to the street as previously approved nearby extensions and based upon the way in which the applicant intends to operate his business the proposals are not considered to give rise to unacceptable impacts on the area. It is considered that the imposition of conditions would be sufficient to enable the proposed use of part of the extended dwellinghouse as an Osteopath clinic to successfully assimilate into the area.

Description

Number 369 Parrs Wood Road is a two storey red brick interwar semi-detached residential property located on the corner with Craigweil Avenue a cul-de-sac serving 20 semi-detached two storey properties. The surrounding area is predominantly residential although a number of commercial premises are in close proximity to the application property, The Parrswood Public House is located opposite and to the south of number 369 Parrs Wood Road, a Funeral Directors business is located opposite and to the north of number 369 and approximately 70 metres to the south along Parrs Wood Road at the junction with School Lane is Barlow RC High School.

The application property has a two storey original rear outrigger which has previously been extended rearwards at ground floor. The side gable wall of the property has a

projecting two storey flat roofed box bay window and located between the gap from the gable wall and the existing boundary wall to Craigweil Avenue is a detached prefabricated garage with a further large detached single storey large garage located within the rear garden area accessed via an existing dropped kerb to Craigweil Avenue.



The front and side of 369 Parrs Wood Road on the junction with Craigweil Avenue



The boundary wall of 369 Parrs Wood Road together with rear garage and drive set back and accessed from Craigweil Avenue.

Application proposals

The amended proposals seek planning permission for a part single/ part two storey side extension and the change of use of the property from C3 dwellinghouse to C3 dwellinghouse and Class E Osteopathy Clinic. Please note that as of 1st September 2020 a D1 Clinic use now falls within the Class E use class, the application description has been amended to reflect this change.

The submitted details set out that the proposed extension would provide an enlarged kitchen at ground floor, enlarged first floor rear bedroom and additional first floor bedroom for the continued residential use of the main house at ground and first floor.



Proposed front and side elevation of 369 Parrs Wood Road

The ground floor side extension would provide a treatment room towards the front of the property and a reception area accessed from the rear of the extension. The existing detached side and rear garages would be removed to facilitate the development. The current location of the rear garage would continue to provide off road parking for two car parking spaces and also provide an enlarged private rear garden.

The supporting statement indicates that the applicant intends to live at the property and provide osteopathic appointments, there would be no other employees at the property. The applicant has experience of running his business in a similar manner at his current property in Sale but due to changing circumstances is moving to the application property. The supporting statement indicates the following: The average number of people that would be treated per day (based on a 3 month average between Nov 2019 – January 2020 prior to lockdown) is 8 people. The maximum number of customers in any one day was 13 (all ½ hr sessions); The only equipment within the treatment room would be a plinth to carry out treatment, desk with computer and chairs; No equipment used would generate noise any louder than found in the typical residential dwelling; No odours are created from the clinic; and, no deliveries take place to accommodate the clinic.

Planning history – There is no relevant planning history in respect of the application property but there are nearby decisions of relevance.

118884/FH/2018 - 367 Parrs Wood Road 'Erection of a part single part two storey side extension and associated elevational alterations to form additional living accommodation' Approved 18th April 2018

062311/FO/SOUTH1/01 – 367 Parrs Wood Road 'Change of use from private house to community veterinary clinic with residential accommodation above and creation of a 5 space car park at the side and rear' Refused 20th September 2001 for the following reasons:

- 1) The proposed development involves introducing a commercial use into a residential area to the detriment of the amenity of adjoining and nearby residents by reason of increased comings and goings and general activity associated with the proposed use. The proposed development is therefore contrary to the provisions of policy H2.6 of the Unitary Development Plan for the City of Manchester.
- 2) The proposed development will result in increased parking on-parking and traffic manoeuvring in the vicinity of the entrance into a residential cul-de-sac, to the detriment of highway safety and residential amenity. the proposed development is therefore contrary to the provisions of policy H2.2 of the Unitary Development Plan for the City of Manchester.

Consultations

Ward Councillors – Councillor James Wilson, Councillor Kelly Simcock and Councillor Andrew Simcock have provided a joint objection to the application proposals. They have made the following comments:

Overdevelopment- this application represents an overdevelopment of the site and the extension will have an overbearing impact on the street scene of both Parrs Wood Road and Craigweil Avenue.

Parking- this area suffers from inadequate parking and gets very busy (especially at the beginning and end of the school day). Parking is limited here by the fact Parrs Wood Road has a cycle lane next to the pavement and Craigweil Avenue is narrow and double parking is not practical on the street. While there is parking for the business being provided on-site, there is no guarantee that customers will use it or that it would be sufficient if the business were to expand, change its model from that described or be sold on in future, exacerbating the parking pressures in the area.

Change of use- the change of use is inappropriate for this location. It will create increased traffic flows into a quiet cul-de-sac (affecting residential amenity) and, despite assurances made by the applicant, there is no way to limit the use of the premises using planning conditions. We would also be concerned about the new D1 premises reverting back to residential use after the extension creating a flat and potential HMO if the business were to move.

The application proposals were subject to notification letters to neighbouring properties and those situated on Craigweil Avenue. A second notification process was undertaken due to amendments to the proposals. As a result of these notifications 11 objections have been received together with a petition attributed to 34 addresses on Craigweil Avenue, Parrs Wood Road and Aldwick Avenue.

The concerns raised by residents can be summarised as follows:

- The proposal will give rise to major issues with residential parking
- The use is likely to increase the use of the turning circle at the top of Craigweil Avenue.
- Extremely concerned that the proposal would seriously affect not only residents of Craigweil Avenue but also the cul-de-sac immediately opposite

on Aldwick Avenue given on one corner of Aldwick Avenue is an existing Funeral Directors and on the other Parrswood Pub together with the nearby schools.

- There is already a dangerous overload of traffic and parking in the area.
- Commercialisation of the area will detract from the quiet enjoyment which householders are entitled to expect and could also encourage other such future applications.
- Manoeuvring into and parking at or near the subject property will be difficult for prospective patients of the clinic. The location is not suitable for more intensive use.
- Historical planning application refusals for similar projects
- The rear of the property is open and dominant causing an over bearing visual appearance to the street from Craigweil Avenue

Head of Barlow RC School – Concerned about the impact that additional traffic will have on the local roads which are already busy at key times of the day when pupils are arriving and leaving the school site.

Highway Services - The ground floor of the proposed side extension will accommodate a small Osteopathy Clinic (treatment room, waiting area and W.C. facilities) whilst the first floor will provide additional residential accommodation. The clinic will be practiced only by the applicant with no additional staff to be employed.

Highways sort further clarification from the applicant in terms of the number of client visits together with intended residential / clinic allocation of car parking spaces.

Flood Risk Management Team – Raise no objections to the proposals.

Environmental Health - Have reviewed the application and raise no objections in terms of noise from the proposed clinic and confirm that the hours of opening applied for can be agreed. They are satisfied that the waste management arrangements would not be significantly different to those associated with the use of the property as a residential dwellinghouse.

Policies

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 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

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

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- 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 a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Policy DC1.3 states that Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

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.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

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

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

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.

Issues

Principle

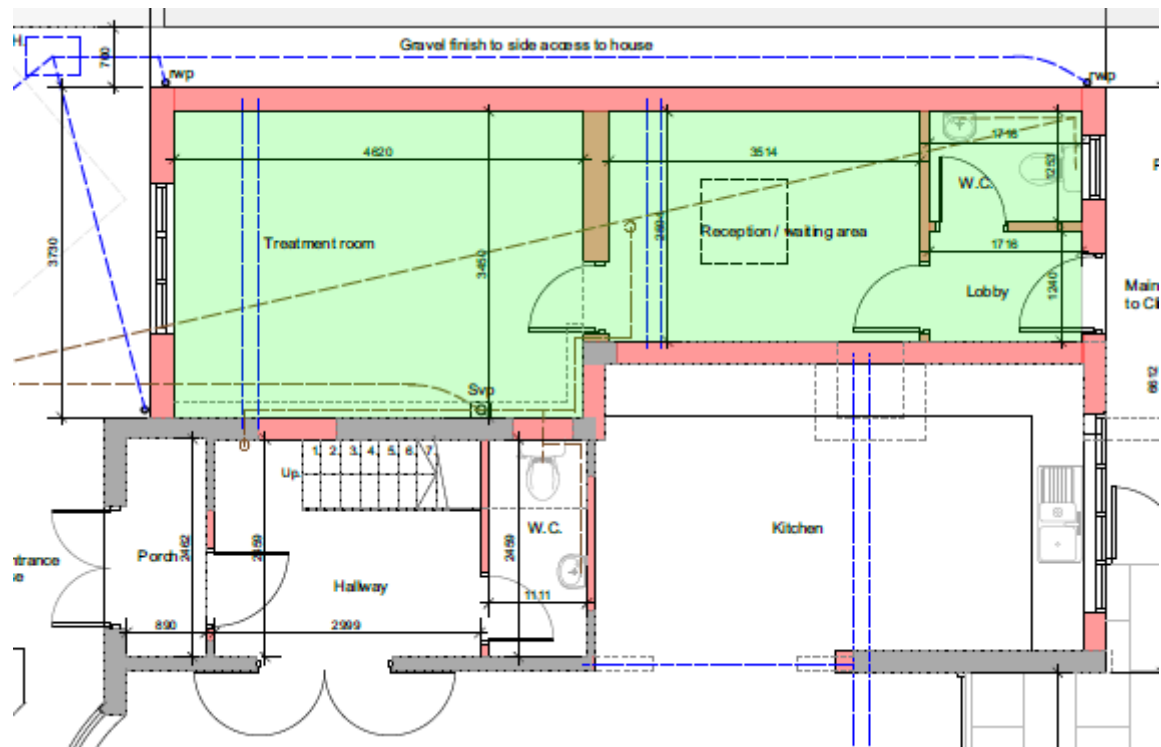
The principle of householders extending their properties to provide additional living accommodation is generally acceptable subject to further consideration of the impacts of proposals on residential amenity and the character of the area. In this instance as well as consideration of the proposed extensions to the existing residential dwellinghouse, the use of part of the proposed extension for a non-residential use also requires further assessment.

A householder could operate a business from their residential home without the requirement for planning permission where there is no material change of use. In this instance the applicant intends to reside at the property and utilise the extended ground floor to use as an Osteopathy Clinic this could potentially be undertaken without the requirement for planning permission. In this instance the planning judgement is that due to the increased activity and associated comings and goings planning permission is required for the additional ground floor use. Consideration of the planning merits of the use would allow control over how the property is used which would be absent if no planning permission were required. Consideration of the planning merits of these proposals are set out below.

Residential Amenity

Proposed extensions - The proposals that have been amended since they were first submitted are located to the side of the existing property. The proposed extension at ground floor would extend 3.7 metres from the existing side wall to the property,

would be set back from the front by 50cm and would have a depth along the Craigweil Avenue elevation of the property of 10.7 metres. The extension would be set in by 700mm from the boundary wall of the property and Craigweil Avenue.



Proposed Ground floor with treatment room and reception/waiting area and access to the rear.

The first floor element of the extension would be set back 1.5m from the front of the property and have a depth of 4.8 m along the side wall of the property. The existing projecting box bay window would be extended along the side wall to provide an enlarged bedroom.



Proposed first floor plan showing additional bedroom and enlarged bedroom 2.

The proposals do not introduce windows that would give rise to overlooking of existing properties, the side facing windows reflect the existing situation with the projecting box bay window and relationships across Craigweil Avenue towards number 367 Parrs Wood Road which contains similarly placed windows.

Due to the siting of the extension to the side, the proposed built form would not give rise to overshadowing or loss of light to other existing properties. As such it is not considered that the proposed extension would give rise to unacceptable impacts on the residential amenity of existing properties either through loss of privacy, overshadowing or loss of light.

Proposed use – The extension at ground floor is proposed to be used as an Osteopathy clinic arranged over a treatment room towards the front of the extension and a waiting room/reception towards the rear and accessed via a rear door.

The information submitted alongside the application indicates that the applicant intends to reside at the property and operate the clinic with no other members of staff on site and would utilise the use of a remote and off-site reception service. The existing dwellinghouse would remain in use as such with enlarged first floor bedroom and addition bedroom located within the extension. The clinic would operate on an appointment only basis and one client would be seen either as part of an hour long session or 30 minute follow up appointment. The opening hours proposed for the clinic would be 9am to 5pm Monday to Friday (except Wednesday 9am to 8pm) and

Saturday 9am to 1pm. Based upon the applicants submitted information and how it currently operates from current premises in Sale the average daily number of clients would be 8 although this may rise to a maximum of 13 if these were all 30 minute follow up sessions.

Off street car parking is proposed for two vehicles towards the rear of the property and would utilise the area currently given over to the large detached garage (which is to be removed as part of the proposals) and driveway which is currently wide enough to accommodate two vehicles. The applicant has identified this area for parking for clients accessing the services by car.

As such the arrangements proposed would see activity associated with the proposed use such as vehicles manoeuvring and clients accessing the clinic taking place from the rear of the property and from Craigweil Avenue. The objections received highlight that the area and surrounding area is characteristic of one with nearby schools, other commercial uses and located on and accessed from a busy road. The level of activity in this locality is therefore higher given these mix of other uses in close proximity to the application property. As such the introduction of a clinic operated in the way proposed is not considered to generate a significant increase in comings and goings into the area that would warrant refusal of the proposals.

In addition, the ground floor of the proposed extension would provide a lobby area between the rear door and the internal reception/waiting area which would reduce the potential for any noise breakout from internal rooms when clients were arriving or departing from their appointments. The presence of high boundary concrete walls both to Craigweil Avenue and the property to the rear would also assist in reducing observations of such activity.

It is proposed to attach conditions to any approval to ensure the proposed use of the ground floor rooms is operated in the way specifically described in the application by the applicant. This is to be achieved through specifying the identified rooms to be used in the way described on the application forms and through conditioning the hours of use of the clinic and in this instance given the way the applicant is proposing to use the property to impose a personal use condition to ensure that if the applicant were to move in the future the property would revert to one of a single dwellinghouse.

Character of the Area and Visual amenity

The proposals seek to reflect a built form that was considered acceptable for number 367 Parrs Wood Road located on the opposite side of Craigweil Avenue having the same corner relationship as the application property. The approval of the side extensions to number 367 were permitted in 2018 under the same planning policy framework as is currently the case.

The proposed extension has the same set back of the first floor element from the front of the property (1.5m) as those approved at number 367 but extends 90 cm less along the side of the property at ground floor and by 50cm less at first floor. Whilst the extension extends less at both ground and first floor along the side of the property the proposed extension is approximately 70cm wider than that approved at

number 367 Parrs Wood Road. The first floor enlarged bedroom would result in an extension of the box bay window at the side and would have a flat roof. Given the limited projection of this feature and that the existing situation has a flat roof to the bay window the extension of this feature along the side wall is not considered to significantly impact on the visual amenity of the area or the streetscene.

The retention of a 70cm gap to the boundary, the 1.5m set back and depth of the first floor extension, together with the use of materials to match the existing property it is considered that the proposed side extension would not give rise to unacceptable visual impacts on the character of the area or the streetscene.



Number 367 Parrs Wood Road and completed site extension

Whilst the area is one of predominantly residential properties there are commercial properties located in close proximity including a Funeral Directors and large public house opposite the site, together with a dental surgery located a short distance away within a former semi-detached property at 121 School Lane. The limited extent of commercial activity proposed is not considered to impact on the character of the area significantly.

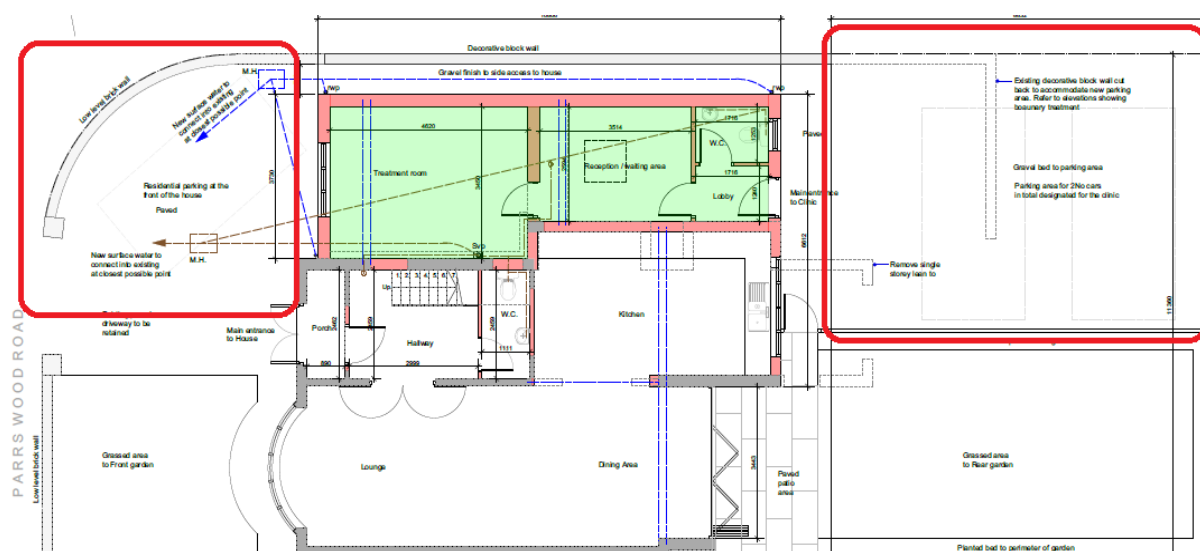
Parking

The application proposals incorporate three off road car parking spaces for the use of the residential property and the proposed ground floor clinic use. The existing front car parking space accessed from Parrs Wood Road would be retained for the dwellinghouse, whilst the rear two car parking spaces accessed from Craigweil Avenue would be available for clients of the clinic during opening hours.

These spaces are currently available and with the demolition of the existing garage located at the end of the driveway would enable the provision of further external private garden area for the application property.

The provision of one space for the residential property is considered acceptable and reflects the general off road provision to existing houses on Craigweil Avenue and Parrs Wood Road in the vicinity of the application property.

The provision of two off road spaces to the rear enables adequate provision to service the proposed clinic which is provided with one treatment room and there can provide only one appointment at anyone time with the potential for one client to be waiting. As such the provision of two spaces for the proposed clinic is considered acceptable in this instance. A suitably worded condition is proposed to ensure these parking spaces are available for the clinic whilst it is in use.



Proposed site plan with car parking to the front and rear highlighted in red

Waste

No concerns have been raised with regards to the waste arrangements for Class E use which is not considered to generate significant levels of waste. There would remain adequate space within the rear of the property to store bins associated with the property and for them to be presented on street for collection. In order to confirm the final details of a bin store an appropriately worded condition is proposed.

Residents Concerns

Objectors have raised previous decisions in the vicinity of the application property to suggest that the introduction of the proposed extensions and commercial use are not acceptable in this location.

In relation to the proposed extension regard has been had to recent decisions in close proximity to the application property for similar part single part two storey extensions. It is considered that the proposed extension has been designed to be subservient to the existing property including the provision of it being stepped in from

the front, having its roof ridge stepped down from the original house and being hipped and having a limited depth at first floor. The proposals as set out above are considered to be acceptable in this context and accord with the Councils adopted policies on residential extensions.

Concerns have been raised about the introduction of a commercial use in a residential area and that a previous refusal for the change of use of number 367 to a vets in 2001 sets a precedent to refuse the current proposals. That application sought the change of use of the ground floor of number 367 to provide a reception , waiting area, ward room, treatment room, consulting room and dispensary together with 5 car parking spaces across the garden area. The first floor was to be retained as residential flat. It is not considered that the scope of those refused proposals are directly comparable to the current application proposals which are proposed to be undertaken in a significantly reduced capacity based upon one treatment room and treatment of one client at any one time. As set out in the preceding sections in this instance and on the basis of the proposed conditions it is considered that the proposal is acceptable in this instance.

Conclusion

It is considered that the proposed extensions are acceptable and have been designed to be subservient to the existing dwellinghouse. The proposals would not give rise to impacts on residential amenity of nearby occupiers in terms of overlooking, loss of privacy, overshadowing or loss of sunlight and accord with the adopted planning policies for residential extensions.

The proposed ground floor use as a clinic would generate additional activity however in the context of the application property located along a busy road and in the vicinity of other commercial uses and schools it is not considered that this activity would be so significant as to warrant refusal of the proposals. It is proposed to limit the use of the clinic to the applicant given the specific way in which the clinic would be operated and this would be secured by way of condition and a personal permission. If the applicant were to stop operating from the premises then consent for the E Clinic use would cease.

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 considered in a positive and proactive manner as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any problems arising in relation to dealing with the application has been communicated to the applicant.

Condition(s) to be attached to decision for approval

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:

10 Rev A Ground floor plan as proposed

11 Rev A First floor plan as proposed

13 Rev A Elevations as proposed

All received by the City Council as local planning authority on the 18th December 2020

Planning Statement as received by the City Council as local planning authority on the 25th 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) The materials to be used on the external surfaces of the extension hereby permitted shall be arranged and match those of the existing dwellinghouse in type, size, colour and texture.

Reason - To ensure 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 DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) The Class E (Osteopathy Clinic) use hereby approved shall be confined to the treatment room, reception/waiting room as identified on the approved drawing only and no other part of the property.

Reason – In the interests of residential amenity pursuant to policy DM1 of the Core Strategy.

5) The Class E (Osteopathy Clinic) use hereby approved shall operate on an appointment basis only as set out within the approved Planning Statement as received by the City Council as local planning authority on the 25th August 2020.

Reason - In the interests of residential amenity pursuant to policy DM1 of the Core Strategy.

6) The Class E (Osteopathy Clinic) use hereby approved shall not take place outside the following hours:

- Monday to Friday 0900hrs to 1700hrs (except Wednesday 0900hrs to 2000hrs)
- Saturday 0900hrs to 1300hrs

Reason – In the interests of residential amenity pursuant to policy DM1 of the Core Strategy.

7) The car parking as identified on the approved drawings for the Class E Osteopathy clinic use shall be made available prior to the Class E Clinic use hereby approved first coming into operation and shall be retained whilst the use is in operation at the property.

Reason – To ensure adequate off street car parking provision is available in the interests of highway and pedestrian safety pursuant to policy DM1 of the Core Strategy.

8) Within 1 month of the demolition of the garages on site details of all boundary treatments to be installed at the property shall be submitted in writing to the Council as local planning authority. The development shall be carried out in accordance with the approved details prior to the first use of the Class E clinic and shall be retained in situ thereafter.

Reason - To ensure satisfactory boundary treatments are installed following demolition of onsite structures in the interests of residential amenity pursuant to policy DM1 of the Core Strategy.

9) The Class E(Osteopathy Clinic) use permission hereby granted shall be personal to the applicant and on the applicant ceasing to occupy the premises the use for which the permission is hereby granted shall be discontinued.

Reason - In granting this permission the City Council as local planning authority has had regard to the special circumstances of the applicant and the potential for other uses within Class E to have an adverse impact on the amenity of the occupiers of nearby residential property pursuant to policy DM1 of the Core Strategy.

10) The ground floor and the first floor rear facing windows to the WC's and en-suite, 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, (or any Order revoking and re-enacting that Order with or without modification), no extensions or additional development shall be erected under Part 1, Classes A (extensions), B (alterations to the roof) of the Order and no additional openings/windows/doors shall be inserted within the extension hereby approved, without the prior written express consent of the City Council as Local Planning Authority.

Reason - In the interests of residential amenity and to safeguard the character of the area, pursuant to policies DM1 and SP1 of the adopted Core Strategy Development Plan Document for the City of Manchester.

12) Prior to the first use of the extension hereby approved details of a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health pursuant to policy DM1 of the Core Strategy.

Local Government (Access to Information) Act 1985

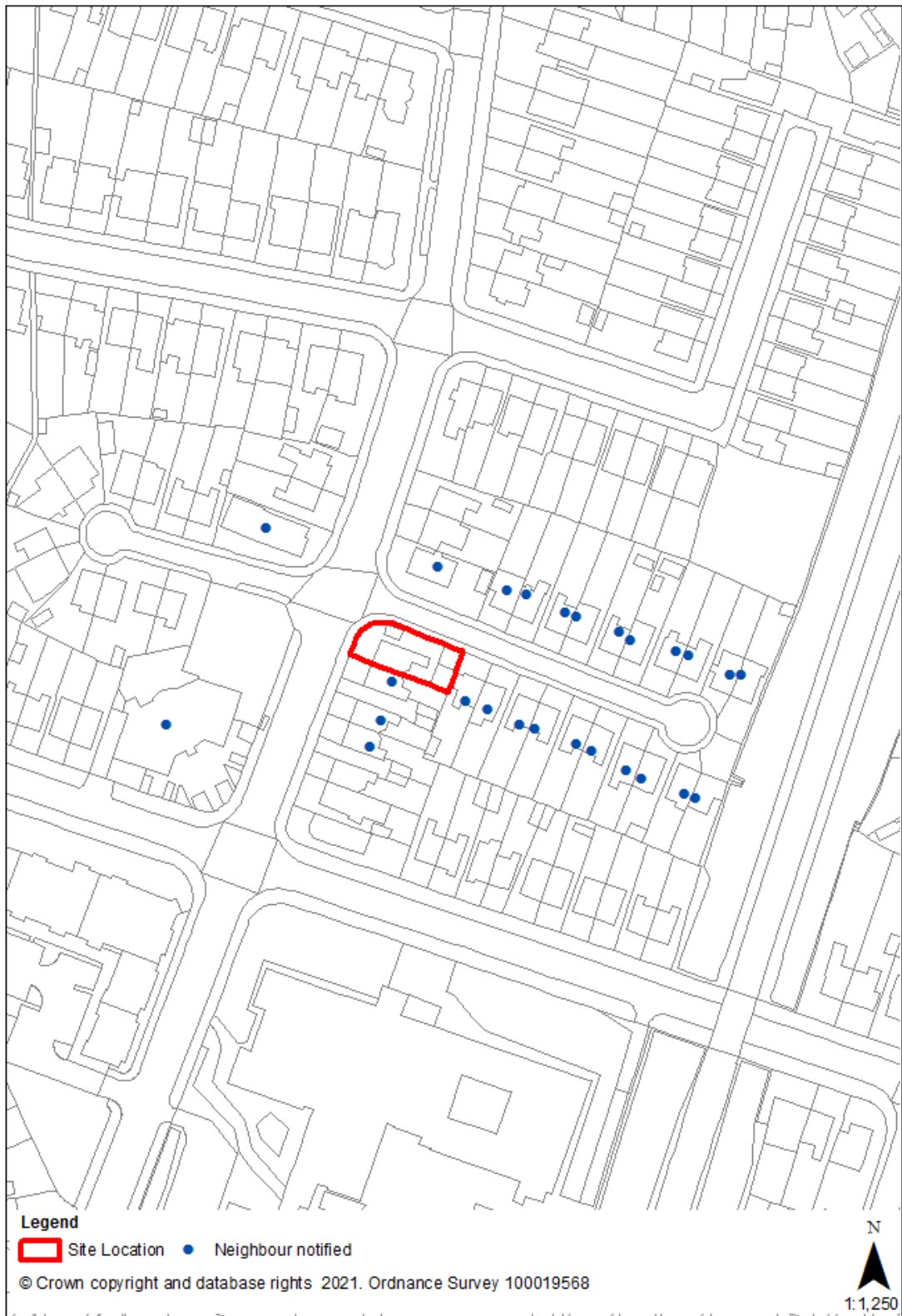
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 127566/FO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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**

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

Relevant Contact Officer :	Robert Tyrer
Telephone number :	0161 234 4068
Email :	robert.tyrer@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
121252/FO/2018	13th Sep 2018	18 th Feb 2021	Deansgate Ward

Proposal Partial reconfiguration of existing Multi-Storey Car Park (MSCP), including temporary access off Great Marlborough Street, construction of 5 storey external ramps, closure of vehicular access to top level; and construction of new facade; and partial demolition of the surplus part of existing MSCP and erection of a part 55, part 11 storey, part 4 storey mixed-use building comprising 853 Purpose Built Student Accommodation units (sui generis), ancillary amenity space and support facilities, and 786sqm (GIA) SME incubator workspace (Use Class B1), including public realm improvements and other associated work

Location Great Marlborough Street Car Park, Great Marlborough Street, Manchester, M1 5NJ

Applicant GMS (Parking) Limited, C/o Agent,

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

BACKGROUND

The Planning and Highways Committee deferred consideration of this application on 21 January 2021 to enable a site visit to take place

Since the January report was published, further information has also been received from Macintosh Village Management Company raising new issues which are set out in the full report. The applicant has responded to these comments and has provided details on affordability.

EXECUTIVE SUMMARY

The proposal would create 853 purpose built student accommodation units and 786 sqm of SME incubator workspaces within a part 55, part 11, part 4 storey building with associated amenity and support facilities.

Three rounds of neighbour notification took place due to amendments being made during this application. This generated objections from Macintosh Village Management Company (supported by 216 individual residents (first notification) and 425 individual residents (third notification)), Councillor Marcus Johns, Councillor William Jevons as well as 134 individual objections (73 of which supported the objections of the Management Company). Manchester Metropolitan University Support the proposal.

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, social and environmental benefits. This is a brownfield site, previously developed as a car park and is located in a highly sustainable location close to Oxford Road, the University Campuses and public transport modes and amenities. The proposal accords with policy H12. The proposal has University Support, is sustainable and provides an appropriate standard of accommodation (including supporting the wellbeing of students) and meets carbon objectives.

Economic The proposal would result in £130 million of investment and deliver 853 student rooms. The ability to attract students, particularly as a high proportion of graduates stay in the City once they have finished their course, is vital to a successful and thriving economy. 3,130 direct and indirect construction jobs are expected to be created. 15 jobs would be created once the development becomes operational together with 52-79 jobs associated with the SME space.

Social A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. The provision of high quality student accommodation is vital to attract the right skills to the city given the high graduate retention rates. Amenity areas in the student accommodation and the SME spaces would allow for interaction and sharing of ideas and well as supporting student welfare. 42 rooms would be available at a discounted affordable rent.

Environmental This would be a low carbon building in a highly sustainable location. The development would be car free with active travel and use of public transport encouraged. 290 car parking spaces would be removed from the site which would reduce emissions and EV charging points cycle spaces would be provided. There would be public realm improvements around the site through the provision of trees and hard landscaping. Biodiversity would be improved with new habitats created including bird and bat boxes. Flood risk can be managed and the adjacent watercourse utilised for drainage to minimise the pressure on the local sewer network. The ground conditions are not complex or unusual for a city centre site.

The height, scale and appearance would be innovative and contribute positively. Secured by Design principles would ensure the development is safe and secure. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

Impact on the historic environment Any harm to heritage assets would be less than substantial and would be outweighed by the economic, social and environmental public benefits of the scheme, in accordance with the provisions of paragraphs 193, 194 and 196 of the NPPF and section 72 of the of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact on local residents The impact on daylight/sunlight, overlooking and wind conditions are considered to be acceptable in this context. Construction impacts would not be significant and can be managed. Noise outbreak from plant would meet relevant standards and the operational impacts of the accommodation can be managed.

A full report is attached below for Members consideration.

Description

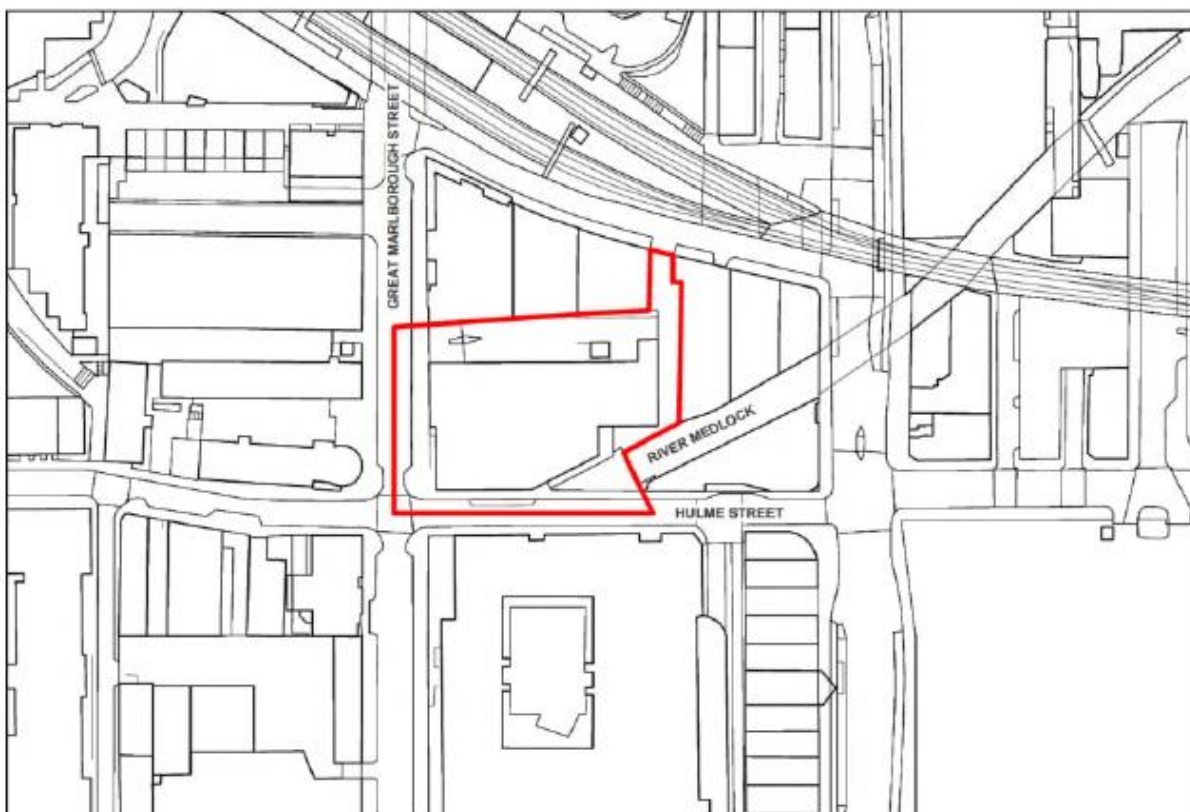
The site is approximately 0.22 hectares at the corner of Great Marlborough Street and Hulme Street and comprises a 5 storey Multi Storey Car Park (MSCP) and ground floor commercial unit. Vehicle access to the MSCP is from Great Marlborough Street. The site is within 'The Corridor Manchester' which is a major regeneration priority.

Macintosh Village, an established residential community, is on the opposite side of Great Marlborough Street. Liberty Heights and 1-5 New Wakefield Street are to the north and north east and provide high-rise purpose-built student accommodation on New Wakefield Street. This area contains residential and commercial developments which provide an active frontage to the railway viaduct.



Existing MSCP at the application site

To the east of the site is the Holiday Inn Express and the River Medlock and a range of commercial, retail and leisure uses which front Hulme Street.



Location plan

The site is not within a Conservation Area but owing to their age and format, some buildings in the local area could be considered to be non-designated heritage assets. The Whitworth Street Conservation Area is to the north east and the following listed buildings are nearby, the Former Refuge Assurance Company Offices (the Principal Hotel) Grade II*, Oxford Road Station and platforms, the Dancehouse Theatre, the Dalton Statue at Dalton College and Chatham Mill, all Grade II.

This is a highly sustainable area close to Oxford Road station with Deansgate/Castlefield Metrolink Station and Deansgate Station are nearby.

The Proposal

The site contains a lower ground and 5 storey 391 space MSCP and a commercial unit fronting Hulme Street and Great Marlborough Street. Approximately 100 spaces within the car park are subject to long leases.

Planning permission is being sought to reconfigure the car park to provide 101 spaces, 20% of which would be fitted with an electric car charging point, (a loss of 290 spaces) with modification to its height and elevations. A 64 space secure cycle store would be created specifically for use by local residents.

Between 30-40 spaces are currently in use at any one time, however, it is understood that there a leasehold arrangement for 100 spaces. The proposal would retain the spaces which are subject to the lease arrangement and would be kept operational at all times in line with the current provision.

The changes to the car park would allow the erection of a part 55, part 11, part 4 storey mixed use building providing 853 purpose-built student accommodation units. The accommodation comprises individual studios with kitchen, shower, study area and sleeping accommodation. 9% of the development would be adaptable and suitable for those in a wheelchair.



View from Hulme Street

99% of the room sizes would range between 17.2 sqm and 27.3 sqm. Room sizes at Vita (Circle Square (18.2 sqm)), River Street (18.6 sqm) and Liberty Heights (18.8 sqm). The proposal would provide the largest average room size of these schemes with over 97% of the studios exceeding 18 sqm.

The building would include a range of amenities including gym, private dining rooms, laundry, TV and games rooms, study areas and seating areas totalling 582 sqm.

262 cycle spaces would also be provided at the ground floor store with direct access from the street. 60 bikes would be freely available to students for those who do not have a bike.

Incubator workspaces would be provided, which would also be accessible to students, providing a unique opportunity for students to work alongside SMEs in a professional and collaborative environment.

The applicant also has an events programme specifically designed to support the physical and mental wellbeing of students and actively promote social interaction and the use of the onsite facilities.

The proposals include public realm improvements along Hulme Street and on-street planters on Great Marlborough Street. A dedicated ground floor bin store would contain general waste and recycling bins.

The planning submission

This planning application has been supported by the following information:

- Supporting planning statement;
- Tall buildings statement;
- Design and access statement;
- Environmental standards statement;
- Travel plan;
- Waste management plan;
- Telecommunication assessment;
- TV reception statement;
- Crime Impact Statement;
- Archaeology;
- Ecology Report;
- Ventilation strategy;
- Student well-being strategy;
- Statement of community consultation;
- Energy Statement and Environmental Standards Statement;
- Market report;
- Environmental Statement non-technical statement; and
- Consultation responses.

The application is also the subject of an Environmental Statement which includes the following chapters:

- Construction methodology and programme;
- Consideration of alternatives;
- Townscape and visual impact assessment;
- Built Heritage;
- Noise and Vibration;
- Sunlight, daylight and overshadowing;
- Traffic and transport;
- Flood risk, drainage and water resources;
- Wind microclimate;
- Air quality;
- Ground conditions and contamination;
- Socio-economic assessment; and
- Climate change.

Consultations

The proposal has been advertised as a major development, as being of public interest, as affecting the setting of Listed Buildings and Conservation Areas together with being an EIA development. A Site notice was displayed. Notification letters have been sent to an extensive area, local residents and businesses.

Three rounds of neighbour notification have been carried out. The comments received can be summarised below.

First notification

Macintosh Village Management Company

A detailed objection from Macintosh Village Management Company was received supported by 216 residents (80 have a car parking space in the MSCP). This is a lengthy objection and summary is provided below:

Residents have created homes in the area and contributed towards creating a neighbourhood. This has produced significant Council tax contributions, with some buildings being 100% owner occupied. Service charges have contributed towards creating and maintaining this residential quarter of the city. These service charges are not sustainable as purpose-built student accommodation in the area increases. The proposal would create a high concentration of sui generis accommodation with over 72% of accommodation within 100 metres of the site within this established residential area.

Crime has increased by one third since the opening of Liberty Heights. Macintosh Village is a successful and vibrant residential neighbourhood. The density and largely regular building form of the Village, together with its narrow street, would mean the impact of a tall built such as this would be dominate, remove daylight, privacy and overlook.

This tall building, with a 165 metre cladded gable end would turn its back on our neighbourhood. In turning its back to the neighbourhood, it would present large frontages in parallel to the 37 storey Liberty Heights and the Quadrangle creating canyons. This would create new microclimates into Macintosh Village accelerating south westerly and north easterly winds. This would make standing, siting and cycling unsafe particularly in winter. Many of the public spaces, balconies, gardens and shared spaces have not been included in the wind assessment and Unite and Circle Square were added retrospectively. The methods and findings have not been presented and no mitigation is proposed.

The applicant plays down the requirements of Policy H12 and does not have the support of the Universities. The proposal is a niche product that does not meet the needs of the majority of students. It would affect the potential of the area to create family accommodation. It would change the residential neighbourhood of Macintosh Village and result in an unacceptable loss of amenity. The proposal is not compliant with plans or policies for this area and should be refused.

This applicant attempts to claim precedents for tall building in this residential area with a tight urban grain. There are no material considerations for precedents in

planning. The location for a tall building is further challenged as the site is not a key nodal point on the corner of either of the four nodes of the grid street pattern that frames Macintosh Village: Oxford Road, Oxford Road Station, Chester Street or Cambridge Street. The site is in the village and some distance along the narrow Hulme Street.

The building is over dominant and out of scale with its surroundings. How many landmarks does a 100m radius of the site needs before they work against each other and produce a harsh discordant mix.

The application would result in a cluster of tall buildings. A cluster of tall buildings can offer shelter to one another and push the windy areas to the edge of the cluster. The site would be at the edge of the cluster and be particularly exposed to the prevailing south west winds and cold north easterly winds. The north easterly wind would shoot directly across Oxford Road where those standing, sitting and vulnerable pedestrians (cyclists) would be significantly at risk. This is also replicated at Oxford Road Station. Two independent wind surveys should be carried out together with a wind tunnel analysis along with other criteria outlined in the objection letter. This would ensure the technical quality and robustness of the wind statement.

The substantial architectural and design challenges of this site result in a building with large frontages exposed and this accelerates the most sensitive wind directions. The applicant has not correctly modelled nor identified streets, buildings nor considered issues identified in the local area or any mitigation measures.

Similar proposals have been refused at 20 storeys and this proposal is for 55 storeys. Buildings should be developed in similar style and height to the existing buildings. The building would also overlook and overshadow nearby buildings and detract from the listed former Refuge Assurance Clock Tower and Oxford Road Station.

There are impacts from 'no car buildings' and impact on crime.

The design and choice imitation brick cladding will affect the articulation of the mills and chimney including those which are grade II listed. The application introduces a harsh discord with the use of imitation and unavoidable uniformity of mortar and fake brick cladding which would detract from both old and the new.

The proposal would cause overlooking with the back to back distances being below 20 metres as described in the residential quality guidance. Living rooms and balconies from the Quadrangle overlook Hulme Street. The applicant acknowledges material reductions in daylight and sunlight levels from the massing and height of the building. The Quadrangle would be shrouded by a development which faces 45 degrees either side of north and is impacted further by the development being within 20 metres of it.

The tall building would negatively impact on the character and atmospheric quality of the buildings in the area, narrow streets, patios, gardens and shared spaces. The applicant has not considered all relevant properties in the area and the impact of the development on daylight and sunlight.

The design and access statement is inadequate and does not consider the impact on existing residents and car parking. There was inadequate consultation with local residents prior to the submission of the application.

Residents are concerned with inflation of land values in relation to building tall buildings. By flipping purpose built student accommodation projects so quickly, it is clear the market returns and operating models exceed those of the market. The applicant appears bullish on the land parcels around the site and this is of great concern. The applicant is attempting to reverse the Macintosh masterplan and create a densification of student accommodation within a residential neighbourhood.

Obtaining planning permission on this site would inflate the land value and improve the viability and deliverability of the scheme. This is contrary to policy EN2. The distortion of land value in the city and surrounding area affects all schemes. It is crucial that the deliverability of the proposed tall building is proven. Unimplemented planning permissions for tall buildings can have a significant impact on land value and can distort the market in an unacceptable manner. This can hinder development of other sites and impact their deliverability and regeneration of an area.

There are ground conditions risks and flood risks. There are also air quality risks from demolishing the car park creating dust in the residential area.

The applicant presents 'The Fallowfield Fallacy' as a way to support their proposal. Their product is niche and does not meet need in affordability or space the students using HMOs in areas like Fallowfield would require. The impact on student accommodation has been felt on this area. When Liberty Heights opened, crime and anti-social behaviour increased. A balanced neighbourhood has many benefits – Council tax creation directly attributed from residents. If properties are occupied by students, this is no longer sustainable. Students are Council tax exempt and it puts a strain on local services such as health. These problems are heightened in areas where between 20-40% are student households. Once the 20% threshold is reached problems become hard to manage. The Councils policy is 10% threshold.

The proposal does not comply with policy H12 for the following reasons:

- Proximity to public transport – students use UBER and not public transport as it evident from experiences at Liberty Heights due to fear of crime. This blocks carriageways and disrupts available on street parking;
- Regional Centre (including Oxford Road) and low carbon developments – the proposal is not sustainable and does not generate green energy sources;
- High density developments comparable with existing developments and not lead to on street parking - the proposal would lead to a high concentration of students – 72% within 100m of the site. No parking would be available which would lead to use of on street bays and congestion by UBER and taxis which is already an issue in the local area.
- Regeneration – the proposal would have a negative impact on the local area from wind, overshadowing, loss of privacy and daylight.
- Safety and security – as above;
- Waste management is inadequate for the development;

- Need – the applicant market is international students. The price point would not be available to most students and would remove adaptable rooms. There is degree of uncertainty to justify the need for the accommodation.

73 individual comments have been received which support the objections of Macintosh Village Management Company.

20 individual objections have been received and the comments can be summarised as follows:

- It would disrupt access to the car parking spaces in the MSCP;
- It would overshadow neighbouring buildings which would affect residential amenity.
- It would substantially dwarf the student castle building and is far too large;
- It would increase noise, traffic and would be out of place in the local area;
- It would result in a loss of privacy from overlooking;
- It would cause a wind tunnel effect within Macintosh Village and this issue has not been properly taken into consideration;
- Despite its brick façade it would not complement the local area and would stick out amongst the other buildings in the area;
- The exit/entrance of the car park on Hulme Street causes issues of manoeuvrability;
- There has been a lack of consultation with those who have a car parking space in the building;
- It would cause 4 years of disruption in the local area along with the other developments in the local area;
- There is not sufficient demand for student accommodation in the area as there are no actual increases in student numbers;
- There would be unacceptable impact on Chorlton Mill as a result of loss of light and loss of privacy from overlooking;
- It is 40% taller than Liberty Heights which is excessive and would have an impact on nearby listed buildings. The prevailing character of the area is 8 storeys;
- It would impact on resident's mental health and affect the value of properties;
- The scale would reduce the amount of natural light which can be seen from nearby residents windows;
- There is a lack of services to support students and they would create rubbish, noise and crime. The students do not pay Council tax and therefore do not contribute to the services which are required to resolve this;
- This part of the city is turning into a student ghetto and in the summer months it is empty in this area which contributes to the lack of community. There needs to be a greater focus on housing for everyone not just students and luxury flats;
- A smaller proposal would be acceptable that would be 9 storey and focused on SME accommodation or affordable housing;
- The proposal would have a negative impact on the surrounding listed buildings;
- The accommodation is small the impact on student wellbeing is concerning;
- It is not clear what impact will be on the leaseholders who park in the car park;
- It is not clear if the proposal would interfere with TV reception in the area;

- The current car park height is in keeping with the scale of developments in the area. At 55 storeys, this development would be one of the tallest buildings in Manchester and there would be 100s of window overlooking residential properties resulting in a significant loss of privacy;
- It would cast a significant shadow on the Quadrangle eliminating any natural sunlight and a drastic reduction in natural light;
- It would result in an overdevelopment of a very small site;
- The student accommodation is like a small cell with no room for interaction within each room and no shared student living spaces. This would be detrimental to the wellbeing of the students;
- There is only one single escape stair which poses a fire risk;
- Bikes would need to be carried up a staircase which is a fire risk;
- Dispute the level of occupancy of the car park suggested by the applicant;
- The cost of the accommodation being created at this development would be out of reach for most students.

Second Notification

Following receipt of additional information relating to the size of the studio apartments, amount of amenity floor area, cycle provision and co workspace a further notification was carried out.

30 individual objections have been received and the comments can be summarised as follows:

- It would take away car parking spaces where there is already limited;
- The size is excessive, would be out of keeping with Macintosh Village, the conservation area and would be a huge eye sore in the Manchester skyline. The visual impact would be overwhelming with the building overshadowing a densely packed residential area. There is no case for such a tall building;
- The access from Hulme Street would have impact on the junction with Oxford Road. Hulme Street is also too narrow to accommodate the traffic on this road;
- 853 students would create intensive food and internet deliveries together with Uber and Taxis. This would lead to congestion and worsening of air quality;
- It is not clear how residents would access the car park during construction and operational phases;
- There is no contribution to the public realm and rely on other planned developments in the area for this;
- Noise and disturbance from vehicles in the area;
- Loss of privacy to the apartments in the Quadrangle;
- Lack of demand for student accommodation given the number of blocks being developed in the area;
- There would be impacts on light to a number of surrounding developments;
- It is too tall and would be a precedent for other tall buildings;
- It would impact on property prices in the area;
- There would be 20 metres or less between the proposal and surrounding living accommodation at the Quadrangle this would impact on light and block views;

Third Notification

Following receipt of additional information relating to the MSCP (including retaining of the entrance to Great Marlborough Street), reduction of spaces to 101, elevational alterations to the MSCP, introduction of a four storey amenity block to Great Marlborough Street, revision to the Energy Strategy, revisions to the waste management strategy, revisions to the lay by to Hulme Street, introduction of electric car charging points and cycle provision to the MSCP, internal alterations to the student accommodation, introduction of art work to the Great Marlborough Street elevations and details of a student wellbeing strategy. Amendments and revisions were also made to the Environmental Statements (ES).

The third notification was subject to a 30 day consultation and publicised in the press as information was received under the EIA Regulations. This information was also the subject of a 21 days re-notification with local residents.

Macintosh Village Management Company

A further detailed objection from the Management Company was received supported by 425 residents. This is a lengthy objection and summary is provided below:

- The revisions are significant and should be subject to further consultation with residents by the applicant;
- MSCP: There are concerns with regards to the means of access to the MSCP, number of spaces, Easements / private rights of way issues, removal of street level access to car park due to engine room, ramps only 2m wide from Student Castle and Wakefield House creating an 'alley' for residents to access the cycle store, the number of disabled spaces is reduced from 20 to 5, the location of the five disabled space on the plan appear at the furthest points on each floor from access and fire escape, two way ramps system and internal traffic light system for safety has been removed for one lane ramps;
- Highways and logistics: Hulme Street distance with hoardings 4.6 m means 2 cars cannot pass, further details on temporary car park access required including - Entrance and exit points, dimensions from crossroads to entrance/exit, total length of the pavement/highway dedicated to these entrance / exit points from the edge of the building to include at least two cars stacking, gradient of the hill for these locations and mitigations for cars rolling backwards, crossroads correctly describing as narrowed and those dimensions included and fire escapees/strategy, further details on the cranes including location and need for road closures and how this would affect access to other car parks; clarification on demolition and a structural survey should be undertaken on the car park;
- Mitigation measures: Question whether mitigation measures for reducing anti-social behaviour have been removed along with mitigation of mirrored walls and 'harm' to nursery, treatment to windows with regard to overlooking/light pollution, whether the windows are fully openable and are noise mitigation measures required, clarification on waste management arrangements;
- Wind: Request for street and building locations together with mitigation measures and how the scheme interact with an unplanned cluster in close proximity;

- Due to timeframe since 2018 application – request current verified views are updated;
- A condition was moved from Student Castle V1 to the MSCP for 84 cycle spaces and other items. This was to facilitate the proposed reception area as a cycle store converting to an internal use only gym. Can the applicant confirm this condition will be continued and are in addition to the 64 cycle spaces net new cycle spaces. They are described for “residents”. Is this exclusive to Macintosh Village and not Student Castle V1? Which cycle store will house the 64 cycles for Macintosh Village? Will cycle store house the conditioned 84 cycles for Student Castle V1?;
- Clarification regarding the energy tariff referenced in the energy strategy;
- Contamination – requests details of containment strategy and safety during temporary car park and whether ventilation plan and mitigation for car park remains;
- Contract parking rights – states these are leaseholder rights and covenants. Would like to see advice from agent and officer;
- Delivery: All residents of Macintosh Village were promised by Taylor Wimpey of a future option to purchase a car park space or additional space;
- Restrictive covenants exist on the land;
- The car park was acquired with long leasehold rights and conditions;
- Taylor Wimpey affirmed this was a car park without development gains during negotiation and did not transfer assignment to GMS of any material rights or reservations under the leases owned by the 999-year leaseholders;
- GMS has a lack of legal rights to pursue the application due to the inability to carry out any permission;
- The car park works will be detrimental to payment of residential mortgages due to the impact on the lease;
- The development works and reduced Car Park would constitute substantial interference with the right of way, right to park and permanent loss of access/amenity. The Lease (which GMS are not party to) does not in itself permit redevelopment of the Car Park in a way which would reduce the number of car parking spaces potentially available to the tenants, who are 999-year leaseholders;
- Taylor Wimpey affirmed this was a car park without development gains during negotiation and did not transfer assignment to GMS of any material rights or reservations under the leases owned by the 999-year leaseholders. The estates were transferred to the RMC MVML. GMS was not party to the block lease, has not taken on an assignment of the lessor’s interest, and is not a person entitled to the reversion immediately expectant upon the determination of the term. GMS does not fall within the definition of “Landlord” (in relation to 102 long leaseholders with a right to park) and would not take the benefit of the material rights reserved under the lease;
- Ability to deliver within 3 year life of permission;
- Legal opinion confirms Actionable Interference via Injunction(s) will be granted;
- Deliverability of proposals in context of Policy EN2 and H12;
- Principle of development: Need to retain existing car parking spaces, need to retain existing commercial unit, proposal is not in accordance with policy H12;
- MSCP: MSCP impacts on residential amenity on dwellings in Wakefield House, concern around structural integrity of MSCP, MSCP Circulation

reduced to one way, proposals are not in accordance of proposals with Macintosh Village Masterplan; inappropriate access arrangements to the MSCP, the service charge will increase, inappropriate for scope of Operational Management Strategy to be agreed at a later date;

- Design: Inappropriate location for tall building in the middle of a small residential street and not key nodal point for its height, tall building design – requirement for podium or set-back, poor quality design and inappropriate pastiche of factory chimneys, impact on existing residential uses, dead frontage along GMS, the proposals offer no contribution to place making;
- Waste: Waste Strategy not in accordance with guidance, inappropriate location of waste storage and unacceptable noise impacts;
- Construction: Crane exclusion zones will prevent safe construction, requirement to leave slew brakes off while unattended and oversailing will not be accepted by HSE, inability to control contamination impacts during construction and length of construction period;
- Restriction to one way along GMS and Hume Street and waste Collections will block Hulme Street;
- Concerns around noise emanating from openable windows;
- Heritage: The group of heritage assets in the area face harm from the out of scale ratio in the form of a pastiche. The policy framework states that the 'significance of any heritage assets affected, including any contribution made by their setting' should be understood in order to assess the potential impact of any development. The applicant has failed to understand this. The use of a pastiche design next door to the group of heritage assets is certainly not complementing (nor contrasting) and is not supported at local policy level EN3. What is not cited is how valued this group of local heritage assets is to us the community and how much we want to maintain its setting;
- Our mills and chimneys grouped together add a rich diversity to the local sense of identity that is Macintosh Village. Their role is as a focus of our community and community value. We can differentiate the old and the new for a very important reason. All those who have come to be welcome One Cambridge / Assembly Rooms, UNITE Tower, Student Castle 1 and Hotspur Press have intentionally sought to use massing and materials to contrast with the red brick of our heritage assets and the built environment. They have not sought to imitate, nor have they offered an unwelcome pastiche of the local heritage assets and our neighbourhood and homes;
- Creation of an unplanned cluster;
- Wind Micro-climate: Existing wind conditions haven't been suitably considered in the assessment.
- The proposal is likely to modify the local wind environment and create some localised wind accelerations at pedestrian level
- Bus stop location on Oxford Road wind environment not suitable to meet the 'standing' criteria;
- Commitment to energy tariff not enforceable;
- The application is not utilising an industry defined CHP system. The application is not deploying a Building Management system (BMS). The building will be relying primarily on fossil fuel source of gas for circa 80% of the energy required. The building will have no latent or spare heat capacity to feed into the decentralised system nor has indicated any spare capacity in its energy statement;

- Members should receive a copy of their legal advice, and a more professional and accurate record of the impact for the developer, given residents would be successful in injunction (the possibility must be understood by Members);
- A 6 year construction plan has been communicated to residents. The 3 years within the report was a fictional plan and is misleading
- The price point was issued in the consultation documents stating £275 per week so it needs to be in the document and link to profitability and a more transparent S106. The committee report suggests the applicant is borrowing £150 million but is yet to land on a business model or price point?
- A legal offer was made during the second consultation of a direct payment to Macintosh Village Residents after sharing street crime CCTV footage and the acknowledgement that anti-social behaviour will increase pro rata with the increase from student caste V1 before they sold it;
- The statement regarding the track record of the applicant is biased. They no longer own student castle and a balanced report would inform members know of their track record of selling every 3 years;
- There are deliverability challenges and highways have said no access nor use of Hulme Street for cranes. The applicant says they will not use a tower crane as HSE would not allow residents to use the car park. So where is the crane shown on the construction plan during residents consultation 2 and 3 going to go?
- A miscalculation with the UNITE scheme regarding access for the crane and site was made and the whole road was closed for the duration. You cannot close Great Marlborough Street for the duration nor use or access Hulme Street so where is the evidence of deliverability?
- The report does not reference the previous planning refusals in the area for over dominance of a tall building not on a podium;
- The report does not reference the Manchester Residential Design Guide;
- The report does not reference Part L of the Building Regulations that does not allow the use of an energy tariff to pass sustainability.

The Macintosh Village Management Company have raised the following additional comments on the verified views within the application. They believe that the impact of the scheme on the local community and landscape is no longer close to being an accurate representation. The verified views are out of date and do not represent the built environment nor committed developments. The process uses the Guidelines for Landscape and Visual Impact Assessment (GLVIA) but fall short of compliance with the 2013 and 2019 guidance. They are no longer using real world photographs of the current streetscape/landscape and information is provided to this effect including photographs to demonstrate these points.

The applicant's assessment utilises the guidance and evaluation criteria set out in the Guidelines for Landscape and Visual Impact assessment (3rd Edition) 2013 which was replaced with TGN 06/19 in September 2019 with a grace period of a month. The ES statement confirms they have used a non-compliant 24 mm lens, cropping and viewing distance 300 mm when printed at A4. The committee or public will not be able to assess the impact of the scheme with the current out of date and inaccurate view alongside the Guidelines for Landscape & Visual Assessment.

Accurate Visual Representations (AVRs), or Verified Views, are highly accurate three-dimensional photomontages. They use computer generated images (CGI) to create a precise model, and then use site data to accurately position the proposal in a real world photograph, blending the two seamlessly. GPS survey data and professional photography equipment help AVRs to depict the size and scale of a proposal precisely. In UK planning, the images follow rigorous methodologies set out by the Landscape Institute which ensure consistency throughout. Accurate Visual Representations are divided into four classifications, each one increasing in detail, from AVR0 to AVR3. Each class is used to answer specific requests from planning authorities. MCC as the LPA and the applicant agreed to the Landscape Institute standards as per scoping opinion and ES statement.

The verified views do not assist the public, the planning process or committee members. They mislead, they are not real world images of the current environment nor close to representing their own building. Occupied buildings are represented as wireframes/pen outline. Occupied buildings like UNITE tower are drawn at the wrong height of 30 versus 32 storeys. The proposal has been represented in a number of images as a white/translucent versus the red brick render. When printed with a 300 DPI printer this white/translucent tower disappears into the blue sky and cumulonimbus clouds. This removes the impact and fair assessment of the impact of an extremely tall red brick building on the wider and local landscape. A forced perspective and cropping has been used/effect of 24 mm lens which means existing buildings do not line up when the view is held up in front of a person. In extreme example views on Whitworth Street, the tower gets taller the further it is away, which is evidence of image manipulation and a 24 mm cropped lens. On Oxford Road Viewpoint 1 extreme examples of lowering & stretching of MMU buildings and lowering of Liberty Heights as it exists.

Only AVR-0 / AVR-1 images have been used which for an application of this scale and impact does not stand up to scrutiny. By now and at the advanced stage of one of Manchester's tallest buildings we can expect AVR-3 images to assist the public and planning committee. Alternate times of day, shadowing and full rendered building with local views as well as from wider perspective. No images are presented around the building on Hulme Street or Great Marlborough Street where the proposal is located. The images cannot be printed to A3 / A4 and due to the use of cropped sensor and 24 mm versus 50 mm lens, do not allow the public and planning committee to use these views to assess the scheme. A nonstandard 24 mm lens and viewing distance of 300 mm for a person to use on site has been used. The photographs predate July 2018 a lot has changed in the skyline/landscape and also the committed environment. Since the views were identified, the GLVIA, has expired its grace period on the new standard and minimum requirements issued around TGN 02/17 September 2019.

The applicant and their agent will be well aware that failure to follow such guidance, will risk requests for further information during the consultation process. Matters brought to the attention of the planning officer by interested parties evidencing errors of fact or procedure can, if ignored, be challenged at public enquiry (or judicial review).

Commentary is provided on each view and examples of forced perspective identified. In extreme cases i.e Viewpoint 4 & 15 the tower increases in height the further away it is. Cropped sensor images have been placed in the wrong order. Evidence shows the existing, occupied PLUS baseline is not represented let alone the higher test of accurately represented. Print the images at A4 produces extreme pixelation. In the images in the application and planning officers report the white/translucent tower disappears. There are no local views to assist the public nor planning committee to assess the impact on the local and immediate community. A 24 mm lens setting has been used at a viewing distance of 300 mm when printed at A4.

Viewpoint 1 - "Oxford Road Existing" & Proposed - this is not the existing view of Oxford Road. Oxford Road is now enclosed by Circle Square and UNITE frames the left side of the street towards St Peters Square. Correctly represented at 50 mm the public and Committee would clearly see this will arrest your view and pull a common approach to the left and away from the key nodal points which have landmarks. The words below the viewpoint admit this in reference to UNITE Tower 1-5 New Wakefield Street and Circle Square but has omitted them from the verified views. The uniformity and enclosure of Oxford Road by existing developments would highlight the irregular intervention of the proposal and has been completely omitted. "Oxford Road Proposed" uses wireframes/crayon and has used AVR 0 representations not the advised AVR 3 to allow full scrutiny. The photographs can not be printed in A4 to aid planning committee nor do they contain the minimum standard on each page as per GLVIA guidance. When holding this at 300 mm the view on site cannot be verified. Irregular cropping and forced perspective has been used. No GPS data nor camera data is submitted with the file. A 24 mm has been used rather than an updated GLVIA spec of 50 mm..

Viewpoint 3 - Charles Street Existing & Proposed - text quotes "the dominance of Circle Square" and UNITE tower 1-5 New Wakefield Street but has omitted these occupied developments (as cited by planning officers report) from verified views. Uses AVR 0 for proposed verified views versus AVR 3.

Viewpoint 11- Omits developments and used a white/translucent colour versus red When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3.

Viewpoint 24 - Omits development now occupied of MMU Art Development and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3.

Viewpoint 12 – Omits occupied and committed development and that the Grade 2* listed Refuge Hotel will be severely affected as the current baseline landscape is not photographed. The Refuge Building is just about visible in the current setting and the application will appear to climb on top of the bell tower closest to Charles Street. They have used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This affects the report from Historic England and public scrutiny on the affect on the setting of the Grade 2* listed Refuge Hotel. Forced perspective and cropping is obvious when photographed with the scale of UNITE tower. Impossible to

align verified view over the existing building line using 24 mm rather than a 50 mm camera at 1.6 m height as per EIS.

Viewpoint 9 - Omits development and used only AVR-1 CGI versus red brick. Uses AVR 1 for proposed verified views not AVR 3.

Viewpoint 4 & 15 have been combined — One view uses AVR 1-CGI not render and one view white/translucent tower. Forced perspective is clearly evident. Viewpoint 15 is further away and yet the proposal is higher. Omits development and uses a white / translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3.

Viewpoint 6 - Uses 24 mm rather than 50 mm to avoid impact on Grade 2 listed Oxford Road Station being assessed. Uses AVR-1 CGI versus AVR 3.

Viewpoint 7 - A critical image to assess Historic England's concern on the impact on the setting of the Grade 2* listed Refuge Building. Historic England are concerned about how the setting of the Grade2* listed Refuge Building will be impacted. The photos at this exact point have been taken with 24mm and 50mm camera lens and UNITE tower is level with the top of Refuge hotel. The AVR-0 wireframe representation of the UNITE hotel is smaller and this is possibly due to the height originally proposed prior to additional floors being added or the use of forced perspective and cropping. Omits development at Unite & Circle Square and uses AVR-1 CGI not red brick. When printed held at 300 mm versus 200mm GLVIA the existing buildings do not line up. Uses AVR 0 for proposed verified views not AVR 3.

Viewpoint 8 - VR-1 CGI not red brick. When printed held at 300mm versus 200 m GLVIA the existing buildings do not line up e.g. Barbirolli Square Uses AVR 0 for proposed verified views and not AVR 3.

Viewpoint 14 – Omits development and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3.

Viewpoint 16 - Omits development and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified not AVR 3.

Viewpoint 2 - If you can see the top of Locks Yard (as you can on the photograph where is the tower? It has been shown as a slither of brick onto Chorlton Mill, this is the impact of 24 mm). This is a critical view to show the impact on light/shadowing on the local area. It has not been possible at any angle (aside from hiding the lens behind the Anthony Burgess centre) not to include UNITE at 32 floors and Circle Square beyond in the lens. It will not be possible to see the top of the tower from this angle due to height but its view within a 24 mm let alone 50 mm at this view is impossible. It appears to be growing out of the side of Chorlton Mill, yet the top of Locks Yard is visible. This cannot be possible without forced perspective. Omits developments at Circle Square and UNITE and used AVR-1 CGI and not the red brick render proposed. AVR 3 is essential, and at different times of the day showing

shadowing. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views versus AVR 3.

Viewpoint 5 - 50 mm lens would show the impact on the street scene. This view is not favourable to the scheme at 24 mm but 50 mm would show the impact and conform to GLVIA.

Viewpoint 20 - Omits development and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This view is critical to contrast with the skyscraper quarter and entrance to Manchester that now has a style and modern building fabric versus the proposed.

Viewpoint 21 - The current buildings do not line up when the current view is held away at 300 mm. Omits developments and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This view is critical as the Gateway entrance to Manchester that now has a style and modern building fabric versus the proposal. The Downing Co-Living is now approved to compare and contrast to.

Viewpoint 19 - Omits development and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This view is critical to contrast with the skyscraper quarter and entrance to Manchester that now has a style and modern building fabric versus the proposal.

Viewpoint 22 – Omits development and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This view is critical to contrast with the skyscraper quarter and entrance to Manchester that now has a style and modern building fabric versus the proposal.

Viewpoint 23 - Omits developments and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This view is critical to contrast with the skyscraper quarter and entrance to Manchester that now has a style and modern building fabric versus the proposal.

The Baseline photography is not sufficiently up-to-date and does not reflect the current baseline situation;

The applicant will need to:

- include the extent of the site and sufficient context;
- where necessary, the photography and visualisation should be capable of being verified.
- Be presented at a size and relative position, on a corresponding sheet, to allow like-for-like comparison with the visualisation;

- be based on replicable, transparent and structured processes and use a reasonable choice of agreed viewpoint locations, view directions, view angles and times of day;
- Whilst mathematical viewing distances have historically been quoted alongside visualisations, it is generally regarded that viewing distances of between 500 mm — 550 mm (approximately arm's length) are the most practical and widely used. All scale-representative views should, therefore, be accompanied by a note: "To be viewed at comfortable arm's length".

GLVIA Guidance - Advice Note (AN) 01/11 has been replaced in order to:-

- encourage best practice in the presentation of visualisations accompanying LVIA's, LVAs and planning applications; and
- ensure that visualisation techniques are properly explained and easily understood by all Users

TGN 02/17 has been integrated in this guidance in order to provide a single source of guidance from the LI in respect of visualisations. LI AN 01/11 and TGN 02/17 are now withdrawn.

This guidance applies to visual representation of all forms of development. The LI recommends its use to its members and to all parties using visualisations as part of the development process. Failure to follow such guidance may risk requests for further information during the planning consultation process. Failure to satisfy stated validation requirements could lead to delays in validating planning applications.

11 individual objections have been received and the comments can be summarised as follows:

- There is an ongoing legal dispute over the freeholders intention to off load responsibility for the much reduced car park to the small number of leaseholders who bought parking spaces some years ago. All of the potentially prohibitive costs associated with the car park would fall on c. 100 individuals, with less than one quarter of the current number of parking places shouldering the entire responsibility. The applicant is seeking to demonstrate that there is 'no demand' for parking in this area, despite the fact that there has been no attempt to market the car park to local residents in the existing or the many newly-constructed residential buildings nearby which have no car parking provision.
- It will also overlook existing buildings adjacent and tower above even the newly-constructed blocks in the area. It is almost twice the height of other developments so there would be no privacy at all from prying eyes;
- Neither of the main universities in Manchester has expressed support for this new student residence and in other cities, such as Cardiff, student housing is now being converted into general housing, for which its design is fundamentally unsuitable.
- After Grenfell and the impact of Covid-19, it is questionable how many people - students or not - would choose to live in high-rise flats without any outside space and only limited means of egress. Population density in these streets is already extraordinarily high without adding such an enormous tower on a very

small footprint, with its potentially adverse effects on mental well-being and social cohesion.

- The number of student rooms proposed is 853. This would constitute a massive overdevelopment of this very small site. A 55 storey tower is proposed and this is totally inappropriate in this location. To accommodate this number of students the rooms are exceedingly small cells.
- There is virtually no space for social interaction within each room and there are insufficient shared social spaces for use by small groups of students living in proximity to each other. This lack of social spaces will be detrimental to the wellbeing of some students and is likely to cause a rise in mental health issues, depression, anxiety etc.
- The proposal would change the fundamental character of this residential neighbourhood. The activities of the student night time economy would affect amenity and put stress on this residential neighbourhood;
- It is unclear how long the works to the car park would take or how access would be affected;
- It is apparent that the applicant has not considered the viability of the application. The proposals would directly impact enjoyment of rights under the lease;
- Concern about impact on footways during construction particularly disabled users. There would be noise and traffic associated with the construction activities which would impact on residents;
- The use would drain on public health services and increase crime in the area. There would also be increased waste generation from the site which would need to be managed.

Councillor Marcus Johns (Deansgate Ward) objects on the grounds of excessive height, harm to visual amenity, overdevelopment, negative effects on residential amenity, reduction in pedestrian comfort due to wind, the omission of a transport statement and insufficiencies of the demand analysis and socioeconomic statement.

The height at 55 storeys and 162 metres above ground level is too tall for its location. The tall buildings policy (EN2) in the Core Strategy clearly expresses that a building should have regard of the neighbouring buildings and local area in general.

There is a clear narrative of buildings stepping down away from the taller buildings along the railway viaduct (such as Liberty Heights and Number 1 Cambridge Street) to mid and low rise buildings that predominate the Macintosh Village area, particularly along Hulme Street, Chester Street and Lower Ormond Street. These buildings create a grid based urban grain with a canyon effect created by the brick warehouses along these streets. Along Hulme Street, the canyon sits between six and ten storeys above street level on the side of the proposal and up to nine storeys on the opposite side. The tight urban grain, characterised by a similarly high canyons along these streets, is an important characteristic of the area. The proposal does not have regard to these neighbouring buildings.

There is an emerging cluster of taller buildings to the north of the proposed development towards the railway viaduct. The townscape and visual impact assessment claims that developments in the immediate vicinity are of the same or similar scale to the proposal which is untrue. The proposal is significantly taller than

the other buildings within the cluster. The planning statement cites tall developments within the cluster:

- Number 1 Cambridge Street – 28 storeys (83 metres) is just over half the height of the proposed development;
- 1-5 New Wakefield Street – 31 storeys (93 metres) would be 56% of the height of the proposed development;
- Liberty Heights – 37 storeys (109 metres) would be 2/3s of the height of the proposed development; and
- Circle square – buildings ranging from 14 to 36 storeys. The tallest building which is under construction would be 105 metres or 64% of the height of the proposed development.

It is clear from the above that this building would not complement and is not similar to the scale of the other buildings in the taller cluster of buildings in this area.

The proposal, stepping up significantly from the height of other buildings in the local area, would significantly shift the weight of the cluster in terms of height away from the existing tall buildings towards the lower buildings in the Macintosh Village area, including the Quadrangle and the Holiday Inn, which step down from the cluster. This would fundamentally alter, and damage, the character of the neighbourhood.

The proposal would severely impact the visual amenity of the local area. The NPPF advises that decisions should be visually attractive, create a strong sense of place and be sympathetic to the local area. The development is visually oppressive and would dominate the sense of place of Macintosh Village detracting from its current characteristics. The development can also be seen from the Whitworth Street Conservation Area and, for context, the site is within a shorter distance to the conservation area than its proposed height.

The Great Marlborough Street and North East elevations are of particular concern as they do not contain windows. These façades, though detailed with a grid pattern, would create a sheer, brick clad face that is oppressive and overbearing on the immediate vicinity of the site and in all views which can be seen. Despite the detailing, these two facades are essentially 165 metres of blank walls. This is poor design and poor place making contradicting policy EN2.

The proposal amounts to overdevelopment. The intensity of the development, which provides 850 purpose-built student accommodation is excessive. It would fundamentally impact the amenity and character of the Macintosh Village and place a large amount of demand on local infrastructure and services.

This is particularly important on healthcare facilities and requires mitigation or the application should be refused.

The proposal would concentrate further purpose-built student accommodation in the area. The application references a large number of existing and pipeline purpose-built student accommodation in the vicinity. This would tip the balance away from a mixed-use neighbourhood with residential communities towards purpose built student accommodation because of the high number of units proposed.

The proposal would affect residential amenity by increasing noise and disturbance. 850 residents would result in increased noise particularly at entry and exits of the building. There would also be noise from construction and vibrations. There would also be significant overlooking of residents living in the Macintosh Village area. This is a particular issue for those living in the Quadrangle where balconies and roof terraces would be overlooked by the development with clear sightlines into their dwellings from some windows.

The proposal would decrease pedestrian comfort and reduce public amenity in the vicinity. Though the wind microclimate assessment finds an acceptable pedestrian safety level and in general acceptable pedestrian comfort, it finds a deterioration from the baseline position. There would be a reduction in terms of comfort for the vast majority of locations tested. Though considered safe, the reduction in pedestrian comfort is another negative impact on public interest.

The transport statement does not adequately take into account the sharp increase in food deliveries and shopping deliveries that is an increasing characteristic of city centre living. The transport statement only references taxis with respect to the waiting rank on the corner of Oxford Road and Whitworth Street West. This needs to be considered with regards to the private hire services which can be offered door to door. There would also be a concentrated amount of activity during evenings and weekends.

The proposal is not being brought forward with the support of the Universities and therefore lacks the benefits required by policy H12. The economic claims are weak and do not stand up to scrutiny.

The nature of the accommodation is more like C3 than sui generis and therefore should be considered against policy H8 (affordable housing).

Councillor William Jeavons (Deansgate) objects to the application on the grounds that a 55 storey building in this location is too tall. The Core Strategy for this area says that the building must have regard for the neighbouring building and local area. The current tall buildings, such as Liberty Heights and No.1 Cambridge Street which run along the Viaduct, step down in size to the medium to low rise Macintosh Village. This tower would break this natural city scaling and character. It would also negatively affect the local community who already live there and has no regard for the local buildings.

The proposal would be overdevelopment and would result in adverse impacts on local services and amenities.

The nature of the tower creates significant overlooking of residents living accommodation particularly for those in Macintosh Village and residents of the Quadrangle building who have balconies and roof terraces that would become overlooked. There would also be an increase in noise and disturbance from the students on existing residents.

The wind assessment, whilst stating that there is an acceptable level of impact on pedestrian safety, would result in a deterioration from the baseline position.

There is no demand for this accommodation and it is not being developed in partnership with any of the local universities and doesn't form part of their strategic planning. It is purely speculative. Similar accommodation is already being met in the current rental market which has an increasing stock already being built and marketed. The local development plan identifies the need to limit the mix of types of accommodation specifically identifying limits to student accommodation which has already been met.

The proposal would have no positive benefit to the level of council tax because students are exempt with the economic benefits focused on clothing, food and drink sectors and not sustain or support the broader Manchester economy.

Deliveries to the building would not be limited to the building management and need to consider food deliveries and taxi services. Activity is likely to be focused on night time which would cause disturbance to local residents.

Manchester Metropolitan University support this proposal. The proposals are genuinely complementary and well located meaning that there is no reason for the University to oppose the scheme. Further information and reassurance has been provided on the quality of management, pastoral care and support facilities for students, which is critical to the University.

A target market and well strategy has been considered which indicates that the development would be targeted at students in 2nd and 3rd years of study. The overall quality of the product and amenity spaces would appear to be appropriate to this target market and there is a track record of this working well in a wide range of locations. There are established operational platform of providing pastoral care that is required and a clear strategy around mental health support. In terms of operation, it appears a wide variety of opportunities would be provided for students to take part in social, active and wellbeing events throughout the year which are designed to appeal to a wide range on interests and needs.

University of Manchester is not in a position to support this planning application. The University's position is as a result of uncertainty over the demand for purpose-built student accommodation in the coming years, resulting from a number of factors:

- The demand for University accommodation has reduced since 2016-17;
- At the start of the 2018-19 academic session there remained bed spaces still available in a number of centrally located purpose-built student accommodation buildings;
- New sector developments in Manchester that have recently opened or had planning approved will impact on future demand for non-University purpose-built student accommodation.

In addition to the general concerns over the Manchester purpose-built student accommodation market, the University has reservations relating to the proposal. The University recognises the need for affordable purpose built student

accommodation in Manchester, however, this proposal includes 850 higher rent, studio units, the cost of which will not meet the needs of the majority of University of Manchester students.

The studio accommodation is by nature self-contained, with no shared communal areas on all but 5 of the 55 floors. The communal facilities are located on the top floor and the bottom floors. It is a concern that students living in the majority of the 55 floors would not be inclined to use these facilities. The scale of the development and the arrangement of the communal facilities does therefore raise concerns over student well-being.

Highway Services the significant reduction in car parking spaces would reduce vehicle trips compared to when the car park is fully occupied. This level of vehicle trips is not expected to impact local highway safety or operation. Details of a suitable taxi pick up/drop off point need to be agreed. A travel plan and operations plan should be agreed.

The provision of electric vehicle charging points is welcomed. It is recommended that further cycle spaces are provided and monitoring takes place and should there be demand further spaces provided. An onsite car club bay should be provided and a servicing/waste management strategy should be agreed.

Traffic calming measures on Great Marlborough Street and Lower Ormond Street (speed cushions from Whitworth Street to Chester Street and restrict vehicle access from Whitworth St into Great Marlborough Street) should be agreed and conditions. Public realm works to the highways would be required including reinstatement works. A construction management strategy should be agreed.

Network Rail there is a list of asset protection measures which require consideration.

Environmental Health recommends conditions regarding hours for deliveries and servicing, plant, fume extraction, construction management plan, lighting and control of glare, glazing specifications and acoustic insulation of the accommodation. The waste management strategy has been reviewed and is acceptable. The air quality assessment is acceptable. Further ground gas monitoring and agreement of the remediation strategy for the grounds conditions should form a condition of the planning approval including a verification regarding contamination should be submitted on completion of the development.

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

Environment Agency no objection in principle. The flood risk assessment demonstrates that the development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The development must be built in accordance with the flood risk assessment together with the mitigation measures identified.

The public realm and the area around the culvert inset to the River Medlock should be kept clear of structures or street furniture that would impede access to the culvert and river channel.

The previous use of the site as a Cotton Mill presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the development site overlies a Principal aquifer and is adjacent to the river Medlock, which culverts under the site.

A site investigation has shown that the made ground is not significantly impacted by leachable contamination, and there are no groundwater quality issues with the perched water or the deeper aquifer. In addition, significant amounts of made ground would be removed to form the basement, and will encapsulate the site in hardstanding, this minimising leachate generation. A condition should be imposed that should any unexpected ground conditions be found these are investigated further.

Greater Manchester Ecology Unit (GMEU) there are no ecological constraints. The MSCP was assessed for bat roosts and had negligible roosting potential. Prior to any demolition it should be checked that there are no nesting birds. A method statement should be produced to minimise the impact on the River Medlock during construction.

Historic England no objection to the proposal. The development would affect the setting of the grade II* listed Principal Hotel, a building of high architectural significance.

Perspectives suggest that the development would be visible along the Oxford Road/Street corridor and from Oxford Road Station. While very tall, the proposed building appears to be reasonably well positioned and the location of the site back from the main road frontage mitigates its impact on views in which the grade II* hotel is experienced. The form and mass together with the architectural approach suggests a distinctive design, appropriately drawing its inspiration from the mill chimney on Cambridge Street, yet one that would not compromise the setting and status of the listed hotel and its striking clock tower.

Elsewhere within the adjacent conservation area, the highly enclosed streets mean that the proposal would only be visible in certain locations. Where visible it would not be inappropriate given the highly urban character of this city centre location, with a number of other towers nearby built or with planning permission and which would form a cohesive group.

Similarly, given the distances involved there would be no harmful impact on views from Manchester's Civic Quarter, including the Town Hall

Greater Manchester Archaeology Advisory Service (GMAS) the archaeology assessment demonstrates that the site is unlikely to retain any below ground archaeological interests or heritage assets of significance and no further archaeological work is necessary.

Aerodrome Safeguarding the proposal could affect the RADAR. A condition should agree a scheme of mitigation to minimise the impact on any interference.

Design for Security at Greater Manchester Police the development should be carried out in accordance with the submitted Crime Impact Statement and this should be a condition.

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 and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

Strategic Spatial Objectives - The adopted Core Strategy contains Strategic Spatial Objectives that form the basis of its policies, as follows:

SO1. Spatial Principles The development would be in a highly accessible location and reduce the need to travel by private car and therefore support the sustainable development of the City and help to halt climate change.

SO2. Economy The scheme would provide jobs during construction along with permanent employment in a highly accessible location. These jobs would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

SO5. Transport The development would be highly accessible, reduce the need to travel by private car and make the most effective use of public transport. This would promote the use of sustainable transport and help to enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation.

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

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

Policy SP1 Spatial Principles one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality accommodation for all housing needs in the city. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport. The proposal would contribute towards meeting needs for student accommodation in the City. Consideration has been given to minimising the impact on local residents along with protecting the historical context.

Policy EC3 The Regional Centre states that housing would be appropriate within the Regional Centre and should complement mixed use employment areas and higher density development is appropriate. The proposal would provide a dense student accommodation building contributing to a need for student accommodation close to higher education provision.

Policy CC6 City Centre High Density Development the proposals would be a high-density development and use the site efficiently.

Policy CC7 Mixed Use Development the proposal would create an active ground floor to Hulme Street and provide accommodation for SMEs.

Policy CC8 Change and Renewal the proposal would create employment during construction.

Policy CC9 Design and Heritage the development would be of a high quality. It would have an impact on the settings of nearby listed buildings. This is discussed in more detail later in the report.

Policy CC10 A Place for Everyone the proposals would complement the ongoing regeneration of the Oxford Road Corridor. It would be fully accessible and 9% of the studios could be adapted for wheelchair users. An on street disabled parking bay would be provided on street.

Policy T1 Sustainable Transport the site is close all forms of public transport modes and is accessible by cycling, car sharing and car clubs. Parking for existing lease holders would be provided within the multi storey car park.

Policy T2 Accessible areas of opportunity and needs this is a highly sustainable location, close to all forms of public transport. The impact on the impact highway network would be acceptable.

Policy EN1 Design principles and strategic character area this would be a high quality scheme in terms of its design and appearance that would enhance the regeneration of the area.

Policy EN2 Tall Buildings must be of excellent design quality, appropriately located, contribute to sustainability and place making and bring regeneration benefits. They must complement the City's built assets and make a positive contribution to the evolution of a unique, attractive and distinctive City, including its skyline and approach views. Suitable locations 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 high quality development would have a positive impact on views into the City and the regeneration of the area.

Policy EN3 Heritage proposals for development that complements and takes advantage of the distinct historic and heritage features of the City Centre are encouraged. They must preserve or enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. The proposal has been designed to preserve the setting of the adjacent Listed Buildings and Conservation Areas and this is discussed in more detail below.

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

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

given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.

6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscene either from the proposed development itself or when combined with existing accommodation.

7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.

8. Consideration should be given to provision and management of waste disposal facilities, that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.

9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bed spaces.

10. Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

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

Policy EN5 Strategic Areas for low and zero carbon decentralised energy infrastructure the building has a robust energy strategy. There are no plans for district heating or other infrastructure in the local area. The energy systems which would be incorporated into the development, however, would have the capacity to connect to future infrastructure should it be available.

Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies an Energy Statement sets out how the proposals would meet the requirements of this policy.

Policy EN8 - Adaptation to Climate Change a Sustainability Report identifies measures to ensure the proposal would minimise its impact on climate change.

Policy EN14 Flood Risk development should minimise surface water run off, and a Flood Risk Assessment (FRA) is required for proposals on sites greater than 0.5ha within critical drainage areas. A scheme would be agreed which minimises the impact from surface water run off.

Policy EN15 - Biodiversity and Geological Conservation the site is not considered to be of high quality in ecology terms. The proposals include extensive

measures to improve the biodiversity across the site including new planters and landscaping which would create new habitats and bat and bird boxes.

Policy EN16 - Air Quality the proposal would be highly accessible by all forms of public transport and reduce reliance on cars and minimise emissions from traffic generated. It would not compromise air quality. The overall number of parking spaces in the MSCP would be reduced by 290 spaces and one of the existing on street bays would be converted for disabled use. The secured cycle storage would encourage cycling. Dust suppressions measures would be used during construction.

Policy EN17 – Water Quality an assessment of the site's ground and groundwater conditions shows that subject to specific measures being adopted it is unlikely that the development would cause contamination to surface watercourses and it is considered that any impact water quality can be controlled through a condition.

Policy EN18 - Contaminated Land and Ground Stability a desk study identifies possible risks arising from ground contamination and any impact of the development can be controlled through a condition.

Policy EN19 Waste the development would be consistent with the principles of waste hierarchy and a Waste Management Strategy details measures to minimise waste production during construction and in operation. The onsite management team would ensure the waste streams are appropriately managed.

Policy DM1 Development Management careful consideration has been given to the design, scale and layout and functioning of the building (particularly waste management, deliveries/taxis and access to amenities or students) to minimise impacts on residential and visual amenity together with ensuring that the development meets overall sustainability objectives.

DM2 'Aerodrome safeguarding' the proposal could the Radar and planning condition would secure mitigation.

PA1 'Developer Contributions' states that where needs arise as a result of development, the Council will seek to secure planning obligations. A financial contribution has been agreed for off site infrastructure which would be secured by a legal agreement.

For the reasons given above, and within the main body of this report, 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 DC18 ‘Conservation Areas’ states that the Council will give particularly careful consideration to development proposals within Conservation Areas. This is discussed in detail below.

Saved policy DC19 ‘Listed Buildings’ the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. This is discussed in detail below.

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

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

The proposal has been designed to minimise the impact from noise sources and further mitigation will be secured by planning condition.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Other material policy considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 2 ‘Design’ – outlines the City Council’s expectations that all new developments should have a high standard of design making a positive contribution to the City’s environment;

Paragraph 2.7 states that encouragement for “the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.

Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development

of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

Manchester Residential Quality Guidance (2016) The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

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

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

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

City Centre Strategic Plan 2015-2018 (March 2016) On the 2 March 2016 the City Council's Executive approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to “shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England”.

The report recognises ‘Corridor Manchester’ as a unique area of the City, and the most economically important in Greater Manchester.

The plan identified that there has been strong population growth over the last 20 years and demand for city centre living is rapidly increasing. It also reflects on the scale of development in the ‘Corridor Manchester’ area which include the delivery of initial phases of the University of Manchester Campus Masterplan, new facilities for Manchester Metropolitan University and new City labs which are bespoke built biomedical facilities.

The strategy identified the continuing development of the University of Manchester and Manchester Metropolitan campus masterplans to create high quality learning environments that enhance the student experience.

Manchester Strategy (January 2016)

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

The strategy identifies the importance of the Universities in the City (and region) and recognises their established reputation in the science, research and development sector. This attracts and retains students in the City. The strategy also recognises the importance of education, particularly to degree level and the importance of apprenticeships. It seeks to ensure all children have access to high quality education and seeks to retain and grow the high quality Universities.

Amongst other matters, the vision includes:

- Have a competitive, dynamic and sustainable economy that draws on our distinctive strengths in science, advance manufacturing, culture and creative and digital business – cultivating and encouraging new ideas;
- Possess highly skilled, enterprising and industrious people;
- Be a place where residents from all backgrounds feel safe, can aspire, succeed and live well;
- Be clean, attractive, culturally rich, outward looking and welcoming.

Corridor Manchester Corridor Manchester is a strategically important economic contributor and a key growth area within the city. The Corridor Manchester Strategic Spatial Framework is a long term spatial plan for the Corridor which recognises that there is an inadequate pipeline of space for businesses and institutions within the Corridor to properly grow and realise its potential. This is evidently a constraint to the realisation of the Corridor Manchester vision. The Framework seeks to strengthen the Corridor as a place to live, visit and work for students and knowledge workers from across the world. The strategy recognises that for the area to continue to be successful there needs to be a focus on the development of a cohesive, inclusive area. The development programme plans to deliver over 4 million sq ft of high quality commercial, leisure, retail, and residential space.

Corridor Manchester already contains one of the largest higher-education campuses in the UK with nearly 70,000 students studying at the University of Manchester, Manchester Metropolitan University and the Northern College of Music. These educational institutions are world renowned and Manchester is recognised as a destination of choice for students across the globe.

Both the UoM and MMU have put in place growth plans. This includes the UoM's £1 billion capital investment programme to deliver the 'world class estate' needed to support its 2020 vision to be one of the leading universities in the world by 2020. MMU has a ten year Estates Strategy with strategic investment proposals of c£300m. This concentration of students is a key part of the success of the Corridor. It underpins and supports the research activities of the educational institutions, whilst the large population living, working and spending time in the Corridor give the area its vibrancy and contribute significantly to its large economic output.

However, Manchester is operating in a highly competitive higher education market. The City must continue to look to enhance the student experience if it is to maintain its position on the world stage and realise its growth aspirations for the Corridor. As at present, the future success of Manchester as a student destination will, in part, underpin the realisation of the Council's aspirations for Corridor Manchester. This requires continued investment in the infrastructure which supports the student population and ensures the student experience remains world renowned. This requires investment in educational facilities but also extends to transport infrastructure, retail and leisure facilities and, critically, high quality and accessible residential accommodation. Consideration must be given to the whole student experience.

Oxford Road Corridor Strategic Spatial Framework (March 2018) The Oxford Road Corridor is an economically important area, with more job creation potential than anywhere else in the region. The area generates £3 billion GVA per annum, consistently accounting for 20% of Manchester economic output over the past five years. The area has more than 60,000 jobs over half of which are within knowledge intensive sectors, including health, education and professional, scientific and technical sectors.

The Strategic Vision highlights the need to support committed future investment and the future growth potential of its institutional partners in delivering research, innovation, commercialisation, skills, academic excellence and incubation facilities.

It also highlights the need to support the private sector in terms of high value added and high growth companies, something that clearly has the scope to be realised on a significant scale within Oxford Road Corridor.

The spatial framework has been prepared to help guide development and investment activity in the area in order to achieve the vision for the area. The document was endorsed at the City Council Executive in March 2018.

The framework highlights that the Oxford Road Corridor may also need to accommodate further student accommodation. The document stipulates that this must be controlled in line with the City Council's Core Strategy policy H12 and led by institutional partners with the wider city regeneration objective in mind. It should be in with evidenced demand.

There is scope for further student accommodation; however, this should continue to be controlled in line with the City Council's Core Strategy Policy H12 and led by institutional partners with the wider city regeneration objectives in mind. It should be in line with evidenced demand and be in locations that are within a reasonable walking distance to the heart of the universities. This will include an upgrade of existing stock that is reaching the end of its life as well as additional provision. New student accommodation must incorporate a range of price points and be of a quality in terms of product, management and pastoral care that will safeguard the student experience, particularly for first year and overseas students"

This proposal is in line with the objective of the framework. The proposal has been assessed against policy H12 and meets the criteria. The proposal is in walking distance of the main university campuses and the transport corridor of Oxford Road, has the support of MMU with regards to meeting student accommodation demands, exceeds carbon reduction targets outlined by the Core Strategy, has a strategy to deal with deliveries, servicing and taxi pick up as well as encourage students to cycle, walk and use public transport, would contribute positively to the ongoing regeneration of the area with a high quality development, is safe and secure and has a wellbeing strategy to support the students along with amenity areas within the building, waste can be managed and the scheme is deliverable in its current form by an experienced operator.

Executive Report (9 December 2020) Purpose Built Student Accommodation in Manchester

The report aims to guide the decision-making process in advance of the review of the Local Plan. The document is a material consideration but does not change existing planning policy.

Key considerations alongside the consideration of policy H12 are as follows:

- Supporting Regeneration Objectives: The starting point for all student residential schemes is that they should deliver regeneration objectives; support employment growth, graduate and talent retention, place making and the city's international reputation.... Student accommodation should,

therefore, be in the right locations, in appropriate numbers, and only where it supports wider growth.

The proposed development is within walking distance of the main university campuses and the Oxford Road transport corridor. It would redevelop a site and provide 853 high quality studios and amenity areas along with 786 sqm of SMEs which support job creation for small businesses.

- Affordability: Manchester is one of the most expensive cities in the UK for purpose-built student accommodation (PBSA). A more diverse pipeline of new PBSA is now needed to help stabilise rental growth. New accommodation would need to adhere to the quality criteria, including adequate room sizes, storage and social spaces. However, more studio-style accommodation, may provide examples of how more affordable PBSA could be delivered.

The proposal would provide studio accommodation which exceeds space standards adopted by other recent PBSA schemes. There are significant ancillary amenity areas within the development together with a wellbeing strategy.

Whilst the price point of the development has not yet been decided, the applicant has indicated that it would be competitive. The applicant would provide 42 rooms at an affordable rent. There is no published guidance for affordable rent for PBSA but the London Plan (draft December 2020) advises that 55% of the maintenance loan can be assumed to be for accommodation. When applying this to outside of London (where the maintenance loan is lower at £9,203) this equates to £133pw (for 38 weeks). There would be an eligibility criteria which would include only students who are entitled to the full maintenance loan in order to ensure that the accommodation is targeted to those who are most in need and are attending a Manchester University. The rent would rise in proportion to the annual increase in the Maintenance Loan for living costs set by Central Government annually for students living away from home, outside London.

- Quality: The overall quality of Manchester's PBSA stock is poor compared to other cities. Accommodation is considered to be less sustainable where:
 - 1. It is a greater than 20 minute walk to campus
 - 2. Room quality is below average
 - 3. There is below average quality common space

For Manchester to remain competitive as a world class education hub, with an accommodation offer to match, the current level accommodation needs to be addressed. New stock in appropriate locations should deliver an improved student experience, which better reflects Manchester's institutions and its educational reputation, and also helps to contribute to sustainability targets.

All PBSA must be of a high quality, providing a high standard of living, close to the city's higher education institutions. To ensure the delivery of student accommodation that is high quality and highly accessible, with strong and sustainable connections to the city's universities, all future PBSA should be within or immediately adjacent to Oxford Road Corridor. Design should allow sufficient facilities to cater for the overall

wellbeing of students, including, for example, generous living space, communal spaces for students to socialise, and public realm, which contributes to the quality of place. PBSA design must also be sufficiently flexible to allow for re-purposing as demand varies.

- The proposal would be a short distance from Oxford Road and the University campuses and would cater for the wellbeing of students.
- Wellbeing, Safety and Security: purpose build accommodation should consider the welfare and wellbeing of students as a major factor, in both design and management.
 - The proposal has a clear wellbeing strategy with has the support of Manchester Metropolitan University. The proposal would meet secured by design accreditation.
- Density: Density of student accommodation will be essential to deliver the level of new high quality accommodation needed within the context of scarce land availability both in the Oxford Road Corridor area and the wider city centre.
 - The proposal would represent a dense form of development. The localised impacts have been considered and would not give rise to impacts that would warrant refusal of this application. This is considered in further detail within this report. The impact on the residential character is also considered and there are also other developments taking place in the area which would help ensure a balanced and sustainable community.
- Location: purpose built student accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area.
 - The proposal meets the criteria.
- Sustainability: The requirements driving quality in new PBSA will ensure that all new accommodation meets the highest standards of sustainability, to meet the Council's zero carbon policies.
 - The proposal would exceed the Council targets and see a 43% reduction in carbon on current Part L building regulations. The proposal is car free and would be supported by a robust travel plan to ensure students take advantage of the location.
- Mix of uses: It is essential that the Oxford Road Corridor, and the city centre as a whole, is able to maintain the right balance of commercial, educational, residential, cultural and leisure use, in order to ensure that it can maximise its contribution to the economic growth of the city.

- The proposal would include 786 sqm of SME floor space which would also be utilised by the students to support start-up businesses within the Oxford Corridor area.

National Planning Policy Framework (2019)

The revised NPPF adopted in July 2018 and re-issued in February 2019 states that the planning system should contribute to the achievement of sustainable development. It 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). This major development would support the ongoing regeneration of the Oxford Corridor and provide significant investment and job creation during construction and offer flexible accommodation for small business in the form of the SME space.

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

The proposal has been carefully designed to be safe and secure. Wellbeing and support facilities are an integral part of the development to support the students welfare. Cycle provision is well catered for at the site and no on site parking would be provided for the students.

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).

In assessing applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 108).

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

Within this context, applications for development should:

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

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

The site is well connected to a range of public transport modes which would encourage sustainable travel to the site. There would be no unduly harmful impacts on the traffic network with physical and operational measures put in place to promote alternative non car travel to the site. A travel plan and operational management would be secured as part of the conditions of the approval.

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

Planning decisions should:

- a) encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

- c) give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land. (paragraph 118)

Decisions should support development that makes efficient use of land, taking into account: the identified need for different forms of development, and the availability of land suitable for accommodating it; 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; the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. (Paragraph 122)

The site is close to sustainable transport infrastructure. A travel plan, together with enhancement measures, would encourage workers to use public transport, walking and cycle routes to the site.

No onsite parking would be provided as part of the overall sustainable transport strategy, with the overall objective being to reduce car journeys to the site.

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).

The design for the building would be highly quality and complement the distinctive architecture within this part of the city centre. The building would be designed to a high level of sustainability resulting in a low carbon building and biodiversity and water management measures included within the public realm.

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).

The buildings fabric would be highly efficient and it would predominately use electricity. The landscaping scheme would include trees, planting, green screens and other planting. Efficient drainage systems would manage water at the site.

Section 15 '*Conserving and Enhancing the natural environment*' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

The high performing fabric of the building would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements, where possible, would be provided.

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 asset's 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).

The proposal would result in some low level harm to the surrounding historic environment. This low level harm is considered to be less than substantial and outweighed by the significant regeneration benefits associated with this development.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Planning Policy Guidance (PPG)

The PPG provides additional guidance to the NPPF and the following points are specifically highlighted.

Air Quality provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;

- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

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

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

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

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

Design states that where appropriate the following should be considered:

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

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

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

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;

- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

Other legislative requirements

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 case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

S149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Whitworth Street Conservation Area Declaration The development of the textile industry and cotton trading within the conservation area focused on both major thoroughfares and smaller side streets and alleyways, with a mix of grand Victorian warehouses on primary and secondary routes throughout the area.

The primary character of the area is the 'canyon' like streets, which contain tall imposing warehouse buildings of a monumental scale to either side, which tower above the pavement, giving a distinctive quality which is only to be found in this part of Manchester.

The tall and ornate clock tower of the Grade II* Palace Hotel is a highly important local landmark, which forms the south-west corner of the Conservation Area.

The conservation area largely retains most of its historic built form and street pattern, with the exception of the large cleared site at the junction of Princess Street and Whitworth Street, which is currently being developed, which will return the historic sense of enclosure and built form in the area.

Environmental Impact Assessment The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and has considered the following topic areas:

- Construction methodology and programme;
- Consideration of alternatives;
- Townscape and visual impact assessment;
- Built Heritage;
- Noise and Vibration;

- Sunlight, daylight and overshadowing;
- Traffic and transport;
- Flood risk, drainage and water resources;
- Wind microclimate;
- Air quality;
- Ground conditions and contamination;
- Socio-economic assessment; and
- Climate change.

The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. An EIA has been undertaken covering the topic areas above as there are judged to be significant environmental impacts as a result of the development and its change from the current use of the site as a car park.

The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects.

In accordance with the EIA Regulations, this ES sets out the following information:

- A description of the proposal comprising information about its nature, size and scale;
- The data necessary to identify and assess the main effects that the proposal is likely to have on the environment;
- A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, water, air, climate, cultural heritage, townscape and the interaction between any of the foregoing material assets;
- Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects; and
- Summary, in non-technical language, of the information specified above.

It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation.

Issues

Principle of the redevelopment of the site and contribution to regeneration The contribution that a scheme would make to regeneration is an important consideration. The City Centre is the primary economic driver in the Region and is crucial to its longer-term economic success. The City Centre must continue to meet occupier requirements and the growth and maintenance of the higher education function, and the infrastructure required to support it, is critical to economic growth. There is an important links between economic growth, regeneration and the provision of a range of residential accommodation.

The scheme would bring a high-quality building to ‘The Corridor’ which would respond positively to the local environment and not unduly harm the setting of nearby listed buildings. A key objective in the Corridor is to deliver the

accommodation and infrastructure needed to attract students to Manchester and which matches its reputation as a world class place to study. This would ensure that Manchester remains competitive on a global higher education stage.

42 rooms would be available at an affordable rent i.e. 55% of the maintenance loan (£9,203) equating to £133pm for 38 weeks. These rooms would be available to students attending Manchester Universities and who are in receipt of a full maintenance loan. This would be secured by a condition of the planning approval.

The proposal would require the partial demolition and reconfiguration of the existing MSCP which contains 391 spaces of which 100 are on a long lease hold arrangement to residents who live in Macintosh Village. 290 spaces would be lost and the remaining 101 would be retained and would be available both during construction and once the development becomes operational to those with a right to park in the car park.

Macintosh Village Residents Company, which includes those with a right to park within the MSCP, consider that the any grant of planning permission would interfere with their legal rights to park/rights of way in the MSCP afforded to them in their 999 year lease.

They have obtained a legal opinion which notes their opposition to the redevelopment of the car park. It states that the redevelopment of the car park, insofar as it would reduce the number of spaces available, is not permissible by the lease in or of itself and that the development of the car park (both during the construction phase and upon the completion) would likely result in actional interference with the rights of tenants with the benefit of the right of way and the right to park. The legal opinion concludes that the tenants with the benefits of the rights would be able to seek restrain such interference by injunction.

The private third-party private rights to park in the MSCP are protected and enforced through other legislation and are not a material planning consideration, including whether the rights would preclude the implementation of the proposal. Should they believe that their legal rights would be affected by a grant of planning permission, they would need to pursue this separately from the planning process.

Macintosh Village Residents Company disagree with this position and state that the presence of such rights affect the deliverability of the scheme which, they believe, is material to the planning decision

It is understood that since the applicant purchased the car park the rights of the residents to park in the car park have been retained. The rights would be maintained should planning permission be granted. The appropriate number of car parking spaces would be retained and made available during construction and when the redevelopment works have been completed.

Any commercial parking rights at the MSCP have either expired or have been surrendered. A restrictive covenant lies outside of the applicant's ownership and is not affected by this planning application.

The applicant has a track record of delivering student accommodation schemes. It is not material to the determination of this planning application whether the applicant chooses to then sell their interest in a site and all obligations are attached to the land and not the applicant in any event.

The estimated construction costs are in the region of £130 million. 1,289 construction jobs would be created over the 5-year construction period. This increases to 3,130 jobs when combined with the indirect jobs from the wider supply chain. Jobs would be targeted at Manchester residents through local labour commitments which would form a condition. The presence of construction workers is likely to have a positive impact on local expenditure. During the 5-year construction period it is estimated that £958,729 would be spent locally.

Once the development becomes operational, it is expected that 15 jobs would be created from the development plus supporting SMEs who would occupy the workspaces (which students would also be able to access).

Students would generate their own expenditure with the 850 students likely to spend around £6,431,100 per year in the region. Graduates also make an important contribution to the city's economy with over 50% of those who graduate from Manchester's Universities staying here to work, the second highest level of graduate retention behind London. This high level of graduate retention is vital to the growth and retention of businesses in the City.

Objectors believe that this development would fundamentally change and diminish the residential character of this part of the city centre. There are high-density student accommodation buildings nearby at Liberty Heights and 1-5 New Wakefield Street. However, alongside the existing residential accommodation around Macintosh Village, other substantial residential developments are taking place at Circle Square which would bring up to 1000 new homes to the Corridor Area. In addition, there are expected to be 6,300 homes created in and around Great Jackson Street. This will create a substantial amount of homes and a varied population in the area between Castlefield and Circle Square.

The development would be consistent with the regeneration frameworks for this area including the City Centre Strategic Plan and The Corridor Manchester framework. The proposal would complement and build upon the City Council's current and planned regeneration initiatives. The proposal is therefore considered to be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies H1, SP1, EC3, H12, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1. As such, it is necessary to consider the potential impact of the development.

Consideration of alternatives A statutory requirement when considering EIA developments is the need to consider alternatives in the development of a proposal.

In this instance, alternative sites were discounted as they failed to be located in such close proximity to the University campuses and offer the regeneration opportunities that will be delivered by this proposal in line with the Oxford Spatial Framework.

Principle of Student accommodation and compliance with Policy H12 Whilst the proposal would deliver key outcomes and objectives within the Oxford Road Corridor Spatial Framework, consideration must be given to policy H12 'Purpose Built Student Accommodation'. In addition, it is material to consider the proposal against the Executive report in December 2020 on Purpose Built Student Accommodation in advance of the Local Plan review. Policy H12 outlines key criteria which must be addressed.

The site is located close to Oxford Road which is the main north south arterial road linking the University campuses with the City Centre and is therefore well connected to and in close proximity to the University Campuses. It would be an energy efficient development and achieve a 43% reduction in CO2 against Part L (2010).

A wide variety of amenities and services are within easy walking distance. Students would have access to all forms of public transport and travel planning would monitor this and promote sustainable forms of travel.

The proposal would support the objectives of the Oxford Corridor Manchester strategic spatial framework. It would re-use a brownfield site and create a high quality landmark building adjacent to a major public transport interchange. The area is undergoing significant change as a result of investment by the universities and the private sector at St Peters Square, the Civic Quarter, First Street, Circle Square and Great Jackson Street. This is a crucial component of the economic growth and development of the City and the region and this proposal would make a major contribution to that process.

The proposal is acceptable in principle in this location. The product would be particularly attractive to international students, who seek high end living, in addition to the benefits of living within a well-managed student community. The accommodation is also enhanced by the SME workspace which the students would have access to in order to work alongside SME professionals.

Comments from the Universities have sought clarification on the applicant's wellbeing strategy given the nature of the self-contained studio accommodation. The strategy highlights that careful consideration is given to the welfare of the students. The studios are purposefully designed with an efficient layout and large windows to maximise natural light. Private study rooms, booths and shared co-working spaces are provided in the communal amenity areas to encourage interaction and collaborative working. A social calendar of events would encourage students to socialise. There would be an on site staff presence 24/7 to support the students and their needs together with enhanced support for those with disabilities.

Waste management arrangements would meet the requirements of the users and would encourage recycling and is considered in detail in this report.

The need for a development of this nature is reinforced in correspondence from MMU expressing their support. There is identified demand for accommodation such as this and their support demonstrates this and is required to comply with policy H12. The applicant has indicated that, subject to planning permission, they would commence on site and be operational following a 3-year construction period. 1-5 New Wakefield Street was promptly implemented following planning permission and is now ready for occupation.

Finally, policy H12 discusses the importance of schemes being deliverable. As detailed above, the applicant is one of the largest student accommodation providers in the UK. As a result, it has extensive experience in developing and managing large student residential schemes together with in depth knowledge of the market and type of products students are looking for. The applicant is committed to delivering this proposal and, subject to planning permission, intend to commence work at the site.

It is considered that the proposal complies with the requirements of policy H12 in full together with the detailed criteria within the December 2020 Executive report. Therefore, the principle of developing this site for purpose-built student accommodation is considered to be acceptable. In addition, the proposal complies with the aspirations of Corridor Manchester Spatial Framework which seeks to increase the supply of purpose built student accommodation within walking distance of the University Campuses.

Climate change, sustainability and energy efficiency The building would be low carbon, energy efficient and in a highly sustainable location with excellent access to public transport. It would develop a brownfield site and sustainability would be embedded into the design, construction and operational aspects of the building.

The construction process would use good practice to: source materials and labour locally where possible; reduce vehicle emissions and dust; manage water; improve biodiversity and social value, to minimise impacts on climate change. The building would be energy efficient and minimise its impact on air quality, waste and recycling where possible.

The building would have high performance fabric, air tightness and highly efficient services. Highly efficient gas fired boilers and all electricity would be from zero carbon sources meaning the building would be minimise its carbon emissions.

Policy EN6 of the Core Strategy requires developments to achieve a minimum 15% reduction in CO2 emissions (i.e. a 15% increase on Part L 2010). Since the Core Strategy was adopted, Part L 2010 has been superseded by Part L 2013 which has more stringent energy requirements. The 15% requirements translates as a 6% improvement over Part L 2013. An Environment standards statement states that the CO2 emissions from the development is targeting a 43% reduction in carbon over Part L. The proposal therefore exceeds the Core Strategy target.

In order to achieve a 43% reduction in carbon over Part L, 100% of the buildings electricity would come from renewable electricity. The applicant is committed to securing electricity in this way and this would be a condition.

The use of renewable electricity is not a means of complying with Building Regulations or existing planning policy as the proposal would exceed the requirements of EN6 in any event. The commitment to securing a 100% renewable electricity supply, along with other energy efficiency and carbon savings throughout the building, is part of an overall low carbon strategy, which takes the buildings performance beyond compliance with planning policy.

Both policy H12 and EN5 require developments within the Oxford Road Corridor to reflect energy proposals plans. At this present time, there are no energy proposals near to the site which this proposal could be a part of.

Notwithstanding this, the building has been future proofed through its Building Management System (BMS). Changes to the energy strategy resulted in the removal of a CHP boiler/wet riser system to an all electrical system. This system not only offers the most sophisticated way to control and manage the mechanical, electrical and plumbing aspects of the building but also ensures that the building has the capacity to connect to a future district heating system at a later date should a system become available

There would be no on-site car parking for the student accommodation with the exception of a loading bay for servicing and pick up and drop off and the conversion of one of the existing on street bays to a disabled/car club bay.

The changes to the MSCP would remove 290 spaces and 20% of the remaining 101 would be fitted with an electric vehicle charging point. There would be 262 secure cycle spaces with 60 freely available bikes for hire. 64 cycle spaces would be created within the MSCP for use by lease holders.

These initiatives would reduce car journeys and vehicle emissions and impact positively on local air quality conditions. The development would be supported by a travel plan to inform and support green travel choices.

There would be limited opportunity for biodiversity and green infrastructure improvements at the site. The provision of street trees or planters on Hulme Street and Great Marlborough Street would help green the local street scene and provide air quality benefits.

Social value would be derived during the construction and operational phases of the development. The estimated construction costs are in the region of £130 million. 1,289 construction jobs are expected to be created over the 5 year construction period. This increases to 3,130 jobs when combined with the indirect jobs from the wider supply chain. Jobs would also be targeted to Manchester residents through local labour commitments which would be a condition. It is estimated that the construction workers would spend £958,729 locally during the 5 year construction period.

Once the development becomes operational, it is expected that 15 jobs directly associated with the development would be created plus supporting SMEs who would occupy the workspaces (which students would also be able to access).

The 850 students are likely to generate expenditure in the region of £6,431,100 per year. Students and graduates make a wider and valuable contribution to the City. Manchester has the second highest level of student retention (behind London) with over 50% who graduate from Manchester's Universities staying and working in the City. This high level of graduate retention means the City benefits significantly from the skills that they have rather than losing it to other City's.

The development would be accessible and inclusive to all with the studios being adaptable to meet the needs to the students with 9% of the studios being accessible to those in a wheelchair.

The local community would have out of hours access to the gym and use of the 54th amenity area and co-working spaces.

Tall Building Assessment including impact on townscape A computer modelling process has provided accurate images that illustrate the impact on the townscape from agreed views on a 360 degree basis which allows the full impact of the scheme to be understood.

A Townscape Visual Impact Assessment (TVIA), which forms part of the Environmental Statement, has assessed where the proposal could be visible from, its potential visual impact on the streetscape and the setting of designated listed buildings. The assessment utilises the guidance and evaluation criteria set out in the *Guidelines for Landscape and Visual Impact Assessment (3rd Edition) 2013*.

24 key viewpoints (including cumulative impacts shown in wire lines) were considered in the townscape assessment as follows:

Viewpoint 1: Oxford Road;
 Viewpoint 2: Wilmot Street;
 Viewpoint 3: Charles Street;
 Viewpoint 4: Whitworth Street;
 Viewpoint 5: Lower Ormond Street;
 Viewpoint 6: Station Approach;
 Viewpoint 7: Oxford Street;
 Viewpoint 8: Manchester Central;
 Viewpoint 9: St Peters Square;
 Viewpoint 10: Whitworth Street;
 Viewpoint 11: Brook Street;
 Viewpoint 12: Pritchard Street car park;
 Viewpoint 13: Canal Street;
 Viewpoint: 14: Rochdale Canal;
 Viewpoint 15: Whitworth Street West;
 Viewpoint 16: Great Bridgewater Street;
 Viewpoint 17: Whitworth Street West;
 Viewpoint 18: Castlefield basin;
 Viewpoint 19: Chester Road roundabout;
 Viewpoint 20: Mancunian Way;
 Viewpoint 21: Medlock Street;
 Viewpoint 22: Hulme Park;

Viewpoint 23:Streford Road; and
Viewpoint 24:Oxford Road.

Detailed assessment on the impact on the following Strategic character areas has been undertaken:

- E) Corridor Manchester
- F) The Village
- H) Central Business District
- N) Petersfield
- O) Castlefield
- P) Southern Gateway
- Q) Hulme

The effect of the development on the above zones, through an assessment of relevant viewpoints, can be summarised as follows:

Zone E Corridor Manchester

This zone is characterised by dense educational buildings focused around Manchester Metropolitan University but also with elements of buildings associated with Manchester University. Liberty tower, at 34 storeys, and 1-5 New Wakefield Street, at 32 storey, are the principal landmark buildings close to Oxford Road station. It also includes Whitworth Street Conservation Area. The nature of the urban grain would provide views of the proposal. The zone includes the development at Circle Square with multiple tall buildings. A 10-storey development has also been constructed at York Street. The overall effect on townscape character on this zone is one of substantial developments with height.

Viewpoint 1 'Oxford Road' is beneath the Mancunian flyover with an uninterrupted view. It is dominated by modern buildings associated with MMU and the Manchester Technology Centre and are no more than 5 storey. The 32 storey tower of 1-5 New Wakefield Street is now complete. The top of the Liberty Heights development can be seen as well as the clock tower of the refuge assurance tower. The library and Town Hall complex provide significant listed landmarks at the end of the street providing a mixture of old and new developments.



View point 1 – Oxford Road (existing)

The proposal would be a major new landmark in the view. It would rise above and obscure Liberty Heights and be taller than 1-5 New Wakefield Street. The modern nature of the proposal would be clearly different from the Refuge Assurance Tower ensuring limited harm. The views of the library and Town Hall are not impeded. Given the relatively low townscape value of this view, due to its character and location, it is not considered that there would be any unduly harmful impact on the character of the view or the listed buildings. Indeed, the building complements the existing and emerging verticality in the area around this section of Oxford Road.



View point 1 – Oxford Road (proposed including cumulative view)

Viewpoint 3 is at the intersection between Charles Street and Princess Street. There are a combination of older buildings such as the Lass O' Gowre (grade II listed) and modern developments such as the Holiday Inn and developments at Circle Square.



Viewpoint 3 – Charles Street (existing)

The dominance of Circle Square now provides a different context for this view. The view is experienced in transit and the development does not negatively impact on its surroundings. It would appear as a slender addition to the townscape. The impact on the conservation area and listed buildings would be low level and is considered elsewhere within this report.



Viewpoint 3 – Charles Street (proposed including cumulative impacts)

Viewpoint 11 'Brook Street' has altered since this image was taken with the developments at Circle Square now well advanced. Notwithstanding this, the view demonstrates the dense urban form in this location and the height and scale provided by buildings such as Liberty Heights, Owen Street and Beetham Tower which dominate the skyline and townscape.



Viewpoint 11 – Brook Street (existing)

Impact of the development would be relatively low given its position on a busy road and the effects of committed development. The proposal would be marginally viewed above Circle Square and be consistent with the emerging character and other tall buildings. Nevertheless, the proposal would rise above these buildings and be the highest building in the view. This would not impact on any sensitive buildings or areas.



Viewpoint 11 – Brook Street (proposed including cumulative impacts)

Viewpoint 24 is dominated by modern buildings associated with the University and the Royal Northern College of Music which give the its value in townscape terms. The view, however, is largely only appreciated in transit.



Viewpoint 24 – Oxford Road (existing)

The proposal would be a slender vertical element amongst the modern buildings and add to the quality of buildings on this section of Oxford Road. It would not dominate the view and provides a high quality addition to the street scene with a cluster of modern buildings. It would be of moderate benefit to the city townscape.



Viewpoint 24 – Oxford Road (proposed including cumulative impacts)

Zone F The Village

This is a compact area of the city with a mixture of leisure, commercial and residential uses set amongst historic buildings arranged in a traditional grid street pattern with limited modern intervention. The scale and mass of buildings varies with views focused along the narrow grid pattern. Canal Street forms the main spine of this zone alongside the Rochdale Canal. Whitworth Street and Princess Street are the main road in this zone and the Whitworth Street conservation area also extends into this zone.

Viewpoint 10 is dominated by Victorian red brick buildings and limited new development and the potential impact of the development is considered against a historic townscape in the centre of Manchester.



Viewpoint 10 - Whitworth Street (existing/proposed)

The proposal would not be visible and has no impact on the setting of the view and the buildings within it.

Viewpoint 12 provides a close up view from the east of the site and highlights the dominance of the red brick Victorian buildings which contribute positively to the conservation area. The most notable building in this view is the Refuge Assurance Tower. Since this was taken, a 32 storey building has been completed at 1-5 New Wakefield Street and provides a new backdrop to the Refuge Assurance Tower.



Viewpoint 12 – Pritchard Street car park (Existing)

The view now contains developments of scale with Liberty Tower and 1-5 New Wakefield Street. This is a sensitive view in the conservation area view listed buildings visible. However, it is on a quiet side street off Princess Street and is viewed across a car park. The proposal would be a further modern building taller than Liberty Tower and 1-5 New Wakefield Street. Its slender form adds to the character and variety of building heights in this area and it is distinguishable against the Refuge Assurance Tower. The development complements other buildings in the view and its high quality design could make a positive contribution to the view.



Viewpoint 12 – Pritchard Street car park (proposed including cumulative impact)

Viewpoint 13 'is a niche view along the tree lined Rochdale Canal. The buildings in the view are red brick of no more than 4 storey. The proposal would have no perceptible impact on this view.



Viewpoint 13 – Canal Street (existing/proposed)

Zone H Central Business District

This area contains many old and new office buildings and a heavily used tram stop. The Town Hall (grade I) including its historic spire and Albert Square form an important civic space. Other important buildings are the City Art Gallery (grade II*), Central Library (grade II*) and Midland Hotel (grade II). The St Peter's square conservation area covers the central part of this area and there views down Oxford Road.

Viewpoint 9 is at the south eastern corner of St Peter's Square and provides a clear view down Oxford Road illustrating the high quality nature of the townscape.



Viewpoint 9 St Peter's Square (existing)

The townscape value of this view is high due to the cluster of historic buildings created around this civic space. The view is also experienced by a high number of visitors to this space. There are no tall buildings but the proposal would be in the distance and fit into the skyline and the main features remain dominant and legible. The proposal would not be detrimental and the impact on the heritage assets considered to be low.



Viewpoint 9 – St Peter's Square (proposed including cumulative impacts)

Zone N Petersfield

This area includes Manchester Central, Bridgewater Hall and the Great Northern Warehouse (grade II*) and new squares and plazas providing an open spacious quality. Modern developments are also evident including the Beetham Tower, Axis and Owen Street.

Viewpoints 4 and 15 provide the opportunity to explore the impact of the development on the emerging character in this area created by developments such as HOME. The railway viaduct which runs parallel to the street provides an historic horizontal features amongst some of the vertical forms of architecture.



Viewpoint 4 – Whitworth Street (existing)



Viewpoint 15 – Whitworth Street (existing)

The proposal is within a cluster of tall buildings and is highly visible rising above Liberty Heights. The development would contribute positively to the townscape and emerging character of this area.



Viewpoint 4 – Whitworth Street (proposed including cumulative impacts)



Viewpoint 15 – Whitworth Street (proposed including cumulative impacts)

Viewpoint 6 is the closest to the site, directly outside station entrance. It is currently dominated by Liberty Tower and Holiday Inn and railway infrastructure is evident.



Viewpoint 6 – Oxford Road Station (existing)

It is not a sensitive view with the capacity to absorb new development. The townscape assessment considers the view to be incoherent, unbalanced and fragmentary and the development adds value. The impact is substantial and would reinforce the sense of enclosure created by the other tall buildings to the south of the railway. The high quality architecture and slender profile would add character and enhance the view.



Viewpoint 6 – Oxford Road Station (proposed)

Viewpoint 7 looks south down Oxford Street and Historic buildings dominate such as the Palace Theatre, St James's Building and the Corner House. Modern buildings such as the Holiday Inn and the 1-5 New Wakefield Street (at 32 storeys) (which has been constructed since the image was taken) dominate the view and demonstrate that the view has been subject to recent change.



Viewpoint 7 – Oxford Street (existing)

The view is in the conservation area with surrounding listed buildings and is sensitive. The proposal would be the tallest in the view above 1-5 New Wakefield Street and Liberty Heights. It would have a significant impact but would sit amongst other tall buildings and form part of the setting to the Refuge Assurance Tower. It would be a new focal in a cluster of tall buildings and enhance the townscape. The architecture would be high quality.



Viewpoint 7 – Oxford Street (proposed including cumulative impacts)

Viewpoint 8 is from a major civic space outside conference and exhibition venues. It includes Chepstow House and more modern developments including Liberty Heights.



Viewpoint 8 – Manchester Central (existing)

The proposal would form an important, but background, component to the townscape with the full width of its elevation to be visible. The use of brick complements the warmer tones found at Manchester Central and the proposal would complement the character of the area and allow the public square to remain legible and understood.



Viewpoint 8 – Manchester Central (proposed)

Viewpoint 14 The proposal be visible from the canal as well as residential properties. This view marks one of the few locations along the canal network where the development would be visible. The canal is of historical significance, however, the view is characterised by modern developments including Liberty Heights.



Viewpoint 14 – Rochdale Canal (existing)

The proposal would become the principal feature within the view and would be higher than Liberty Heights and 1-5 New Wakefield Street. The cluster of modern developments ensures that the proposal would have a minor impact on the townscape with no unduly harmful impacts on the character of the view.



Viewpoint 14 – Rochdale Canal (proposed)

Viewpoint 16 is down Great Bridgewater Street and is heavily influenced by the Beetham Tower with Liberty Heights on the skyline.



Viewpoint 16 – Great Bridgewater Street (existing)

Deansgate would remain the dominant feature. The transitional nature of the view means that visitors would only experience the view fleetingly or glimpsed. The Beetham Tower dominates the view and the proposal would have a negligible impact.



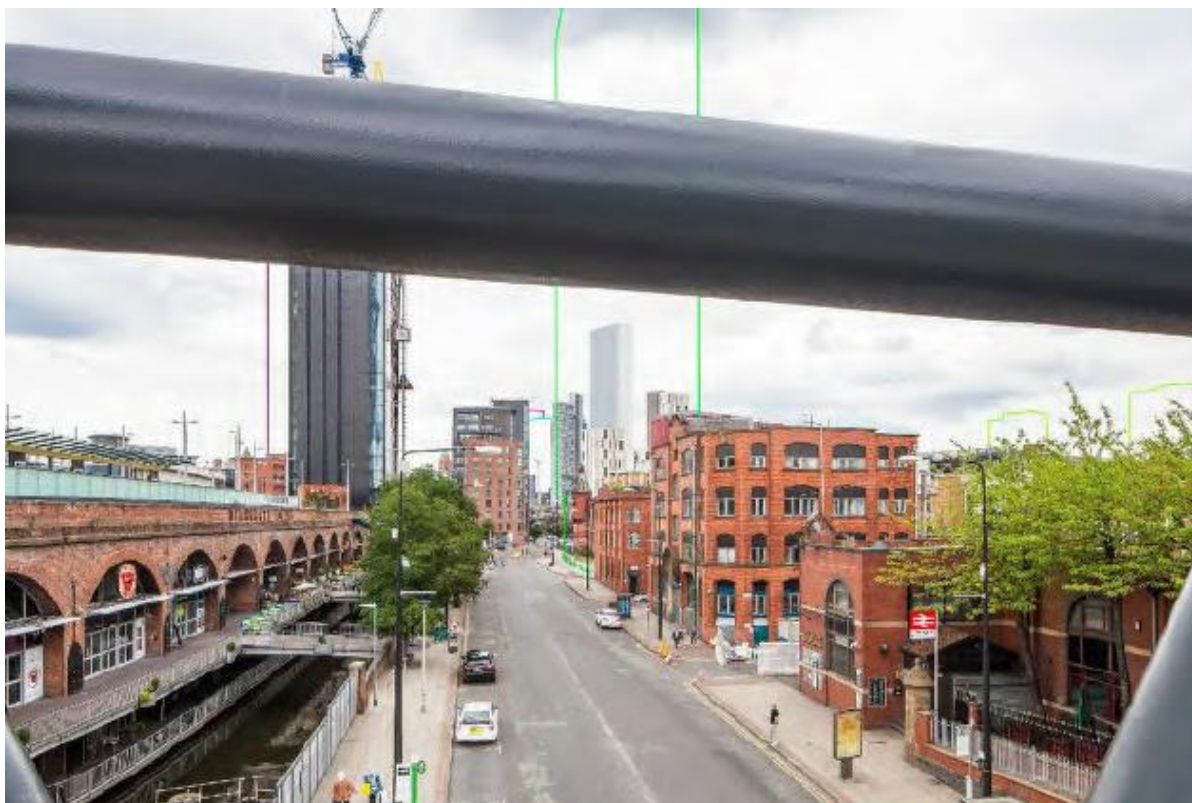
Viewpoint 16 – Great Bridgewater Street (proposed including cumulative impacts)

Viewpoint 17 is on the footbridge from Deansgate Castlefield to Deansgate Stations above Whitworth Street West. The view offers elevated, open views of central Manchester. Transport infrastructure heavily dominates this view.



Viewpoint 17 – Whitworth Street West (existing)

The proposal would contribute to the cluster of tall buildings in this part of the city. The view would still be dominated by the road network and would provide a balancing effect with the Axis tower. In the cumulative scenario the proposal would be obscured by committed development.



Viewpoint 17 – Whitworth Street West (proposed including cumulative impacts)

Zone O Castlefield

The area is the terminus for the world's first industrial canal: the Bridgewater canal and the world's first passenger railway terminated near by in 1830. It also includes remaining sections of a Roman Fort. Castlefield conservation area covers this area. The visual character of the area is varied. The many viaducts that pass through the it provide panoramic views of the city but also encloses the spaces below. These strong horizontal features contrast with the chimneys and towers associated with the industrial character of the area. Historic fabric is evident in Castlefield.

Viewpoint 18 'Castlefield Basin' is taken from the ramped entrance path down into the basin from the pedestrian bridge over the Bridgewater canal. Apart from the Merchants Warehouse, there are no historic buildings in the view. Notwithstanding this, the Castlefield Basin has high townscape value. The skyline is far from uniform and contains an eclectic mix of historic and more recent towers (Owen Street).



Viewpoint 18 - Castlefield Basin (existing)

The towers at Owen Street dominate the view reducing the impact of any building in the background such as this development. The proposal would be too distant to have any material impact and in any event is obscured in the cumulative scenario.



Viewpoint 18 - Castlefield Basin (proposed)
Zone P Southern Gateway

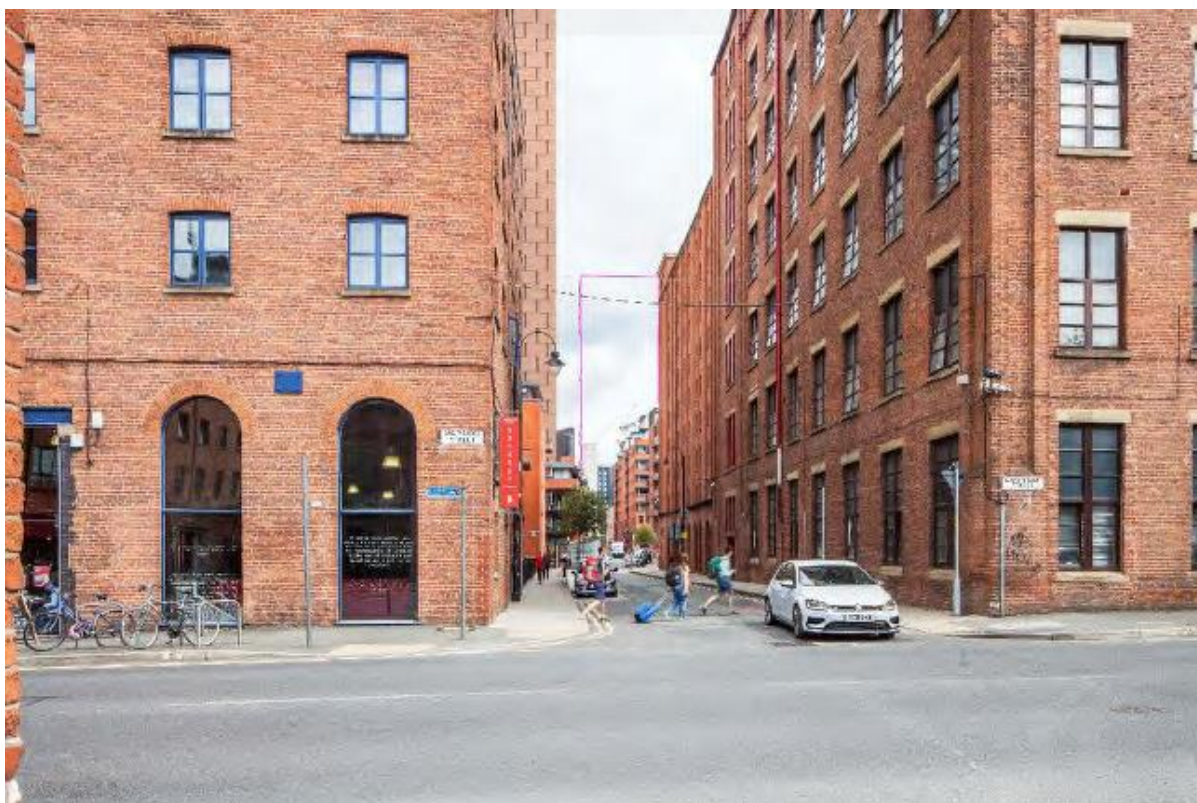
This area forms the major gateway into the City Centre from South Manchester and the proposal is in this zone. There are cleared sites used as temporary car parks. The railway viaduct and arches provide a strong horizontal feature punctured by the older mill buildings of Macintosh Village namely the chimney of Chorlton Mill, Dunlop and Macintosh Mill buildings. There is major regeneration activity in the eastern part of the zone: HOME with further development activity taking place there with buildings of significant scale.

Viewpoint 2 is an area dominated by the Dunlop buildings which have been converted into residential uses and have largely retained their historic exterior providing high townscape quality. Vertical emphasis is provided in this area by the Chorlton Mill chimney and Liberty Heights which is a feature behind.



Viewpoint 2 - Wilmott Street (existing)

The townscape is of high quality and high value with historic mill buildings and tight urban grain and the area is sensitive to change. Due to the nature of the viewpoint, only the lower part of the building would have any real influence on the view. Notwithstanding this, the proposal would be substantially taller than the established scale and pattern of development. The magnitude of the impact on this view is minimised to some extent by its high-quality architecture providing a contemporary contrast to the historic buildings.



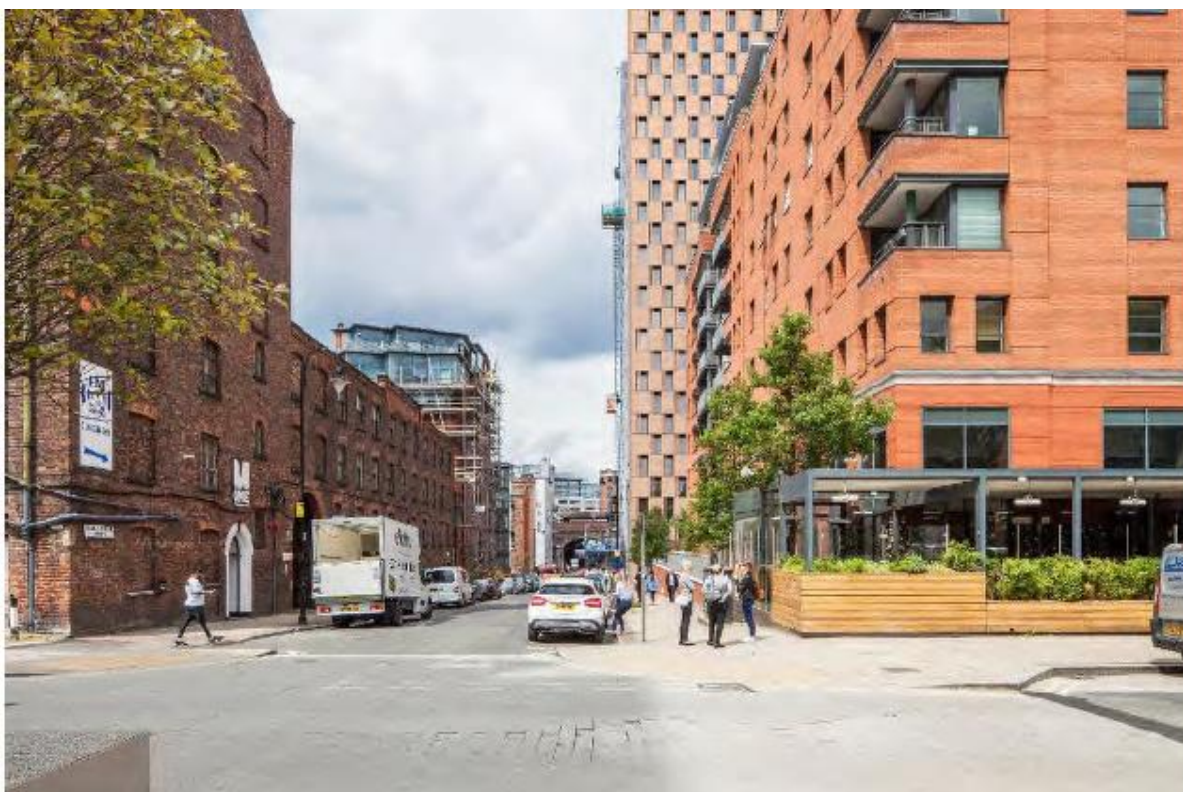
Viewpoint 2 - Wilmott Street (proposed including cumulative impacts)

Viewpoint 5 'provides a close up view of the site on a street which is already dominated by a tall building: Liberty Heights. The view demonstrates the mixed character of the area from the historic former mills to new apartment buildings.



Viewpoint 5 – Lower Ormond Street (existing)

The view highlights the older mill buildings on the west side of the street and the newer modern buildings to the east. The impact of the development should be measured against the impact of Liberty Heights which is a building of scale on the east side of the street. The proposal would obscure Liberty Heights and provide a well detailed masonry building complementing the historic buildings. The full scale of the building cannot be full appreciated from this view but provides a robust development to the street edge reinforcing the grid pattern of the area.



Viewpoint 5 – Lower Ormond Street (proposed)

Viewpoint 20 is taken from the footbridge over the Mancunian Way and provides a key view from which to appreciate the changing Manchester townscape. The Owen's Street towers are in the foreground and frame numerous residential and office buildings. The bridge forms an important pedestrian link between Hulme and the city centre and offers elevated views.



Viewpoint 20 – Mancunian Way (existing)

The Mancunian Way dominates the view and has a negative impact on townscape character. The view shows that the proposal would rise above Liberty Heights and become a prominent. When considered against the cluster of taller buildings at Owen Street the overall effect on the townscape would be low with a minor beneficial impact to the skyline.



Viewpoint 20 – Mancunian Way (proposed)

Viewpoint 21 provides a view of the site from the west. Liberty Heights is prominent as are the historic buildings of Hulme Street and Cambridge Street. However, the First Street developments are the buildings which dominate the view.



Viewpoint 21 – Medlock Street (existing)

The townscape value is considered to be low as the emerging First Street regeneration development rise up obscuring the historic buildings. The proposal, when considered in the context of the other tall buildings in this area, is considered to complement the cluster of development. Although taller than the other buildings, the slender nature of the building provides an elegant addition to the skyline with a positive impact on the overall townscape.



Viewpoint 21 – Medlock Street (proposed including cumulative impacts)

Zone Q Hulme

There has been a considerable amount of regeneration in recent years and a large area of low-rise housing has been built. The area contains one the largest public open spaces close to the city centre, Hulme Park. Princess Road cuts through this zone with footbridges providing views into the city centre.

Viewpoint 19 'is a view of the site on the townscape from a more distant perspective. The view is dominated by the Owen Street development.



Viewpoint 19 - Chester Road roundabout (existing)

The dominance of the Owen Street development, Axis tower, the Beetham Tower and other emerging development in the cumulative scenario means the views can absorb new development without causing significant harm or impact on the townscape. The proposal features in a minor way and is dwarfed by the Owen Street development.



Viewpoint 19 - Chester Road roundabout (proposed including cumulative impacts)

Viewpoint 22 'Hulme Park' is a popular green space to the south of the city centre. Its wide-open aspect offers views of the city centre skyline above the tree line.



Viewpoint 22 – Hulme Park (existing)

The proposal is distant and offers a slender profile. Whilst the open nature of the site has an impact on the area, the distance of the application site and the characteristics of the view dominated by trees, it is considered that any impacts are minor.



Viewpoint 22 – Hulme Park (proposed including cumulative impacts)

Viewpoint 23 'Stretford Road (Bridge over Princess Road) provide a viewpoint on the edge of a densely populated residential area of Hulme. Liberty Heights is visible above HOME. The bridge over Princess Road is the dominant feature in the foreground and mature trees soften the view.



Viewpoint 23 – Stretford Road (existing)

The proposal is distant, offers a slender profile and provides a new landmark feature.



Viewpoint 23 – Stretford Road (proposed)

The Macintosh Village Management Company have questioned the adequacy of the Townscape assessment including the methodology used and conclusions. They have provided images to demonstrate that those in the planning submission (and included in this report) are not accurate or appropriate to form reasonable judgements about the impact of this development on the local and cityscape.

The TVIA has been produced by a specialist and who has prepared assessments for numerous tall buildings in Manchester. The assessment was undertaken in 2018 when the application was submitted.

It was based on an established methodology contained in Guidelines for Landscape and Visual Impact Assessment (GVLIA) 3rd edition published in 2013 which allows for the assessment of the proposed development using a Representative Viewpoint approach. Verified Views or Accurate Visual Representations (AVR)s were prepared by a computer modelling specialist using an approved methodology and sophisticated computer modelling software.

The current edition of the GVLIA, published in 2013, remains valid guidance for all TVIAs at the present time as is now supplemented by TGN 06/19. The document is best practice guidance only with relevant experts using the guidance, as well as their professional opinion, to make reasoned judgements about a proposal. The guidance is not mandatory and is not part of national or local planning policy or legislation.

The photography and visualization in the TVIA were based on LI Advice note 01/11 (Photography and Photomontage). The document was superseded by TGN 06/19 (Visual Representation of Development Proposals) in September 2019 as a supplementary guide to support GVLIA 3.

TGN 06/19 essentially sought to update and formalise the earlier guidance within 01/11. It established a hierarchy of Visualizations or AVR models from Type 1 to Type 4 which should be used depending on the complexity and scale of the proposal. Type 1 is appropriate for simple assessments and Type 4 is relevant to more complex cases where accurate verified views are required.

The AVRS were carried out in 2018, prior to TGN 06/19 being published. They contend however that the assessment conforms to Type 4 in terms of accuracy, camera matching and computer software. Some views are not fully rendered which is not unusual where a range of views is required. They contend that the results have been interpreted accurately in accordance with the TVIA methodology.

TGN 06/19 is guidance intended to assist with the assessment and visualisation of a wide range of proposals. It does not set out a series of mandatory procedures but offers guidance to be used by the assessor depending on the circumstances and focus of the assessment. They acknowledge that the selection of camera and lens is clearly important and the guidance states that in most, but not all situations, a 50 mm lens should be used.

In this instance a wide angle 24mm tilt shift lens was used as this type of camera has the equipment to effectively demonstrate accurately and verifiably the visual and townscape effects of a tall building on the townscape and views.

The applicant therefore contends that this type of proposal represents an exceptional circumstance where it is reasonable and appropriate to use a 24mm lens and outlines specific reasons for doing so:

- The height of the building will inevitably mean that the top of the building is often cut off if a standard 50mm lens is used as the ridgeline is often more than 18° from the horizontal;
- Often close up views are necessary to assess the effect of the proposal on the immediate streetscape, often in areas of tight urban grain; and
- Skylines and clusters of tall buildings are an important part of a TVIA where the insertion of a new tall building into an existing cluster or, as a new feature on the skyline or horizon, is an essential part of understanding its contextual fit.

The TGN 06/19 notes:

'If the site / setting cannot be captured with the 50mm lens (e.g. close, tall buildings), consider alternative lenses. If a 50mm FL lens cannot capture the view in landscape or portrait orientation (for example, if the highest point of the development is approaching 18° above horizontal) the use of wider-angled prime lenses should be considered, working through the following sequence of fixed lenses in this order: 35mm FL > 28mm FL > 24mm FL > 24mm FL Tilt-Shift'.

The applicant is therefore satisfied that the approach, equipment used, methodology adopted, and results displayed in the 2018 assessment are compliant with the current guidance as set out in TGN 06/19.

The applicant contends that there are inaccuracies associated with the photos submitted by Macintosh Village Management Company. These are as follows:

- **Viewpoint 7.** In the submitted TVIA viewpoint 7 existing and proposed is supplied as a square image. In the objectors document, the image is rectangular with all the commensurate distortion that occurs when an image is compressed or stretched.
- **Viewpoint 4.** As above. The image supplied was square and is now a distorted rectangular image.
- **Viewpoint 2.** The comparator photograph is not in the same location as that submitted nor is it of the same lens type to justify comparison. The height of the cumulative development (as built) remains the same in both photographs in relation to the foreground buildings.
- **Viewpoint 4 v Viewpoint 15.** Tall buildings often become foreshortened the closer you are to them. Furthermore, the image supplied for Viewpoint 4 has been distorted.

The applicant accepts that the current position has changed since the original assessment was undertaken in 2018 with the construction of the 1-5 New Wakefield Street. However, the cumulative assessment did include all schemes which had

planning permission, but not constructed, and therefore the conclusions within the assessment remain valid.

The applicant contends that since the 2018 assessment, tall buildings within this part of central Manchester have become a more consistent part of the townscape character to which the proposed development would relate.

The changes to the current situation were also reflected in an update to the Environmental Statement which were submitted in 2020 and this concluded that the changes to the baseline situation did not materially alter the conclusions of the original assessment.

Whilst the residents have questioned the adequacy of the TIVA it is considered to be robust and offers an appropriate mechanism to assess this proposal. The methodology uses the relevant guidance available and is interpreted by a relevant expert in order to produce the conclusions in the TIVA. The update to the guidance has not sufficiently altered the methodology for assessing such developments and the assessment is in line with the guidance in terms of methodology, use of camera lens and software to ensure that the results are accurate and representative images of the impact of the development.

It is therefore accepted that the methods used to assess the impact of this tall building on the townscape are appropriate in this instance and that the images within the report, including cumulative impacts, comprehensively considers the local and wider impact on the City scape.

It is accepted that the development would be significant in some views but, in most cases, the impacts are beneficial or commensurate with other nearby developments as a result of its architecture, scale, massing and materiality.

There are instances where it would change the setting of listed buildings, conservation areas and non-designated heritage assets. However, this would be mitigated by the benefits of the proposal through the addition of new accommodation, place making and high-quality architecture. These benefits would be considered in further details elsewhere within this report.

Layout, scale, external appearance and visual amenity

The main entrance to the building would be from Hulme Street with a separate access for the bin storage area as well as a designated entrance to for students to access the cycle store together with entrance to the SME space.

The ground floor would also contain the secure bike store which would be accessed via a separate entrance adjacent to the main entrance. The first floor also accommodates the SME space in the eastern part of the building providing a large open plan space with individual desks and break out areas.

Communal areas for the students are on the first, second and third floor providing active windows over Great Marlborough Street. The incubation spaces associated with the SME also occupy these levels overlooking Hulme Street.

The third and fourth floors also contain studio accommodation. Levels 5 -11 have 24 studios per floor including one adaptable studio. At levels 12-26, the floor plate reduces and accommodates 16 studios, including one adaptable studio, with two lift cores. Levels 27 and 29-53 all follow the same arrangement as the lower levels with the exception that a second adaptable studio is introduced. At level 28, the floor plate accommodates 10 studios including two adaptable studios with the remainder of the floor plate being used for plant. Level 54 is a double height space that would be used as a common area for students as well as study, break out and common spaces. The roof of the building would be used for plant.

The exterior would be red brick providing a reference to the sites red brick context. The slender nature of the building also makes reference to the scale, form and nature of the nearby former mill chimneys.

A consistent floor to ceiling height has allowed a rhythm to the window arrangement to be established. Façade brick panels to Great Marlborough Street would provide pattern and depth and deep window reveals would be created along Hulme Street. The overall effect creates a continuous surface to the building replicating the regular facades found on the older buildings in the area.



Window arrangement to Hulme Street elevation

Aluminium louvres are required for the mechanical ventilation system and openable windows would be screened by an aluminium screen. Window would also be aluminium and a colour would complement the brick.



Main entrance off Hulme Street including patter brick work to Great Marlborough Street

Natural surveillance would be provided at street Hulme Street by the main entrances to the student accommodation, SME space and views through to the reception area. Great Marlborough Street would be overlooked by the 4 storey amenity block which would have windows overlooking the street. This together with the public art on this elevation would bring interest to this elevation.

At 55/11 storeys the proposal would be substantial in the area as well as being seen from key viewpoints across the city. It would be the tallest building in this area exceeding Liberty Heights at 37 storeys and 1-5 New Wakefield Street at 32 storeys.

The building would form part of a cluster of tall buildings and whilst this would be the tallest, it would help to bring some cohesion with the other tall building. The building would be a slender addition to the skyline, particularly when viewed along Great Marlborough Street and long-range views along Hulme Street.



Great Marlborough Street – showing the narrow, slender elevation and deep panel reveals



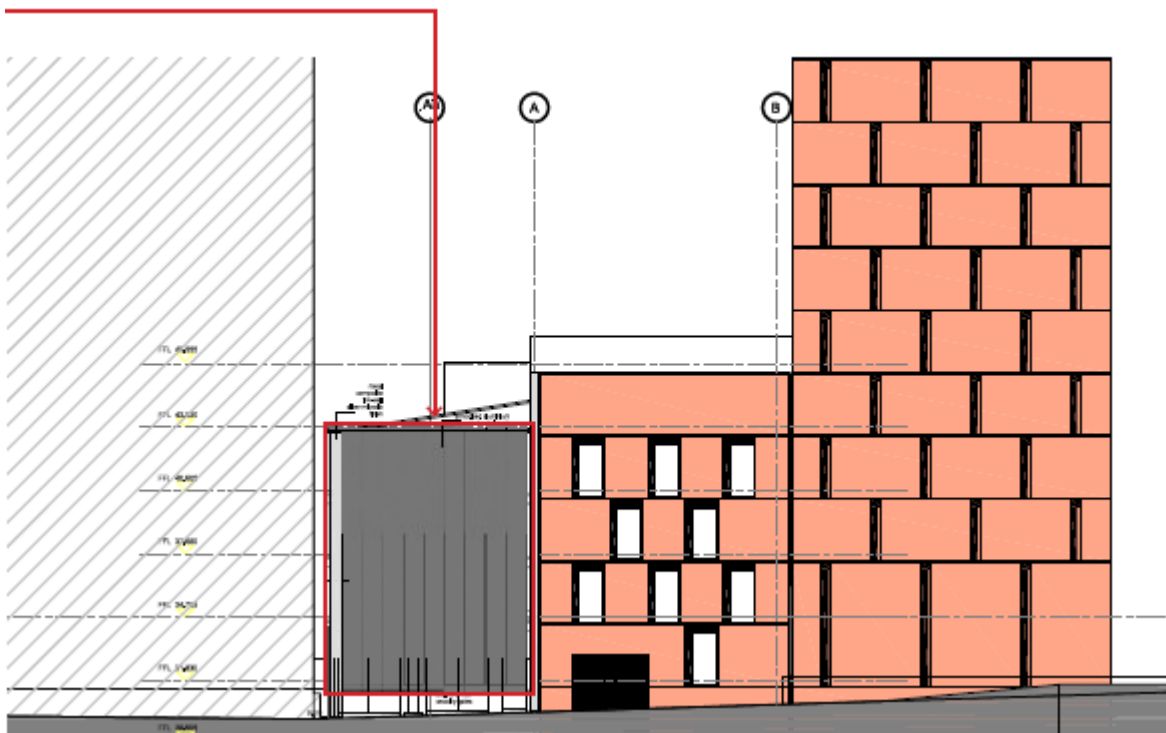
Hulme street elevation – showing deep regular window pattern and double height window to the crown of the building

Local residents are concerned about the overall scale of the building considering it to be an overdevelopment of the site, resulting impacts on the wind environment, loss of light/overshadowing and loss of privacy. These local impacts are covered in detail in the report.

The development is close to Oxford Road Station and within The Corridor and would form a cluster with other tall buildings in the area. Whilst this development would be the tallest building in the immediate locality, it would meet the required standards in terms of design, materiality, sustainability and realise regeneration benefits as required by the Core Strategy's tall building policy (EN2).

Part of the MSCP would be demolished to provide two way access ramps to the north of the existing building. The car park would remain operational throughout the construction period with phased arrangements, with temporary access arrangements during the construction period.

The new MSCP would be 3 storeys with the main elevation to Great Marlborough Street fitted with a mesh system for ventilation. A large portion of the MSCP would be concealed behind the proposed tower, and it would be a relatively subservient element in the street scene. The east elevation would be treated in a ribbed material. The choice of materials for the building allow the car park to be natural ventilated.



Car park façade to Great Marlborough Street

Overall, the design would be high quality and distinctive. A tall building would be acceptable here and the materials would deliver a simple and effective façade treatment. Conditions of the planning approval would ensure that the materials are appropriate and undertaken to the highest standard.



The proposed development forming a cluster with Liberty Towers (37 storeys) (and now 1-5 New Wakefield Street at 32 storeys)

Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the standard of design and architectural quality are maintained through the process of procurement, detailed design and construction. The design team recognises the high profile nature of the proposed use.

The applicants acknowledge that the market is competitive and the quality of the development is paramount. A significant amount of time has been spent developing and carefully costing the design to ensure that the scheme as submitted can be delivered.

The proposed materials have been selected following detailed research and discussions with contractors and suppliers to establish the cost parameters, maintenance requirements and to understand weathering characteristics, to ensure that they can be delivered within the cost parameters and are of appropriate quality and longevity.

The development team have experience of delivering high quality buildings, including residential schemes, in city centre locations. They recognise the high profile nature of the site which has ensured that the design response is appropriate for this strategically important site.

The proposal has also been the subject of a Places Matter! review.

Impact of the historic environment and cultural heritage

The site is not within a Conservation Area but there are a number of Listed Buildings and Conservation Areas in close proximity to the site. The proposal would have an impact on the surrounding historic environment and on key views across the City. The listed buildings near the site are: Dance House Theatre (Grade II), Chatham Mill (Grade II), Oxford Road Station and Platforms (Grade II), Former Refuge Assurance Building (Principal Hotel) (Grade II*), Chorlton Old Mill (Grade II), Chorlton New Mill (Grade II), Ritz Dance Hall (Grade II), Palace Theatre (Grade II), Tootal, Broadhurst and Lee Building (Grade II*), St James Building (Grade II), 61 Oxford Street (Grade II), 127-133 Portland Street (Grade II), Mill Chimney (Grade II), Cotton Mill (Grade II) and Manchester South Junction and Altrincham Railway Viaduct (Grade II). The site is not within a conservation area, however, the Whitworth Street Conservation Area is close to the site.

Legislation and planning policy seek to preserve or enhance the character, appearance, and historic interest which heritage assets possess. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("P(LBCA)A 1990") require that 'special regard' be paid in taking decisions affecting listed buildings and their settings and conservation areas.

Whilst a number of listed buildings have been identified, the key listed and heritage assets affected by the proposal are:

The Former Refuge Assurance Company Offices (now known as the Principal Hotel) (Grade II*) is a distinctive landmark building along Oxford Road whose tower is prominent in views across the City. The building is four storeys plus basement and attics and together with the decorative features outlined above. The building contains distinctive element: the elongated tower element, the elevations to Oxford Street with square four light 17th Century inspired mullioned window openings and the Baroque entrance. The brickwork to the principal Oxford Street elevation appear darker than the orange tower with the contrasting white-grey stone entrance.

It would be seen in the same context as the proposal. The proposal is set back from Oxford Road and this would reduce its impact on the setting of the listed building and allow it to be appreciated and experienced in its current context. The proportions of the proposal, together with the high quality façade and materials would provide a high quality and distinctive building within the setting of the listed building. Historic England conclude that the proposal would not compromise the setting and status of the listed hotel and its tower.

Manchester Oxford Road Station (Grade II) is a post war railway station and has a unique and striking design. It is constructed of laminated timber shells supported on a cruck like frame. Its unusual shape, design and use of timber cladding create a striking addition to the street scene. The station is located to the north of the site. Views of the Station would be retained because of its elevated position above New Wakefield Street. It is therefore considered that there is no impact on it as there is no physical or visual relationship with the station and the site.

The Dancehouse Theatre (Grade II) is a former cinema built between 1929-30. It is four storeys over nine bays, with a white faience principal façade with brick rear elevations and retains its internal layout of double auditoria over a first floor restaurant and waiting halls, foyer and shops. The building is located south of the site between Hulme Street and Chester Street. There would be long range views of the proposal behind the listed building when looking towards the City Centre. However, there is a degree of physical separation between the listed building and the site and it would not adversely impact on its setting or how it is appreciated and viewed in the street scene.

The Dalton Statue in forecourt of Dalton College (Grade II) is a statue of the Chemist and Physicist John Dalton and dates to 1854 by William Theed the Younger. It is cast in bronze on a sandstone plinth with cut lettering and is located on Charles Street to the east of the site. Given the physical separation of the structure to the proposal, it would continue to be unaffected within the setting of John Dalton College which it forms part of.

Chatham Mill (Grade II) is a six storey mill constructed in brown red bricks. It consists of six storey rectilinear block of 17 bays, with engine house against the gable wall to the southwest. The mill dates from 1820 and is a good example of an early 19th Century mill. It is located on Chester Street and is physically separated from the site. Given the scale of the proposal, there is potential for some long range views of it from the listed building. However, it is not considered that this would result in any harmful impacts on the listed building, its setting or the understanding of its importance.

Chorlton Old Mill (Grade II) is a former cotton spinning mill, converted to residential accommodation in 1993. The earliest mill on the site was built in 1795, considerably extended c1810, and then largely rebuilt in 1866. Brick with slate roof and is 6 storey in height. The mill is physically separated from the site and whilst the building would be seen in the same context of the site (from long ranging views along Hulme Street) the listed building would remain legible and understood in the street scene.

Chorlton New Mill and chimney (Grade II) is a former cotton spinning mill converted into residential accommodation. It is constructed of red brick with a slate roof and is 8 storeys (with two below street level) with small rectangular windows. The building has an associated chimney which dates back to 1852 constructed of brick with iron bands in an octagonal form. The mill is physically separated from the site and whilst it would be seen in the same context, particularly its chimney, the significance of the listed building would remain legible and understood.

Cotton Mill (Grade II) for cotton spinning mill converted into residential accommodation. It is constructed of red brick with a slate roof and is 5 storeys. The mill is physically separated from the site and whilst it would be seen in the same context the significance of the listed building would remain legible and understood.

There are other listed building and a number of non-designated heritage assets in close proximity to the site, namely the former picture house cinema, textile finishing works, hotspur press (former Medlock Mill) and Kingston Public House. These buildings hold some historical value reflecting a way of life during their time of

construction and intended use. Whilst there would be views of the proposal within the same context as these buildings, it is not considered that there would be any unduly harmful impacts in this regard and are considered as part of townscape and visual impact assessment.

A heritage assessment has considered the impact of the proposal on the historic environment within the context of the key viewpoints as required by paragraph 189 of the NPPF.

The scale of the impact, together with the impact on the significance of the heritage asset, has been judged to be either low beneficial, negligible or neutral in most cases together with there being instances where the proposal improves the visual amenity of the area thus being beneficial.

In this instance, the main viewpoints which impact specifically on the heritage assets are views 1-10 which are considered in detail below.

Viewpoint 1 is a view along Oxford Road and one of the principal views of the proposal. It contains a number of listed buildings including the Refuge Assurance building and its tower, the Library and Town Hall and views of the Conservation Areas.

The proposal would be highly visible. However, it would be set back from the street so would not visually intrude on the enclosed views along Oxford Road. It would provide some verticality to the strong horizontal form of the lower buildings in the view. When considered alongside the other tall buildings in the area, namely 1-5 New Wakefield Street, it is concluded that the overall effect on the historic environment is negligible.

Viewpoint 2 is experienced looking east along Hulme Street, at the junction with Cambridge Street and illustrates the industrial character of the area with views of the Grade II listed Chorlton Old Mill to the left side of the view and the Grade II Chorlton New Mill to the right which are appreciated and understood in the view. The proposal would be seen as the backdrop to the listed buildings, however, the harm caused would be minimised as the development would clearly be read as contemporary form of development with contextual references from its materials and articulation. The overall effect is concluded to be negligible given the other large scale developments at 1-5 New Wakefield and Circle Square.

Viewpoint 3 highlights the current fragmented urban form of the area. Circle Square now screen views of the Dance House Theatre. Modern development such as the Holiday Inn and 1-5 New Wakefield Street are also visible. The assessment judges the heritage value in this view to be low. The proposal would appear slender in form and in the background and add some visual interest. The impact on the significance of the heritage assets would be neutral, particularly when viewed in the context of other committed developments and that under construction.

Viewpoint 4 highlights the dominance of modern tall buildings contrasting against the horizontal form of the Grade II listed. Due to the length of the viaduct, its setting is vast thereby being understood and appreciated as part of the wider urban form. The

proposal would be part of a cluster of tall developments and form a cohesive urban skyline and provide visual interest. There would be limited impact on the heritage assets and the historic environment remains legible and understood.

Viewpoint 5 'Lower Ormond Street' illustrates a wider variety of height, form and materiality. The Grade II Chatham mill is visible. The assessment concludes that the building would give greater articulation to the junction of Great Marlborough Street and Hulme Street and the use of brick would give greater cohesion to the urban form. Accordingly, there would be a minor beneficial impact on the setting of the Grade II Chatham Mill.

Viewpoint 6 is a view in front of the Grade II listed Oxford Road station currently dominated by Liberty Heights. The view highlights the enclosed nature of the station which limits the appreciation of the heritage asset. It is concluded that the proposal would provide some variety to the view and would be neutral in heritage terms.

Viewpoint 7 'Oxford Street' demonstrates the dominance of Liberty Heights and the concealed nature of Oxford Road Station. The Grade II* Refuge Assurance Building is to the left and the unlisted former Corner House Cinema forms the junction with Oxford Road. The proposal would be highly visible and add to the variety and interest in the view. The form, articulation and materials contrast to other modern buildings in this area and provide a contextual reference to the wider historical industrial character of the area. The development would form a cluster with the other tall buildings in the area and minimise the impact on the historical environment.

Viewpoint 8 provides the view from the public realm outside of the Grade II* Manchester Central Building. The roofline and chimney of the Grade II listed Chepstow House can be seen above the entrance ramp in the foreground and illustrates the low-medium significance of the setting of the Grade II* listed Manchester Central building. The proposal would be seen to the right of 101 Barbirolli Square, behind Liberty Heights and would add interest and variety to the wider city-scape, illustrating the continuation of the city beyond. The proposal would have a neutral effect on the significance of the identified heritage assets.

Viewpoint 9 is outside the entrance to the Grade II* listed Central Library building. The Grade II listed St Peter's Cross is seen in the middle of the public realm whilst No.1 St Peter's Square marks the southern side of the square. St Peter's Square provides a formal setting to the nationally important group of civic buildings (the Grade II* Central Library, the Grade II* Town Hall Extension and the Grade I Town Hall), however, this viewpoint does not best represent this. Consequently, this view illustrates the medium significance of the setting to the identified heritage assets. The proposal would be a backdrop to Peter House and the wider setting of St Peter's Square. Consequently, it would have a neutral effect on the significance of the identified heritage assets. Where the proposal is considered alongside other committed developments, the effect would remain neutral; the New Wakefield Street development would act as a terminus to the view.

Viewpoint 10 illustrates the character and appearance of the Whitworth Conservation Area at the junction of Princess Street and Whitworth Street. The proposal would not be visible from this location. This development would be seen in

the same context of a number of heritage assets. The current low-rise nature of the existing building at site has, at best, a neutral impact on the local area and the assets identified above.

The building would be visible on Oxford Road/Street corridor, from within the Whitworth Street Conservation, in the setting of the listed buildings, Oxford Road Station, viaduct and Chorlton New and Old Mill and Chatham Mill. Whilst tall, the building is set back from Oxford Road, and its proportions, slender form and architecture mitigates against any significant harm on these heritage assets. The proposal would form a distinctive piece of architecture providing appropriate and well-conceived references to the historical environment without unduly compromising the historical environment.

There is local concern about the impact on the nearby former mill buildings, both individually and their group value. The tight urban grain means that proposed building is only visible in certain location and when viewed with other tall buildings it would not be considered to be unduly harmful to warrant refusal. The level of harm is low and would be outweighed by the public benefits set out below.

It is considered that there would be some low-level impacts on the surrounding listed buildings. This would be less than substantial harm, as defined by paragraph 196 of the NPPF, to the setting and significance of the identified heritage assets.

Notwithstanding this low level of harm, the significance of heritage assets would remain legible and understood with only a low-level harm to their wider setting. Any harm would be outweighed by the substantial regeneration benefits that this development would bring. It is considered that this would provide the public benefits required by the paragraph 196 of the NPPF which outweighs any harm which arises. These public benefits will be considered in detail below.

Assessment of Heritage Impact

The changes to the setting of the Whitworth Street conservation area, Refuge Assurance building, Oxford Road Station, Manchester south junction and Altrincham Railway Viaduct, Chorlton Old and New Mill, Cotton Mill and Chatham Mill would result in instances of low level of harm which would be less than substantial harm within the NPPF.

It is therefore necessary to assess whether the impact of the development suitably conserves the significance of the heritage assets, with great weight being given to the asset's conservation. The more important the asset, the greater the weight should be (paragraph 193 NPPF). The harm should be outweighed by the public benefits that would be delivered in accordance with the guidance provided in paragraph 196 of the NPPF. In considering whether the public benefits outweigh any harm, consideration has been given to paragraph 8 of the NPPF which outlines the three dimensions to achieve sustainable development: economic, social and environmental.

The site would be redeveloped and provide 853 purpose-built student accommodation units. There is identified need and support from Manchester

Metropolitan University in close proximity to the Oxford Road Corridor. 786 sqm of SME accommodation would provide flexible workspace supporting start-ups and SMEs.

The proposal represents £130 million of investment and 1,289 construction jobs are expected to be created over the 3 year construction period. This increases to 3,130 jobs when combined with the indirect jobs from the wider supply chain. Jobs would also be targeted to Manchester residents through local labour commitments which would form part of the condition.

Once the development becomes operational, there would be 15 jobs directly associated with the development. 52-79 jobs would be created with the SMEs workspaces, which students would also be able to access.

Local business would benefit from expenditure during the construction period which is estimated to total £958,729 for the 3 year period. Once the development becomes operational, students are likely to generate expenditure in the region of £6,431,100 per year.

Manchester has the second highest level of graduate retention after London. Graduate retention is an essential component of economic growth and prosperity.

The visual and heritage assessment demonstrates that low level of harm would be caused where the development would be viewed in the same context as the listed buildings/structures and to the Whitworth Street conservation area. The level of harm is low as, in most instances, the significance of the heritage assets would remain legible and understood both individually and where there is group value.

Mitigation and public benefits are derived from the continued regeneration of the Oxford Road Corridor. The proposal would also be high quality in terms of its architecture, which would also bring its own heritage benefits. The buildings would be highly sustainable, using low carbon technologies and a highly efficient building fabric.

Whilst there would be some heritage impacts, this would be at the lower end of less than substantial harm with the significant public benefits associated with this development more than outweighing this low level of harm.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of listed buildings as required by virtue of s66 of the Listed Buildings Act, and paragraph 193 and 194 of the NPPF, the harm caused to the listed buildings and the Whitworth Street conservation area would be less than substantial and would be outweighed by the public benefits of the scheme and meets the requirements set out in paragraph 196 of the NPPF and section 72 of the of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact on Archaeology GMAAS accept the conclusions of an archaeological assessment that there are unlikely to be any retained below ground archaeology of any interest or heritage significance and no further archaeological requirements are necessary.

Impact on the highway network/transport/car parking issues/sustainable travel

The site is accessible by a range of transport modes and is close to amenities and services. The site is close to Oxford Road station with many bus routes along Oxford Road. The student accommodation would have a minimal impact on the surrounding highway network. The development is car free and students would be encouraged to walk, cycle and use public transport. A travel plan would be prepared to help support the students travel choices and this should be a condition.

Servicing, waste collections, taxi pick up/drop off and food/online deliveries would take place from a loading bay created outside of the main entrance on Hulme Street. The creation of this loading bay would retain the existing parking, traffic calming and two-way vehicle movement along Hulme Street but would require a modification to the highway and existing traffic regulations order.

The on-site facilities management team would manage the loading bay to ensure that it remains clear and available at all times. This is particularly important in order to manage taxi and food/online delivery services which have become particular characteristic of student accommodation and can cause disturbance locally. It is recommended that a management strategy for this loading bay is agreed in order to minimise the effects of taxis and food deliveries which are likely to be attracted to this development.

Highway Services recommend the provision of an on street car club/disabled bay to service the development (which would require the conversion of one of the on street parking bays). The location and final details should be agreed by planning condition.

262 secure cycle spaces would be provided for students and 4 space for the SME workspace on the ground floor along with secure locker space. The applicant would provide 60 bikes which would be freely available for students to book. Cycle provision would be monitored as part of the travel plan and increased storage provided if required.

The MSCP would be modified to facilitate the development. There are 391 spaces within the car park of which approximately 100 spaces are the subject of long leases by residents who live in Macintosh Village. The number of spaces would be reduced to 101 spaces of which 5% would be disabled. The car park is relatively underutilised with the exception of those with a right to park. Given the desire to reduce parking in the city centre in favour of more sustainable travel patterns, it is not considered that the loss of parking in this instance is significant. Those with a right to park would retain that provision during construction and when the development becomes occupied.

The access to the car park from Great Marlborough Street would be retained including during the construction period, albeit with temporary arrangements in place during this time. As part of the overall improvements to the car park for those with a right to park, the applicant intends to improve CCTV and install electric vehicle charging points to 20% of the spaces. In addition, a 64 space cycle store would be created behind the secure boundary line of the car park for the sole use of the lease holders.

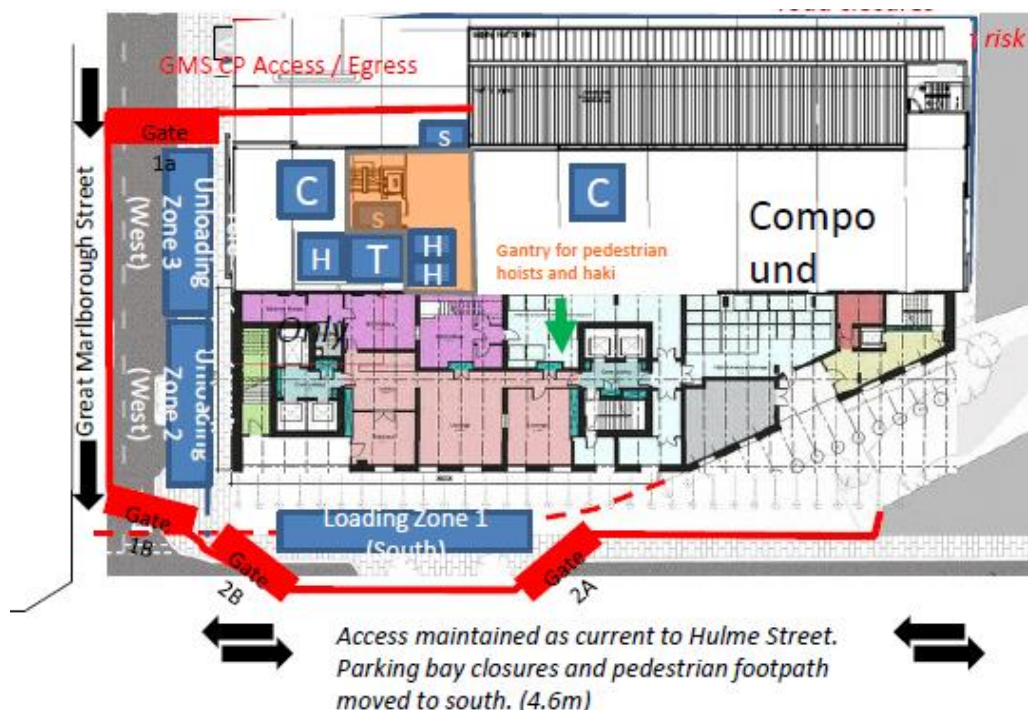
A construction management plan should be agreed to minimise the impact on the local highway network and disturbance to local residents. This includes managing HGV activities to ensure no waiting on the highway around the site.

A 5 years construction period is programmed but they aim to deliver within 4 and a half years if possible. The first year involves the partial demolition of the MSCP, site clearance and ground works. The main structure would be constructed in the following two years, with the remaining one and half years for internal fit-out works.

The site does not present abnormal environmental constraints or complexities and this would be detailed within the construction methodology which would be agreed by planning condition.

The preferred contractor is experienced with knowledge of complex projects particularly in Manchester. They are aware of the on site environmental issues including pre-existing ground conditions and the need for a robust environmental management plan to sure the safety of all residents, car park users and contractors throughout the construction period.

The constrained nature of the site and the need to keep the MSCP open, creates construction and highway management challenges and to need to avoid disruption to residents from noise, dust and traffic. The specific logistical requirements are still being considered but it is likely that Great Marlborough Street would temporarily be made one way for the duration of the works. Whilst the footway outside the site on Hulme Street would need to be temporarily closed, two way traffic would be retained.



Indicative logistics plan

The final location of the tower crane(s) has yet to be agreed, but Hulme Street would not be used for its erection or dismantling. A tower crane strategy would be required and agreed within the construction management plan.

The scope of the development has, however, been reviewed by the preferred contractor and crane specialist who have indicated that there are no impediments to delivering the scheme.

Two tower cranes would be assembled on site and hoarded off at all levels of the MSCP and all requisite safety measures taken. The crane locations would ensure all required spaces within the MSCP remain safe, accessible and operational throughout the demolition and construction period.

During construction, the cranes would be programmed with automated restrictions, thereby ensuring that no oversailing of the operational public highway or private land would occur.

Crane erection and assembly would require some general access road closure of Great Marlborough Street. Access to the car parks on either side of the road will be maintained through safe management. Some short term full road closures would be unavoidable, but this is a very common requirement for construction sites in the city centre. During these periods, some intermittent car park entry/exit restrictions would be required, but these would only be expected to only last a maximum of 30 minutes at a time. Any short-term closures would be managed and would only be in place when loads are lifted over the car park.

Car park users would be given prior notification of any restrictions. If access is required without prior notice, or in the event of an emergency, the car park areas would be made safe in order to facilitate the request for access at the earliest opportunity. It is envisaged that this would be for short periods during lifting operations.

Once the crane has been erected, general construction exclusions zones would only apply to specific construction areas of the MSCP which include its roof. The car park would remain in use with appropriate protection measures in place to ensure segregation from the construction site. The lifts and main stair core would remain accessible. Any changes to access routes would be communicated in advance and clearly sign posted.

All surrounding residents and businesses will be given advance warning of the crane assembly and dismantle periods, and an on-site management team will be available throughout.

The contractor has developed management measures to minimise impacts on residents and the highway, including air quality monitoring and Just In Time (JIT) delivery to prevent waggons from idling on surrounding roads.

The construction impacts can be managed and mitigated so that amenity or highway impacts would not warrant refusal. A planning condition would ensure that

construction impacts are mitigated to maintain the operational effectiveness of the highway network, pedestrian safety and minimise impact on residential amenity.

A series of highways would be required to be agreed as part of the proposal, this includes traffic calming measures on the surrounding road network to reduce traffic speeds at appropriate locations around the application site.

The development would not have an unduly harmful impact on the local highway network. Travel planning would help the students take advantage of the sustainable location of the site including enhance cycle provision. Those with a right to parking in the MSCP would see improved provision in the form of electric car charging and cycle provision providing greener travel options within the safety of the car park. Servicing and construction requirements can also adequately met at the site subject to clear operational management plans. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Accessibility The principle entrance to the building is via a continuous pavement along Hume Street together with step free access to the building. The loading bay associated with the site is located outside of the main entrance to the building which can also be utilised for taxi pick up and drop off. Access to the loading bay would be managed by the on-site facilities management team who would be able to assist in the management of this area to ensure it remains available at all times.

All floors of the building are accessible by lift. A number of studio apartments are capable of being adapted to meet specific needs of a disabled user depending on the nature of their disability. Adaptable units are available on each floor equating to 9% of the studio. The studios are converted on a demand basis and can be made fully accessible to wheel chair users with an accessible bathroom.

Ecology An ecological appraisal considers the impact of the development on bats, birds, other species and habitats together with the proximity to the river Medlock. GMEU concur with the results and recommend an informative to advise that if bats and birds are found during the works all work should cease until an assessment has been made by a suitably qualified individual. They also recommend a method statement should be submitted to protect the River Medlock from spillages, dust and debris.

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

The footways around the site would be improved with street trees or planters on Hulme Street and Great Marlborough Street.

The proposal would also include art work to the brick on the lower floors of the Great Marlborough Street elevation to provide visual interest.



Indicative view of the proposed art work to Great Marlborough Street elevation

The development would provide communal areas as part of the student wellbeing strategy to encourage interaction with a schedule of events and small break out spaces. The main space would be on the 54th floor with panoramic views of the city.

Effect of the development on the local environment and existing residents

(a) Sunlight, daylight, overshadowing and overlooking

An assessment of the impact on the daylight and sun light received by surrounding properties has been undertaken. Consideration has also been given to any instances of overlooking which would result in a loss of privacy.

The following residential properties were assessed:

- River Street apartments;
- 9 Hulme Street;
- 7 Hulme Street;
- 2 Lower Ormond Street;
- Quadrangle (Hulme Street/Chester Street);
- Shell House, Oxford Road;
- 7/9 New Wakefield Street; and
- Block A and B Lockes Yard, Great Marlborough Street.

In determining the impact of the development on available daylight and sunlight, consideration should be given to paragraph 123 (c) of section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The BRE guidelines provide the requirements governing daylight to existing residential buildings around development sites. The light available to a window depends on the amount of unobstructed sky that can be seen from the centre of the window. The amount of visible sky and amount of available skylight is assessed by calculating the vertical sky component (VSC) at the centre of the window. The guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages

need not be analysed. They also suggest that distribution of daylight within rooms is reviewed although bedrooms are considered to be less important.

If VSC is greater than 27% then enough skylight should still be reaching the windows. If reduced to less than 27% and less than 0.8 times its former value, occupants would change. As such, if 27% VSC cannot be achieved a reduction of up to 0.8 times its former value would not be noticeable.

The BRE guidelines also sets out a more detailed tests that assesses the daylight conditions in rooms. These include the calculation of the Average Daylight Factors (ADF) which determines the level of illumination with the standard recommended being a minimum of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

The non sky line or daylight distribution (DD) shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a significant element of the room area does not receive direct daylight penetration then the distribution of light within the room may look poor. As with the VSC assessment, if the reduction in daylight is within 0.8 times its former value there would not be a notable reduction in daylight and would not therefore be considered material.

Where a VSC result shows that a room would be adversely impacted, an ADF and/or DD analysis should be prepared to enable a more informed view to be taken as to the overall impact on daylight levels. In terms of the magnitude of the impact the effects can be negligible, minor, moderate or major.

A negligible impact occurs when the VSC is at or above 27% (for half of the windows to a room/area) and/or a VSC reduction of less than 20% (for more than half the windows to a room/area) and/or an ADF at or above 1% (bedroom) or 1.5% (lounge) and/or DD to over 80% of room area and/or reduction of less than 20%.

A minor impact occurs when the VSC is between 20-27% (for more than half the windows to a room/area) and/or a VSC reduction between 20-25% (for more than half the windows to a room/area) and/or an ADF between 0.75-1% (bedrooms) or 1-1.5% (lounge) and/or DD between 60%-80% of the room area and/or a DD reduction of between 20-30%.

A moderate impact occurs when the VSC is between 15-20% (for more than half the windows to a room/area) and/or VSC reduction between 25-30% (for more than half the windows to a room/area) and/or ADF between 0.5-0.75% (bedroom) or 0.75-1% (lounge) and/or DD to 40%-60% of the room area and/or a DD reduction of between 30-40%.

A major impact occurs when the VSC is below 15% (for more than half the windows to a room/area) and/or VSC reduction above 30% (for more than half the windows to a room/area) and/or ADF below 0.5% (bedroom) or 0.75% (lounge) and/or DD below 40% of the room area and/or a DD reduction above 40%.

For sunlight, there is a requirement to assess main windows which face within 90 degrees due south. Windows which do not face within 90 degrees due south do not get direct sunlight. The guidelines consider kitchens and bedrooms to be less

important when considering sunlight. A good level of sunlight to a window is 25% annual probable sunlight hours, of which 5% should be in winter months. Where sunlight levels fall below this level a comparison with the existing condition is made and if the reduction is within 0.8 of its former value the loss would not be noticeable.

In terms of the magnitude of the impact on sunlight the effects can be negligible, minor, moderate or major.

A negligible effect occurs when APSH is above 25% (including at least 5% winter months) and /or a reduction of less than 20% in total APSH.

A minor effect occurs when APSH is between 20% and 25% (including at least 4% winter APSH) and/or a reduction of less than 30% in total APSH and/or less than 20% reduction to winter APSH and/or 5% winter APSH.

A moderate effect occurs when APSH is above 10% (including at least 2% winter months) and/or a reduction of less than 50% in total APSH.

A major effect occurs when APSH is below 10% and/or a reduction of more than 50% in total APSH and/or less than 2% winter APSH.

The assessment below also seeks to understand the daylight and sunlight impacts of the proposals on single aspect dwellings. Whilst this is not a standard technical test for daylight and sunlight assessments, the applicant has provided further information which is set out below.

A summary of the impacts is detailed below:

River Street Apartments 15 windows were tested for daylight to 5 lounge/living room areas and 5 bedrooms. All of the lounge/living room areas have 2 windows. Currently, only one bedroom window (at the top/5th floor) achieves a VSC at or above 27%.

The development would result in 5 of the lounge/living windows having a VSC of less than 10% with the remaining 5 lounge/living windows showing a reduction ranging from 20.2% (at the 5th floor) to over 70% at both first and second floors. The VSC reductions in excess of 70% arise primarily on account of the windows having existing very low VSC (below 3%). All 5 bedroom areas show VSC reduction below 20%.

The ADF results show that 1 lounge/living room area achieves 1.5% ADF with the development in place, 2 achieve 1% and 4 achieve 0.75%.

The DD analysis shows that all lounge/living room areas achieve DD to over 80% of the relevant area with the proposal in place, less than 20% from the existing situation.

None of the bedroom areas currently achieve 1% ADF. The DD results show that currently 3 of the bedrooms DD is less than 50% of the relevant area. As a result of the development, 2 of these bedrooms achieve DD to over 75% of the relevant area

with the reduction to these areas being less than 11% of their current condition. The DD reductions to the remaining bedrooms range from some 24% to 54% and are, to a large extent a function of their current low DD.

The impact on the identified lounge/living room windows in the River Street apartments is therefore considered to be negligible as all retain over 80% of DD/VSC reduction to half windows below 10%. The impact on the bedroom areas is also negligible with VSC reductions below 20%.

10 windows were assessed for sunlight and only 3 windows, one each at the 3rd, 4th and 5th floor levels currently achieve at least 25% APSH with at least 5% APSH (winter). With the development in place, the windows at the 4th and 5th floors retain 25% APSH whilst the windows at the 3rd floor level show a reduction to 23% APSH (but no reduction to the winter APSH).

The other windows assessed in this property show only comparatively minor reduction to the current winter APSH levels with the reduction ranging from 33.33% at the 1st and 2nd floors to 6.67% at the 5th floor level.

The impacts on sunlight at the River Street apartments are predominately negligible or minor with 3 windows having a moderate adverse impact to available sunlight. For a city centre context this is considered acceptable as the impacts which would arise are not unusual or harmful to the extent that would warrant refusal. Single aspect apartments within this building are not impacted by the development.

7/9 Hulme Street 67 windows (20 in 9 Hulme St and 47 in 7 Hulme St) were assessed for daylight to 31 lounge/living room areas (11 in 9 Hulme St and 20 in 7 Hulme St).

Currently, none of the windows in 9 Hulme St achieve a VSC at or above 27% and only 6 windows achieve 27% VSC in 7 Hulme St. No windows in either property would achieve 27% VSC. However, the reduction in VSC from those currently are significantly below 20% - the highest reduction being 16%.

The ADF results show that 18 room areas would achieve above 1.5% ADF with the development in place. The DD analysis shows no reduction from the current position to the 16 rooms, with 9 rooms showing a reduction of 1% with the remaining 6 rooms showing reductions of less than 5%.

The magnitude of the effects on 7 and 9 Hulme Street are considered to be minimal/negligible and any impacts to single aspect apartments will not be of any significance or be noticeable to the occupants.

2 Lower Ormond Street 42 windows were assessed for daylight to 7 lounge/living room areas (3 windows each) and 21 bedrooms (one each). The total number of rooms assessed was 28 (four at each level ground and 6 upper floors).

Currently, none of the windows below the third floor achieve a VSC at or above 27% with the range in VSC for these windows being 12.59% to 24.03%. 12 windows at

and above the 3rd floor currently achieve 27% VSC with a further 10 achieving VSC between 20% and 27% and the remaining 2 achieving VSC of 16.6% and 18.77%.

The proposal would result in all but 3 of the windows below the 3rd floor having a VSC reductions above 20% (the range being 21.6% to 26.14%). At and above the 3rd floor, 3 windows would retain over 27% of VSC and a further 5 show VSC reductions below 20%. The remaining windows show VSC reductions above 20% (ranging between 21.85% to 34.94%).

The ADF results show that all 7 of the lounge/living room areas achieve over 1.5% ADF with the lounge/living room areas at the 2nd floor level and above (5 in total) achieving over 2% with the development in place.

The ADF range for the bedrooms is currently 0.81% to 1.47% (13 bedrooms achieving at least 1% ADF). With the development in place, the ADF range is 0.68% to 1.22% (with 6 bedrooms achieving at least 1% ADF and 11 achieving over 0.9% ADF).

The relatively small daylight reduction to the bedroom areas in the ADF analysis are reinforced by the results of the DD analysis which show that 14 bedrooms show DD reductions of below 7% and only a single bedroom shows a DD reduction above 20% - the relevant figure being 20.51% and exceeds the 'target' 20% reduction by a negligible amount. The DD analysis results for the lounge areas show that all retain DD to over 90% with the proposal in place with minimal reductions – the reduction range being 0.00% to 2.12%.

The overall the impacts are considered to be negligible in respect of daylight impacts. 12 bedroom windows would suffer minor impacts but this is considered acceptable within the city centre context and the harm would not warrant refusal. Single aspect apartments within this building are not impacted by the development.

Quadrangle development 422 windows were considered for daylight to 119 lounge/living rooms and 214 bedrooms, 333 in total. The majority of rooms have a single windows with those with multiple windows on the ends/corners of elevations. The windows and rooms are best considered in two distinct groups – the Hulme Street (site) facing group (Group A) and the Courtyard facing group (Group B). Group A comprises 169 windows to 37 lounge/living rooms and 62 bedrooms and Group B comprises 253 windows to 82 lounge/living rooms and 152 bedrooms.

Currently, the Group A VSC ranges between 1.10% to 39.02%. This changes to 0.10% - 38.31% with the development in place. The higher VSC figures relate to the windows at the ends/corners at each level of the Hulme Street elevation which generally show only a minimal reduction in VSC levels. 116 Group A windows (68.63%) show VSC reductions of at least, and in the majority of cases significantly above, 40%. These windows serve 26 lounge/living rooms and 48 bedrooms. Within Group A the majority of the rooms with windows showing VSC reductions above 40% are bedrooms which the BRE Guide recognises are less sensitive to daylight levels.

Currently, the Group B VSC ranges between 3.29% to 32.06%. With the development in place, this changes to 3.29% - 30.33%. The higher VSC levels (over 27%) are only achieved at floors 6 and above. The VSC reductions to Group B are less than the corresponding reductions to Group A with 178 windows (70.35%) showing reductions of less than 20% and 12 (4.75%) showing reductions of over 40%. In Group B the rooms served by windows showing VSC reductions above 40% are located at lower levels in the courtyard facing elevations and the relevant windows generally have low VSC levels currently which result in small numerical reductions being expressed as “high” VSC reductions in percentage terms.

It is important that the Group A VSC analysis results are considered in the context of a City Centre development. The BRE Guide was developed to assist in the design of low density, mainly suburban, residential developments. The BRE Guide recognises its limitations and the numerical guidelines need to be interpreted flexibly. The majority of the windows and rooms assessed in all neighbouring properties do not achieve, and are often significantly below, the BRE “target” VSC, ADF and DD figures currently.

The ADF and DD analysis results for the relevant lounge/living room areas and bedrooms follow the VSC analysis results. The Group A rooms sited in the central part of the Hulme Street elevation show generally low ADF values and large reductions to DD from the Baseline Conditions. The Group B rooms opening to the Courtyard show generally acceptable ADF values and either minimal/minor or no reductions to DD.

The daylight analysis results for Quadrangle show that the impact to the majority of rooms will be either negligible or minor although some rooms, principally those rooms sited in the central section of the Hulme Street elevation show moderate and/or major impacts. When considered on an overall basis the adverse effects on daylight levels to Quadrangle are predominately negligible and/or minor. There will be instances of moderate and major adverse effects although mainly to bedrooms.

The impacts on the Quadrangle need to be considered in the city centre context with medium and high-density developments nearby. It is not unusual for developments in locations such as this to have impacts on neighbouring buildings. The harm caused would not warrant refusal of the proposal.

The Quadrangle building is the only property of those identified where impacts could be significant. The apartments which are predominately impacted are single aspect apartments at levels 1-4 on Hulme Street. There are 3 single aspect apartments, and 2 dual aspect apartments each at levels 1-7 (inclusive) to Hulme Street.

The analysis shows that the majority of the rooms/areas serving the single aspect apartments at level 5 show moderate adverse impacts whilst the majority of rooms/areas serving the single aspect apartments at levels 6 and 7 show either moderate, minor or negligible adverse impacts when assessed against the criteria.

The apartments which are north facing and single aspect and do not currently receive direct sunlight.

Whilst the proposals will result in adverse impacts on some of these apartments, these impacts are to a limited number of apartments and entirely consistent with impacts that have been considered acceptable in previously approved developments in the immediate locality.

In line with paragraph 123c of the NPPF, it is essential that Local Authorities ensure that there is an efficient use of land and in doing so, should take a flexible approach when applying guidance relating to daylight and sunlight.

Whilst acknowledging the impacts on the Quadrangle building, a lower level of daylight can be accepted in a city centre location where a reduction is unavoidable if development densities are to be achieved. The levels of daylight in this instance are not considered to be unduly harmful that it would warrant refusal of the application.

14 windows were assessed for sunlight. The windows at floors 2-6 is one of several windows which serve the relevant area at each level of the building. None of these windows show a reduction in winter APSH levels with the windows at the 7th and 8th floors all retain 25% APSH and show no reduction to winter APSH.

Shell House, Oxford Road 18 first floor windows were assessed for daylight serving 5 bedrooms and 3 lounge/living rooms. The 3 lounge/living areas and 2 of the bedrooms have at least 2 windows. This property was assessed in order to assess any cumulative impacts as a result of the development at 1/5 New Wakefield Street.

Currently, only one window achieves a VSC at or above 27% (with the VSC range being 16.18% to 27.51%). The VSC reductions are below 20% with several windows showing no VSC reduction. The reduction range is 0.00% to 5.55%.

The VSC results are reinforced by the ADF and DD analysis results which show only a minimal impact to daylight and are considered negligible.

17 windows were assessed for sunlight. 8 show no reduction in ASPH and 6 show total APSH reduction of less than 20% with no reduction in winter APSH.

3 windows show total APSH reduction of less than 20% but with winter APSH reductions of 25%, 33.33% and 100% respectively. The reduction to the window of 100% only has 1% winter APSH currently.

The analyses show that any impacts to these properties would be minimal/negligible and that any impacts to single aspect apartments will not be of any significance or be noticeable to the occupants.

7/9 New Wakefield Street 32 windows were assessed for daylight to 13 bedrooms and 9 lounge/living rooms. A single lounge/living area has 3 windows with the remaining lounge/livings each having 2. All bedrooms have a single window.

Currently, none of the windows below the 5th floor achieve a VSC at or above 27% with the VSC range for these windows being 7.82% to 24.69%. 4 windows achieve over 27% at 5th floor level, 3 windows achieve VSC between 20% and 27% with the remaining 4 windows achieving VSC between 16.46% to 18.57%.

1 window would retain a VSC above 27% and 5 show either no or minimal VSC reductions below 1%. The remaining windows all show reductions in excess of 20% (the range being 29.48% to 71.15%).

The ADF results show that a single lounge/living room area achieves over 1.5% ADF with 4 windows achieving 1% ADF and the remaining 4 achieving over 0.75% ADF.

The current ADF range for the lounge/living rooms are 0.93% to 2.33%. With the development in place, the ADF range would be 0.75% to 1.52%.

The current ADF range for the bedroom areas are 0.30% to 2.44%. With the development in place the range would be 0.25% to 1.36%. Currently, 7 bedrooms achieve over 1% ADF, 4 between 0.5% and 1% ADF and 2 have ADFs below 0.5%.

With the development in place, 4 windows achieve over 1% ADF, 4 between 0.5% to 1.00% ADF and 5 below 0.5% ADF.

The results of the DD analysis show DD reductions of less than 20% to 7 lounge/living areas (5 showing reductions of less than 10%). 2 lounge/living areas and 6 bedrooms show DD reductions in excess of 20%. 8 bedrooms show DD reductions below 20%.

The proposal would have a moderate impact on 1 lounge/living room and 9 bedrooms and a minor impact to 7 lounge/living rooms and 4 bedrooms and a negligible impact on 1 lounge/living area.

Given the city centre context and as the most significant impacts are to bedrooms the level of harm would not warrant refusal with the rooms retaining a reasonable amount of daylight.

26 windows were assessed for sunlight which are situated immediately due north of the application site. 17 windows currently achieve 25% APSH with at least 5% winter APSH, 3 achieve at least 20% APSH with over 5% winter APSH, 5 achieve over 15% APSH with over 5% winter APSH and a single window received 19% APSH with 2% winter APSH.

Due to orientation, it is inevitable that the impacts would show APSH reductions. 21 windows show a total APSH reduction of over 50% and 3 show a total APSH reduction of over 40%. The remaining 2 windows show reductions in APSH of 36.84% and 25%.

6 windows do retain 5% winter APSH, 12 retain levels between 4% and 2% and 6 show winter APSH below 2%. 14 would retain summer APSH levels of at least 10% or above with the remaining windows all retaining at least 5% summer APSH.

The impact on sunlight would be moderate to minor with 3 instances of major effects. On balance, these impacts are considered to be acceptable in a city centre context and the more significant levels of harm are associated with a low number of windows.

There are no single aspect apartments impacted within this development that would be impacted by the proposal.

Blocks A and B Lockes Yard 147 windows were assessed for daylight to 20 bedrooms and 17 lounge/living room areas across 2 accommodation blocks. All the lounge/living areas and 10 of the bedrooms have at least 2 windows.

Currently, only 8 windows achieve a VSC at or above 27% (one in block A and 7 in block B) within the remaining windows having a range of 0.36% to 27.45% for block A and 5.57% to 28.49% for block B.

The VSC reductions would be significantly below 20%. There are, however, several windows showing no VSC reduction or small gains. 5 windows retain over 27% VSC. The combined VSC reduction range for blocks A and B is -0.27% (a small gain) to 35.28%. Only 17 windows show VSC reductions above 20% and all serve bedrooms which have multiple windows which would minimise the impact.

The VSC results are reinforced by the ADF and DD results which both show a minimal impact to daylight. The ADF analysis results show only minimal changes between the current conditions and with the development in place. The DD analysis also indicate minimal impact on daylight and also demonstrate a small improvement to some of the windows like the VSC result.

The impact on these properties is therefore considered to be minimal/negligible when considered against the current conditions.

There are no single aspect apartments within this development that would be impacted by the development. The analyses show that any impacts to these properties will be minimal/negligible and that any impacts to single aspect apartments will not be of any significance or be noticeable to the occupants.

Overlooking The only windows in the Great Marlborough Street elevation are in the 4 storey element. Great Marlborough Street is a relatively wide road which provides a degree of separation between buildings. It is therefore considered that there would not be an impact on privacy from overlooking to properties on the western side of the road, particularly the residential building of Lockes Yard A and B.

The Hulme Street elevation would contain a significant number of windows at all levels. All buildings along Hulme Street including The Quadrangle and 2 Lower Ormond Street are at back of pavement line. The carriageway is narrow and reflects the tight grid network which is evident throughout Macintosh Village.

There are windows and balconies on the Hulme Street elevations of the Quadrangle and 2 Lower Ormond Street that would directly face the proposal. However, this same relationship exists in other tight grid networks within the city centre and is not unusual. Similar levels of impact would occur if a lower scale building was to be progressed at the site. The loss of privacy which would arise from overlooking would not be unusual and would not warrant refusal.

The rear of the building would contain a significant number of windows which would face the rear elevation of 7/9 New Wakefield Street. These properties have a relatively open outlook over the car park. The relationship between the proposal and these properties would generate some overlooking. The gap between them is similar to that of other developments within Macintosh Village where there is also a degree of overlooking between properties. Any impact on privacy would be acceptable in this context.

The other properties in the study area are considered to be sufficiently far away from the application site to not result in any loss of amenity from overlooking.

The proposal would result in minor to moderate localised impacts on daylight, sunlight and loss of privacy. Such impacts are not unusual in a city centre context and are not considered to be unduly harmful to the extent that they would be considered unacceptable and therefore warrant refusal of this planning application.

(b) TV reception

A TV reception survey has concluded that there is likely to be minimal impact on digital television services or digital satellite television services but should any arise it could be mitigated through antenna upgrade or realignment of the transmitter. A condition would require of a post completion survey to be undertaken to verify that this is the case and that no additional mitigation is required.

(c) Air quality

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

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

The impacts on air quality once the development is complete would be negligible. The only car parking would be two on street bays for disabled people. Students would be encouraged to cycle and there is 30% on site provision 60 on site bicycles provided by the operator. The applicant would improve opportunities for green travel within the multi-storey car park by providing 64 secure cycle for local residents and fitting 20% of the spaces within an electric car charging point. Given the proximity of the Universities to the application, a large number of students would walk or use public transport.

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

(d) Wind environment

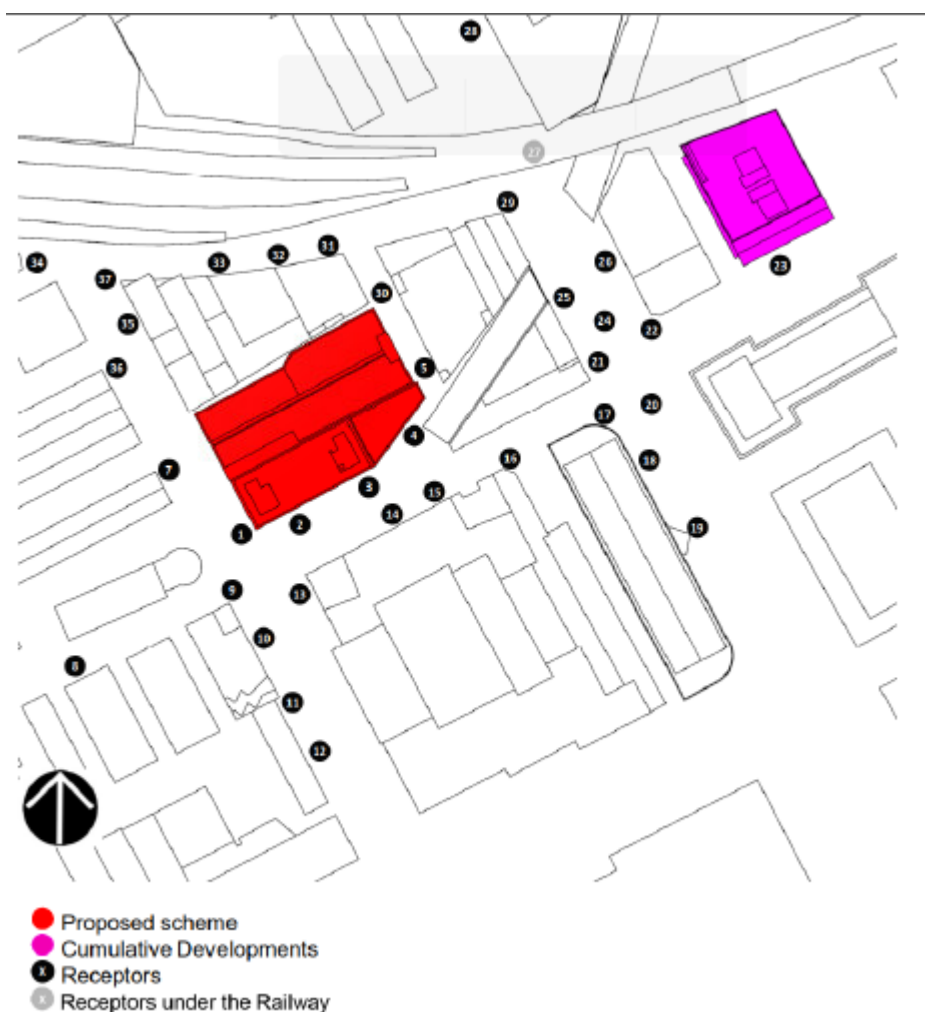
A wind assessment has examined the potential effects in and around the site. In particular, it considered the wind flows that would be experienced by pedestrians and the influence on their activities. A study area of 500 metre radius around the site was established. Effects beyond this area are considered insignificant in line with best practice guidance.

The technical method used to assess the impact of wind were a wind tunnel analysis. A Computational Fluid Dynamics (CFD) analysis was also carried out to verify the results of the wind tunnel analysis. This considered the effects of the development on existing wind conditions, the conditions with the development in place and the cumulative scenario with other committed developments. Considering the proposal against these methodologies follows the most up-to-date guidance for assessing wind impact for buildings over 100 metres.

The wind assessment takes into account the season and expected activity based on a number of criteria: -

- Outdoor amenity and seating areas: Sitting during the summer season
- Building entrances, bus stops, drop off areas: Standing throughout the year;
- Pedestrian circulation routes: Leisure walking during windiest season;
- Pedestrian thoroughfares (minor pedestrian routes: Business walking during windiest season;
- Areas reporting winds within uncomfortable classification are preferably to be avoided because of their association with occasional strong winds (safety concerns)

37 sensitive receptors were identified and all pedestrian circulation routes, building entrances, bus stops within the site and the surroundings (500m) have been assessed. The magnitude of changes from the existing situation to the conditions with the development in place is assessed on a scale of major, moderate, minor, negligible or no change.



Receptors identified within the wind assessment

The assessment indicates that the proposal is likely to modify the local wind environment and create some localised wind accelerations at pedestrian level. However, in the majority of cases there would be little to no change on the suitability of the receptors for use when compared to the existing conditions, with the effects being the same or with only minor or negligible changes.

Currently, the areas immediately around the site are deemed to be safe for all pedestrians within relatively calm conditions. There are, however, areas of increased windiness further away from the site along New Wakefield Street and Oxford Road.

The wind conditions when assessed for pedestrian comfort are currently largely suitable for standing throughout the year. Whilst there are areas of increased windiness, particularly during winter months, the conditions are suitable for leisure walking at the north and east areas outside the site.

As a result of the development, the assessment indicates that pedestrian entrances to the proposed building, and those in the surrounding area, would be suitable for standing and therefore suitable for their intended use. There is an exception at receptors 21 to 26 on Oxford Road where wind conditions are higher than

recommended, however, this is currently the case and cannot be attributed to the impacts of this development.

The wind conditions at all bus stops at the site, and in the surrounding area, would be suitable for their intended use except for one receptor (27) on Oxford Road where wind conditions would be higher than recommended. This is, however, currently the case and cannot be attributed to this development. The same level of impact would also occur in the cumulative scenario.

Wind conditions for pavements/walkways around the site, and in the wider study area, would remain suitable for intended use as a result of the development and in the cumulative scenario.

The magnitude of change to pedestrian comfort is considered to be neutral with there being no significant change when compared to current conditions.

The impact on the wind conditions, when assessed for pedestrian safety, on the receptors immediately around the site indicate that they would be safe for intended use by pedestrians. Within the wider study area, a small area opposite receptor 37 on New Wakefield Street would exceed the relevant criteria for its use. However, it should be noted that this area is small, is not a pedestrian thoroughfare and is not located along a cycle path. In addition, the size of the impact marginally reduces in the cumulative scenario. As such, the impact of this change is not considered unduly harmful to warrant refusal of the application.

The magnitude of change to pedestrian safety is considered to be negligible with there being no significant change when compared to current conditions.

Local residents have expressed concerns about the impact of the proposal on local wind conditions and believe that the assessment fails to consider the wind conditions of the courtyards of the Quadrangle and Cotton Mill as well as walkways/passageways internal to and in between The Foundry, Lockes Yard, 6/8 Great Marlborough Street, River Street Townhouses and the Green Building.

The wind assessment was updated during the course of the application to ensure that the results were comprehensive and robust. The technical methods used to assess the impact of wind are sufficient to understand the impact on the Quadrangle (and its courtyard) and the passageways/entrances to Lockes Yard, 8 and 6 Great Marlborough Street. The result did not indicate that the proposal would have an unduly harmful impacts on these properties or external areas that would warrant refusal of the application with conditions remaining safe for their intended use.

A sensor was placed near the corner of the River Street apartments and 6 Great Marlborough Street to consider if wind accelerations might occur as a result of the development. The result did not reveal any significant impacts would occur in this area or that safety would be compromised.

River Street (the Green Building) and the courtyard associated with Cotton Mill are relatively far away from the site and there are buildings located between these areas which would act as barriers to any down drafts. In addition, these areas are also not

in the prevailing wind directions for the site. The wind conditions at these locations were not required to be measured in the assessment based on the relevant assessment criteria as any changes in these locations would not be material.

The proposal would result in some very minor, localised impacts on the wind environment. Such impacts are not unusual in a city centre context and would not warrant refusal of this planning application with conditions remaining safe for their intended use.

Fume extraction Fume extraction for the commercial operations and kitchen areas could be integrated into the scheme and a condition is recommended.

Noise and disturbance A noise assessment has considered the noise insulation requirements for the accommodation. The main sources of noise from the development are from the construction activities and plant. Consideration has also been given to external noise sources on the habitable accommodation.

Noise levels from construction would not be unduly harmful provided the strict operating and delivery hours are adhered to along with the erection of the hoarding with acoustic properties, silencers on equipment and regular communication with nearby residents. It is recommended that such details are secured by a condition.

The proposal is likely to require plant and details are required prior to first occupation and it is recommended that this is included as a condition of the planning approval.

The report also considers external noise sources on the proposed accommodation. The main sources of noise would be from the traffic, and other noise, along Oxford Road and the railway line. The accommodation would have to be acoustically insulated to mitigate against any undue harm from noise sources.

It is anticipated that through the use of mechanical ventilation and appropriate glazing, the necessary noise criteria within the apartment can be met. Further information is required in respect of these measures together with a verification/post completion report prior to the first occupation of the residential and commercial accommodation.

On that basis, provided that construction activities are carefully controlled and the plant equipment and student accommodation is appropriately insulated the proposal is considered to be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Waste strategy and servicing management A development of this nature is likely to generate a significant amount of waste which has to be managed on a daily basis. There are challenges in ensuring efficient waste removal within a tall building including ensuring that waste is recycled.

There is a dedicated waste store on the ground floor measuring 133 sqm and it is expected that waste would be collected 3 times a week (1 Council and 2 private collections). Anticipated waste generation is expected to be around 50,000 litres.

The waste store would accommodate 46 x 1,100 litre Eurobins (including 14 dedicated for recycling) for the student accommodation and 6 x 660 litre bins for the SME space.

Students would be expected to take their own waste to the waste storage area which is next to the main entrance to encourage refuse to be deposited as students leave the building. All students would be issued with guidance on how to manage their waste and encourage them to recycle and they would have separate bins in their studio apartments.

The weekly Local Authority refuse collection will be supplemented by two additional private collections and the Applicant. The waste would be collected from Hulme Street from a newly created layby. The one site facilities management team would move the refuse bins from the store, via doorways directly onto Hulme Street, and directly to the waiting lorry to avoid bin being stored on the highway prior to collection. Each refuse vehicle pick up is estimated to only last 15 minutes, from arrival to departure, with bins moving directly from the store and back during that time, as part of a carefully controlled management regime.

There are more bins within the internal store than required by this development. This allows for bin within the storage area to be rotated and not all the bins would be presented for collection at one time.

The layby has been tracked demonstrating that it is of a sufficient size and appropriate location to enable suitable manoeuvring of the largest refuse vehicles. In reality, smaller refuse vehicles are expected to be used. When not in use by a refuse vehicle, the layby provides sufficient space for two vehicles at any one time and considered to be sufficient for any other servicing requirements for this development.

The layby is also supplemented by four parking spaces within the MSCP, which are allocated for the applicant and would provide spaces for longer term parking requirements associated with this development, such as tradesmen.

The refuse arrangements have been carefully considered and are appropriate in principle. Further information has been required by Environmental Health before the final strategy can be agreed. As such, it is recommended that a condition of the planning approval is that the final details shall be agreed.

Servicing is also expected to take place from the layby. The applicant has indicated that it intends to regulate deliveries through agreement with the main distribution companies. This means that deliveries from a particular courier would be consolidated at the depot before being delivered to the site in a single batch delivery within an allocated delivery slot.

This arrangement would ensure that individual deliveries to the building would be minimised as much as possible and become part of the overall building management regime.

Taxis would also form part of the management regime. Residents would be required to book through the on-site management team. This again would assist in the management of vehicular movements at the site.

The applicant has sought logistical advice on food deliveries. This has indicated that supermarkets are generally unwilling to deliver to this form of development and residents will also be discouraged from using any such service. There are also a range of convenience food stores within easy walking distance of the site, so these deliveries are expected to be very low.

When such deliveries do occur, the reception staff will be responsible for receiving and storing the delivery in order to minimise vehicle waiting times in the layby.

Whilst it is recognised that hot food deliveries are likely to take place, there a huge variety of food options in the local area, which means the vast majority of these would be by bike. The proposals include a generous space in front of the building where bike deliveries would be able to wait off the public highway and so pedestrian and vehicle movements will be unaffected.

Water quality, drainage and flood risk The site is in flood zone 2 'medium risk of flooding'. As the upper floors of the building are intended to be occupied by students, the development is classified as 'vulnerable'. As such, the sequential and exception test is required.

A flood risk assessment has concluded that the site is at risk of fluvial flooding from the River Medlock. The sequential test requires consideration to be given to alternative, less vulnerable sites. There were no other reasonably available sites identified locally.

The ground and upper floors of the development are set above the 1 in 100 year plus climate change floor level and are therefore considered to be acceptable. The lower ground floor areas are for plant and whilst accessible from ground, would be unaffected during the 1 in 100 year plus climate change even.

The ground floor would flood 1 in 1000 year floor level. There are no habitable rooms on the ground floor and safe refuge above the flood level is available within the communal areas and bedrooms.

Although the development is classified as vulnerable due to its end user within flood zone 2, it would be 500 mm above the 1 in 100 year plus climate change flood event.

The Environment Agency has no objection if the mitigation outlined is implemented which includes raising of the finished floor levels of the building. It is therefore recommended that this forms part of the conditions of any planning approval.

The site is at risk of surface water flooding and is located within a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. The flood risk management team have assessed the drainage strategy which details that a series

of measures would be incorporated into the scheme to minimise any incidents of surface water flooding and reduce flow rates. This includes discharging of some of the surface water into the adjacent watercourse (i.e. the Medlock) at an agreed discharge rate.

A detailed drainage scheme would be required through a condition along with a management/verification plan. In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that this floor resilience measures, together with the drainage plan, form part of the conditions of the planning approval.

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 requires the CIS to be implemented in full to achieve Secured by Design Accreditation.

Impact of rail infrastructure Network Rail have provided comments on conditions and informative which seek to protect the rail infrastructure from damage and obstruction during construction and conditions are recommended.

Ground conditions Previous industrial uses increases the likelihood of land contamination being present that may impact on the water environment. A detailed risk assessment remediation strategy is required together with conditions relating to understanding the methods for piling or other foundation design in order to ensure that there is no unacceptable impact on ground water.

The implementation of the remediation strategy should be confirmed through a verification report to verify that all the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Construction Management Measures would be put in place to help minimise the impact of the development on local residents such as dust suppression, minimising stock piling and use of screenings to cover materials. Plant would also be turned off when not needed and no waste or material would be burned on site. It would not be possible to site the compound/welfare facilities within the site boundaries due to the restricted size and this would need to be created locally and early indication indicated this would be accommodated on the local highway network.

There is unlikely to be any cumulative impact from the construction elements of the development. Whilst there is a large amount of activity in the local area, the close proximity to major roads will ensure such activities should not have a detrimental impact on the surrounding area.

As recommended by GMEU and the Environment Agency, it is recommended that detailed consideration is given to the impacts of the construction activities on the river Medlock to ensure appropriate mitigation measures are put in place. In addition, and in line with the comments of Network Rail, it is recommended that informatives and conditions are used to protect the surrounding railway infrastructure from impacts associated with the construction activities.

Provided appropriate measures are put in place the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition should require the final construction management plan to be agreed to ensure the process has the minimal impact on surrounding residents and the highway network.

Public opinion Objections have been received on the grounds that the principle of development is unacceptable due to lack of demand for student accommodation, impact on the residential character of the area and that the scheme is not deliverable due to the effects on the rights to park by leaseholders.

Objections also contend that the proposal is overdevelopment, excessive in height and scale and would impact on key listed buildings in the surrounding area. Localised impacts on the wind environment, loss of daylight and sunlight, overlooking, generation of crime, inadequate waste management arrangements, impacts of noise and disturbance (from taxis and deliveries) and logistical impacts from the construction process are also highlighted.

This report provides a detailed analysis of those comments and concerns. The principle of development, contribution to regeneration and need for the student accommodation has been tested, meets the required planning policy criteria and guidance and has the support of Manchester Metropolitan University. The application site location close to Oxford Road and the University Campuses makes it suitable. The rights of the car parking space holders are not material to the consideration of this application. The applicant, would maintain these rights and ensure the required number of spaces is available both during construction and when the site has been redeveloped.

The impact on the existing residential neighbourhood in and around Macintosh Village has been considered. Whilst there have been a number of high density student schemes which have been developed in this area in recent years, there have also been a number of residential schemes some of which are still being developed such as Circle Square, First Street and Great Jackson Street. These development would ensure that neighbourhoods in and around the Oxford Corridor are sustainable and meet the needs of mainstream residential accommodation.

It is acknowledged that there may be some localised impacts as a result of the development particularly from change in outlook, impact on daylight, sunlight and wind conditions. In addition, there would be short term but temporary disruption from the construction process. These matters are not considered to be unduly harmful in a city centre context such as this and matters such as construction impacts can be carefully mitigation through a construction management plan.

The operational impacts of the development can also be managed. The student accommodation would be well managed by an experienced operator. A well being strategy would be put in place to support students. Impacts from Waste, online deliveries, servicing and taxis can be managed. The layby on Hulme Street would be utilised for taxis and online deliveries which would be managed by the applicant to ensure that the local highway does not become congested.

The changes in outlook from surrounding residential buildings and changes to daylight and sunlight are not unusual in a City Centre context and would not warrant refusal.

The proposal would bring significant economic, social and environmental benefits to the city and the local area. This must be given significant weight in the decision-making process as directed by the NPPF.

Aerodrome safeguarding There would be an impact on the airport radar which would require mitigation. This would be secured by a condition with an informative about the use of cranes.

Legal Agreement This application will be subject to a legal agreement which will secure monies for infrastructure improvements.

Conclusion The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The proposal represents £130 million of investment with the Oxford Corridor.

The proposal is wholly consistent with planning policies for the site (policy H12) and would help realise regeneration benefits and meet demand for student accommodation in a sustainable location. Significant weight should be given to this (paragraph 80 of the NPPF). This investment also comes at a critical time as the City recovers from the economic effects of the Covid 19 pandemic.

The design would set high standards of sustainability (paragraph 131 of the NPPF). A comprehensive travel plan and improvements to the pedestrian and cycling environment would exploit the city centre location and support walking, cycling, tram, rail and bus journeys to the site (paragraphs 103, 105 and 111 of the NPPF).

The site would be car free (except for disabled and servicing provision) which would minimise emissions. The rights to park would be retained within the MSCP, however, there would be an overall reduction in car parking space in line with Council objectives of minimising the reliance on the car within city centre locations.

Careful consideration has been given to the impact of the development on the local area. There would inevitably be impacts in terms of the use and the scale of the building on light, noise, air quality, water management or wind conditions. However, none of these impacts would be unusual in a city centre context and mitigation measures are in place to help to address them. Waste can be managed with recycling prioritised. Online deliveries and taxis would be managed to minimise impacts on the residential neighbourhood.

There would be some localised impacts on the historic environment (to the conservation area and nearby listed buildings) with the level of harm being considered low, less than substantial and significantly outweighed by the public benefits which would be delivered as a consequence of the development socially, economically and environmentally. The proposal therefore accords with paragraphs

193, 194 and 196 of the NPPF and section 72 of the of the Planning (Listed Building and Conservation Areas) Act 1990.

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 MINDED TO APPROVE subject to the signing of a legal agreement in relation to infrastructure improvements

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the scheme including height appearance and impact on surrounding receptors. Further work and discussions have taken place with the applicant through the course of the application as a result of matters arising from the consultation and notification process. The proposal is considered to be acceptable.

Reason for recommendation

Conditions to be attached to the decision

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

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

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

Drawings

2142-A-L001, 2142-A-L-005, 2142-A-L-010, 2142-A-L-015, 2142-A-L-156, 2142-A-L-202, 2142-A-L-400 and 2142-A-L-401 stamped as received by the City Council, as Local Planning Authority, on the 18 September 2018

PL 10 REV P9 stamped as received by the City Council, as Local Planning Authority, on the 16 November 2018

2142-A-L-105 A, 2142-A-L-106 A, 2142-A-L-107 A, 2142-A-L-108 A, 2142-A-L-112 A, 2142-A-L-113 A, 2142-A-L-114 A, 2142-A-L-125 A, 2142-A-L-126 A, 2142-A-L-127 A, 2142-A-L-128 A, 2142-A-L-130 A, 2142-A-L-154 A, 2142-A-L-155 A, 2142-A-L-200 A and 2142-A-L-203 A stamped as received by the City Council, as Local Planning Authority, on the 21 May 2019

2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C , 2142-A-L-103 C, 2142-A-L-104 C, 2142-A-L-201 REV C, L1917R-SK01 (D06), L1917R-SK02 (D06), L1917R-SK03 (D06), L1917R-SK04 (D05), L1917R-SK05 (D05), L1917R-SK06 (D05), L1917R-SK07 (D05), L1917R-SK08 (D07), L1917R-SK09 (D04), L1917R-SK10 (D04), L1917R-SK11 (D04), L1917R-SK12 (D02), L1917R-SK13 (D02), L1917R-SK14 (D01), L1917R-SK15 (D01), L1917R-SK22 (D03), L1917R-SK23 (D03), L1917R-SK24 (D03), L1917R-SK25 (D03), L1917R-SK26 (D03), L1917R-SK27 (D03) and L1917R-SK28 (D03) stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020

Supporting Information

Design and access statement stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020

Design and access statement stamped as received by the City Council, as Local Planning Authority, on the 18 September 2018

Updated Environmental Statement (including Volume 2 (committed developments) and appendices 9 (overshadowing plans) 10 (Transport Statement/Travel Plan), 11 (letter update Flood Risk Assessment) socio economic), ES Non Technical Summary, Accommodation Schedule, Amenity block design justification, construction plan, Energy Statement, Student Wellbeing Strategy, Waste management, Construction Environmental Management Plan and highways logistics plan stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020

Outline method statement stamped as received by the City Council as Local Planning Authority, on the 21 May 2019

Ventilation report, management plan, market report, planning statement, TV report, Ecology report, ground investigations report, Archaeology report, Crime Impact Statement, Appendices 6 (Townscape Impact Assessment), 7 (Heritage),

8 (Noise), 11 (Flood Risk Assessment and drainage strategy), 13 (Air Quality), 14 (Ground Conditions) of the Environmental Statement stamped as received by the City Council as Local Planning Authority, on the 18 September 2018

Response letters from Deloitte dated 11 January 2021 and 16 September 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) Prior to any above ground works, a radar mitigation scheme (RMS) (including a timetable for its implementation during construction) should be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented in accordance with an agreed timetable.

Reason - In the interest of aircraft safety and operations pursuant to policy DM2 of the Manchester Core Strategy (2012).

- 4) 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 for each phase of development, 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).

- 5) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

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

- 6) (a) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by WSP (ref: 70035213-FRA-001 dated 11/0/18) and the mitigation measures detailed within section 8 of the FRA stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018 (and update letter dated 18 September 2020):

(b) The mitigation measures hereby approved shall be implemented prior to the first occupation of the development and a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason: To reduce the risk of flooding to the proposed development and future occupants and reduce the impact of flooding on the development pursuant to policy EN14 of the Manchester Core Strategy.

- 7) (a) Prior to any above ground works, details of the disposal of foul and surface water from the development shall be submitted for approval. This shall include details of any potential impacts on the River Medlock and appropriate mitigation.

(b) The approved details shall be implemented in full prior to the first occupation of the student accommodation element of the development and a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved detail.

Reason: In the interest of the ecology of the River Medlock pursuant to policy EN15 of the Manchester Core Strategy (2012).

- 8) Notwithstanding the Flood Risk Assessment (FRA) and drainage report by WSP (ref: 70035213-FRA-001 dated 11/0/18) and the mitigation measures detailed within section 8 of the FRA stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018 (and update letter dated 18 September 2020), (a), the development shall not commence (excluding demolition) until a scheme for the drainage of surface water for the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Details of surface water attenuation that offers a reduction in surface water runoff rate 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;

- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- Hydraulic calculation of the proposed drainage system for 1 in 2, 1 in 30, 1 in 100 and 1 in 100 + 40% climate change;
- Construction details of flow control and SuDS elements.

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

(c) Prior to the first occupation of the development a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

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

9) Notwithstanding the preliminary risk assessment (Great Marlborough Street) prepared by Tier Consult (ref. T/14/1396/PGIR) (Dated 11/09/18) stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018, (a) prior to the commencement of the development (excluding demolition), the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Provision of the calibration certificate(s) for the gas monitoring equipment to cover the whole monitoring period;
- Provision of findings of any further site investigations to support the preliminary investigations;
- Submission of an updated Risk Assessment and Remediation Strategy in required.

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 prior to the first occupation of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development at the affected area 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.

- 10) If, during the development, contamination or conditions not previously identified as part of the agreed documents within condition 9 are found to be present at the site (or in the monitored vicinity) then no further development shall be carried out in the affected area until a strategy which details how this unsuspected circumstance shall be dealt with has been submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and then verified as required by part (b) of condition 9.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

- 11) Notwithstanding highways logistics plan stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020, prior to the commencement of development, a detailed construction management plan outlining working practices for the proposed development construction shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the construction management plans shall include:

- Display of an emergency contact number;
- Measures to protect the River Medlock from spillages, dust and debris;
- Communication strategy with residents;
- Tower Crane Strategy;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound and hoarding locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

The development shall be carried out in accordance with the approved construction management plans for the duration of the demolition and construction parts of the development.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

- 12) 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 preparation of a sample panel(s)) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, soffit details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management along with details of Public Art to Great Marlborough Street.

The approved materials shall then be implemented as part of the development.

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

- 13) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

- Verification report providing photographic evidence of construction; and - 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.
- evidence that there will be no impact on the River Medlock from the disposal of water from the development.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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

- 14) The development hereby approved shall be carried out in accordance with the Energy Statement prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020.

A post construction review certificate/statement for the development shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and

the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

- 15) (a) prior to the first occupation of the development hereby approved details of a hard and soft landscaping scheme (including appropriate materials specifications and street trees) for the public realm area shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development

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.

- 16) Prior to the first occupation of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The bat and bird boxes shall be installed prior to the completion of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).

- 17)(a) Prior to the occupation of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. For the avoidance of doubt, externally mounted 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 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first occupation of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

- 18)(a) Prior to the first use of the SME accommodation, as indicated on drawings 2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C , 2142-A-L-103 C, 2142-A-L-

104 C stamped as received by the City Council, as Local Planning Authority, 18 September 2020, a scheme to acoustically insulate the accommodation to limit the break out of noise in accordance with a noise study shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved scheme shall be implemented and prior to the first use of the SME accommodation, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To safeguard the amenity of the student accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

- 19) (a) Notwithstanding the noise chapter of the Environmental Statement, stamped as received by the City Council, as Local Planning Authority, 18 September 2020, prior to the first occupation of the student accommodation hereby approved, a scheme for acoustically insulating the proposed accommodation against noise from Great Marlborough Street and Hulme Street shall be submitted for approval 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.

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)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

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

(b) The approved scheme shall be implemented and prior to the first occupation of the student accommodation, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met.

In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason: To secure a reduction in noise in order to protect future occupants from noise from the surrounding road and rail network pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

- 20) The waste management strategy shall be carried out in accordance with drawing 2142-AL0100 C and strategy stamped as received by the City Council, as Local Planning Authority, on the 18 September. The details of the approved scheme shall be implemented as part of the first occupation of the student accommodation and/or commercial element and shall remain in situ whilst the use or development is in operation.

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

- 21) Prior to the first use of the SME accommodation, as indicated on drawings 2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C, 2142-A-L-103 C, 2142-A-L-104 C stamped as received by the City Council, as Local Planning Authority, 18 September 2020 details of the hours of use of the workspace shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then be implemented for as long as the accommodation remains in use.

Reason – In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

- 22) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of the development, full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the building and surrounding area and ensure that lighting is installed which is sensitive to the bat environment the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

- 23) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning

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

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

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

Monday to Saturday 07:30 to 20:00
Sundays (and Bank Holidays): 10:00 to 18:00

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

- 26) The SME workspace, as indicated on drawings 2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C, 2142-A-L-103 C, 2142-A-L-104 C stamped as received by the City Council, as Local Planning Authority, 18 September 2020 can be occupied as offices/workspaces (Use Class B1) and for no other purposes of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason – In the interest of retaining the provision of office/employment space within the development pursuant to policies EC1, EC4 of the Manchester Core Strategy (2012).

- 27) The student accommodation element of the development hereby approved shall be used as purpose built student accommodation (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) (including serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights).

Reason - To ensure that the accommodation is used solely for the intended purpose - student accommodation and to safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

28) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018.

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

Prior to the first occupation of the development the Council as Local Planning Authority must acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

29) The development hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 13 September 2020.

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

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

Within six months of the first use of the development, 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 at the development, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

30) Prior to the first occupation of the student accommodation hereby approved, the cycle store and provision of 262 cycle stands (including 60 bookable bikes) as indicated on drawing 2142-A-L-100 C stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020 shall be implemented and

made available for the occupants of the development. The cycle store shall remain available and in use for as long as the development is occupied.

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

30) Prior to the first occupation of the student accommodation hereby approved, the 64 space cycle provision within the Multi Storey Car Park as indicated on drawing L1917R-SK02 (D06) stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020 shall be implemented and made available for the occupants of the development. The cycle store shall remain available and in use for as long as the development is occupied.

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

31) Prior to the first use of the modified multi storey car park hereby approved, final details of the layout of the car park and security measures shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall includes dimensions of the parking bays, number and location of disabled parking bays, location of a minimum of 20% 7kw electric vehicle charging points, details of CCTV provision and any other security measure.

Reason – In order to ensure that the car layout and function of the car park is acceptable pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

32) Prior to the first occupation of the student accommodation element of the development hereby approved, details of a cycle provision strategy for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The strategy shall include the on cycle provision, and measures to encourage the use of cycling for the development. The approved strategy shall be implemented prior to the first occupation of the student accommodation element of the development and remain in use for as long as the development is occupation.

Reason - To mitigate against the lack of on site car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

33) Prior to the first occupation of the student accommodation element of the development, a detailed servicing and deliveries strategy 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 management arrangements for moving in and out times, taxi pick up and drop off and food and online deliveries and any other associated management and operational requirements. The approved

strategy, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the student accommodation element and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing management arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

34) Prior to the first occupation of the student accommodation element of the development hereby approved a scheme of highway works and details of footpaths reinstatement/public realm for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Improvements to the public realm including the provision of street trees where possible;
- Creation of layby to Hulme Street and associated Traffic Regulation Orders (TROs);
- Creation of a disabled bay/car club bay in close proximity to the development.
- Traffic calming measures (in the form of speed cushions and other associated works) from Whitworth West (under the railway bridge), along Great Marlborough Street, across to Lower Ormond Street terminating at Chester Street together with measures to restrict vehicle access from Whitworth St into Great Marlborough Street.

Improvements to the public realm including details of materials (including high quality materials to be used for the footpaths and for the areas between the pavement and building line) and tree planting and soft landscaping where appropriate.

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

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

35) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 18 September 2018, within one month of the practical completion of the development, and at any other time during the construction of the development if requested in writing by the City Council as Local Planning Authority, in response to identified television signal reception problems within the potential impact area a study to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out

either before each phase is first occupied or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Manchester Core Strategy (2012).

36) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 3 shall be retained as a clear glazed window opening at all time and views into the premises shall not be screened or obscured in anyway.

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 saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

37) The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Manchester Core Strategy (2012) policy DM1.

38) Prior to the first operation of the development hereby approved a signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

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

39) Prior to the first occupation of the development hereby approved, details of scheme to extract fumes, vapours and odours from the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation the development and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

40) Prior to the occupation of the development, a scheme for the provision of affordable rental accommodation as part of the development shall be submitted for

approval in writing by the City Council, as Local Planning Authority. The affordable accommodation shall be provided in accordance with the approved scheme and the affordable rent provision strategy stamped as received by the City Council, as Local Planning Authority, on the 8 February 2021.

The affordable rent provision shall be implemented as part of the development and thereafter retained in perpetuity.

Reason - In order to provide affordable rent at the site in accordance with policy SP1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

41) Prior to the first occupation of the development hereby approved, details of the renewable electricity energy contractor for the building shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with the Energy Statement prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020.

Any subsequent energy contract related to the building must also supply 100% renewable energy shall then be as part of the development and thereafter retained and maintained for as long as the development remains in use, in accordance with the approved Energy Strategy.

Reason – In the interest of securing an all renewable electric energy supply for the building pursuant to policies SP1, H12, EN6 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) Under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2) This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the River Medlock which, is designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits>.

3) The developer or crane operator must contact Manchester Airports Control of Works Office at least 21 days in advent of intending to erect a crane or other tall construction equipment on the site. This is to obtain a tall equipment permit and to ascertain if any operating restrictions would be required. Any operating restriction that are subsequently imposed by Manchester Airport must be fully complied with.

4) You should ensure that any external wall treatments approved for planning purposes are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

5) - With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail's Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could oversail onto Network Rail air-space and potentially impact any over-headlines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.

- Network Rail will need to review and agree all excavation and earthworks to determine if the works impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree to the following:

- o Alterations to ground levels
- o De-watering works
- o Ground stabilisation works

Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail.

Alterations in loading within proximity of the railway boundary must be agreed with Network Rail.

- Soakaways, as a means of storm/surface water disposal must not be constructed near / within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.

Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property.

Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Drainage works could also impact upon culverts on developers land.

Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land causing flooding, water and soil run off onto lineside

safety critical equipment / infrastructure; or lead to de-stabilisation of land through water saturation.

- To note are:

The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.

Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration. Network Rail also often carry out works at night on the operational railway when normal rail traffic is suspended and often these works can be noisy and cause vibration.

Network Rail may need to conduct emergency works on the existing operational railway line and equipment which may not be notified to residents in advance due to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.

Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for project or emergency works.

The proposal should not prevent Network Rail from its statutory undertaking.

Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.

- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.

o Any assessments required as a part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.

o Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.

o Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.

- The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken in proximity of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to:

- As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection

Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

For major works / large scale developments an Asset Protection Agreement will be required with further specific requirements.

AssetProtectionLNWNorth@networkrail.co.uk

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: 121252/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

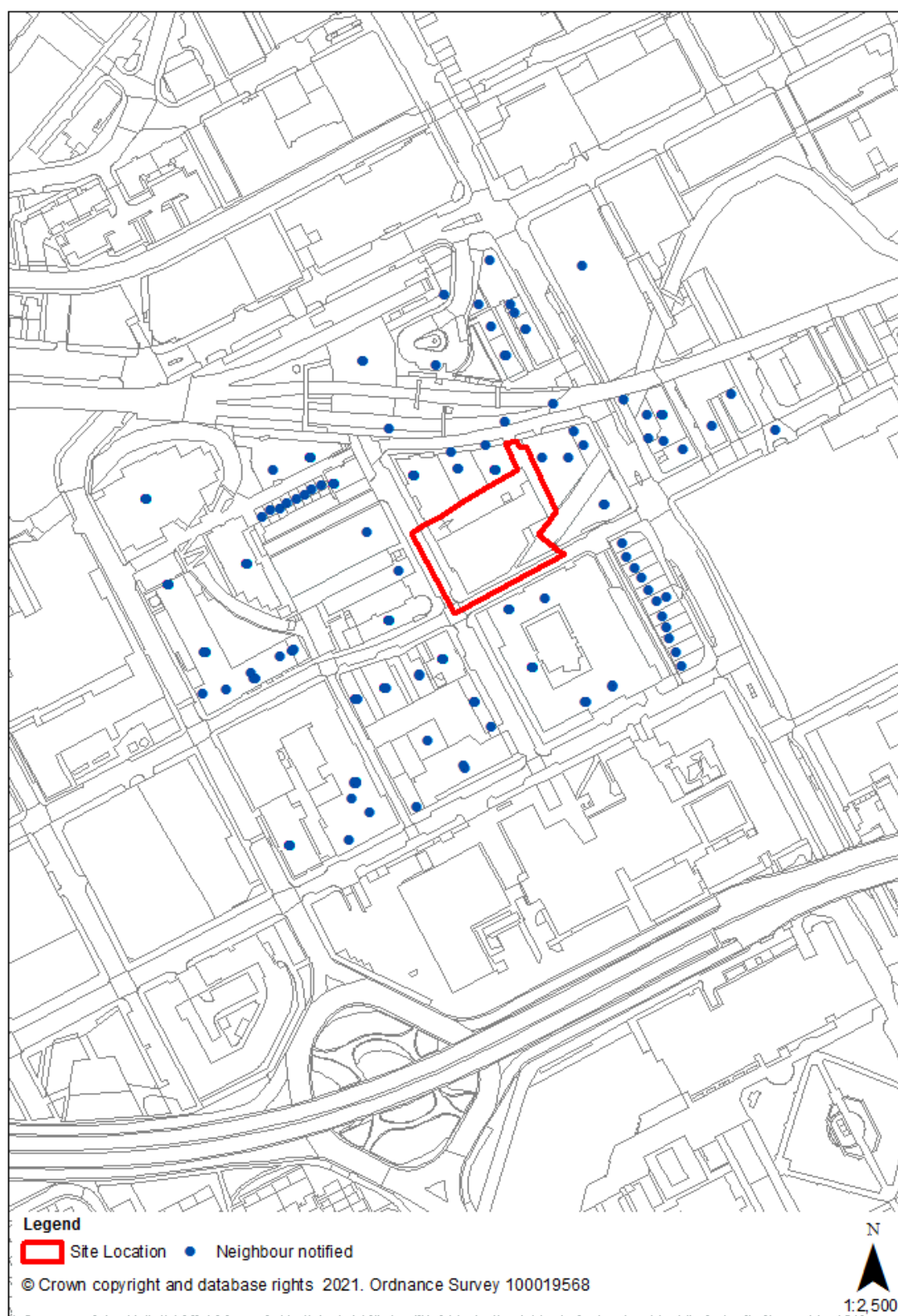
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Planning Casework Unit
Network Rail
Environmental Health
MCC Flood Risk Management
Highway Services
Greater Manchester Ecology Unit
Manchester Metropolitan University
University Of Manchester
Environment Agency
Greater Manchester Archaeological Advisory Service
Greater Manchester Police
Historic England (North West)
Manchester Airport Safeguarding Officer
National Amenity Societies
Transport For Greater Manchester
Canal & River Trust
Historic England (North West)

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

Representations were received from the following third parties:

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



Application Number	Date of Appln	Committee Date	Ward
128920/FO/2020	18th Dec 2020	18th Feb 2021	Levenshulme Ward

Proposal Retrospective application for the retention of 1.8 metre high fencing to Cringle Road and Nelstrop Road North for a temporary two year period

Location Land Off Cringle Road, Manchester, M19 2RR

Applicant Towerhouse Systems Ltd, C/o Agent,

Agent Mr Julian Austin, Paul Butler Associates, 31 Blackfriars Road, Salford, M3 7AQ

EXECUTIVE SUMMARY

This application seeks retrospective planning permission for the retention of a 1.8metre high fence to Cringle Road and Nelstrop Road North for a temporary two year period

25 objections have been received from local residents who have expressed concern that the fencing is out of character with the local area, too high and is not of a suitable appearance. In addition, there is concern about the impact of vegetation removal on the local ecology and loss of habitats for wildlife together with impacts on drainage.

Key Issues

Principle of the development The development is in accordance with national and local planning policies. The application site had previously been secured by low rise timber fencing which had fallen into disrepair and was no longer fit for purpose. The replacement boundary treatment is located in the same position and has been installed in the interest of securing the site prior to redevelopment taking place.

Appearance The fence is taller and of a different material to the previous fencing around the site. Two types of fencing have been installed – Palisade to Cringle Road and Weldmesh to Nelstrop Road North. Both types of fencing extend to a height of 1.8 metres and would be in situ for a temporary period of 2 years. The area is characterised by a variety of different boundary treatment styles. The works to Cringle Road are appropriate in that they complement the boundary treatment in situ to Highfield Country Park. The works to Nelstrop Road North are more obvious and the character of the area has been altered due to the removal of vegetation in this location. On balance, the boundary treatment is acceptable due to its transparent, temporary nature.

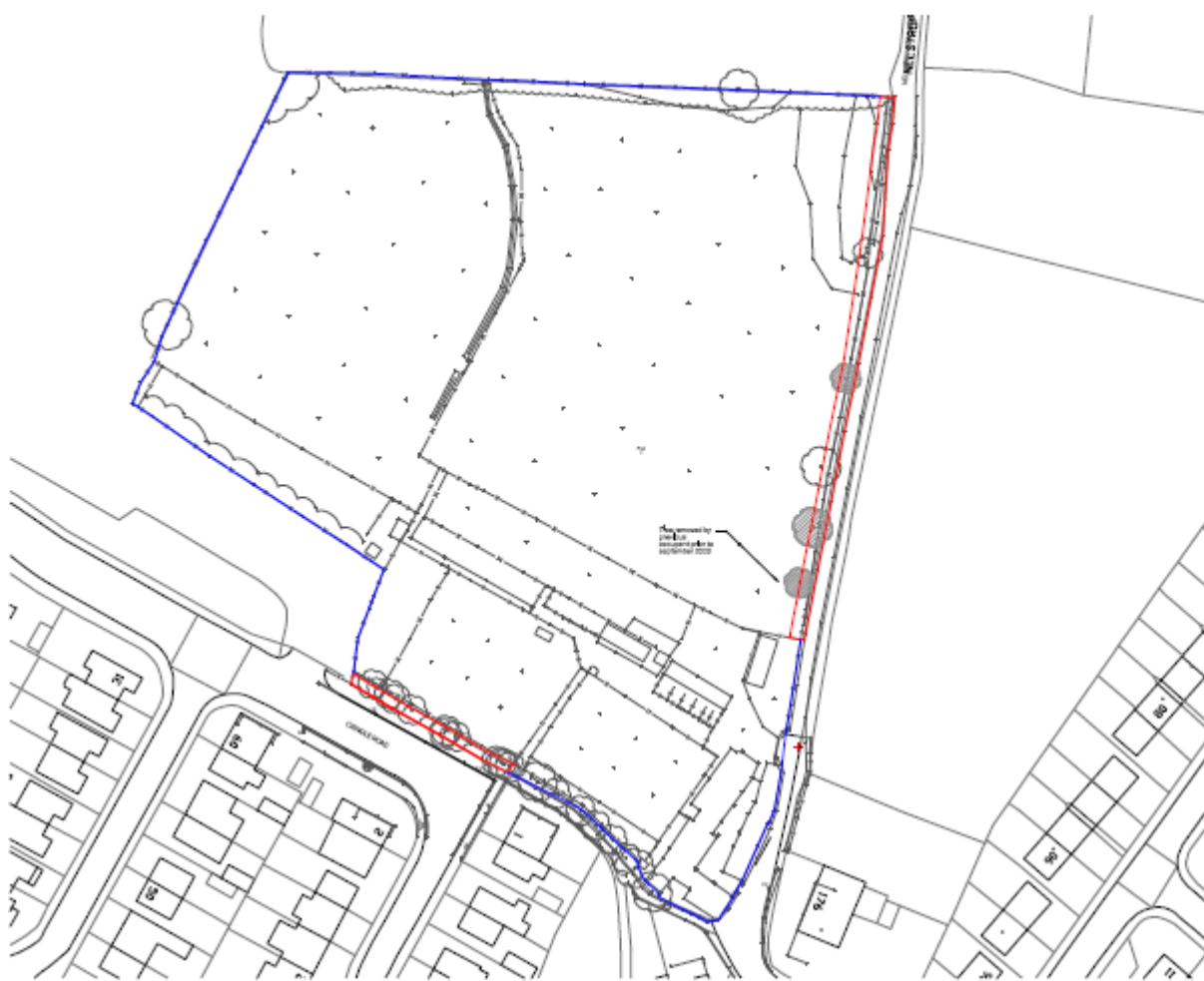
Environmental Impact The development has not affected vegetation or trees along Cringle Road. Along Nestrop Road, mature hedgerows have been removed to facilitate the development. These hedgerows were removed outside of bird nesting season which would have minimised any impact on habitats and were not known to

contain protect species. Mitigation in the form of 5 hawthorn shrubs and grassland have been undertaken with additional future mitigation secured by planning condition. There is no evidence to suggest that the installation of the fencing has worsened existing surface water drainage in the local area.

A full report is attached below for Members consideration.

Description

The application site consists of two narrow parcels of land along Cringle Road and Nelstrop Road North which enclose a wider area of open land which was formally used for grazing of animals. The Cringle Road parcel contains a number of trees and shrubs. Prior to the works associated with this application taking place, the parcel along Nestrop Road North contained a number of mature hedgerows.



Location plan – land subject to this planning application in red (vegetation removal in grey)

The wider site was former grazing land and contains mature trees which abut Highfield Country Park which lies to the north. There is more limited tree and vegetation coverage along the east, south and western boundaries of the wider site (edged in blue on the above plan). This tree and vegetation coverage form a mature landscape setting particularly when viewed in the context of the wider Highfield Country Park.

The wider area is identified as an area of semi natural open space 'Highfield Country Park', together with open space which straddles the Manchester and Stockport administrative boundaries.

Beyond the Country Park, the surrounding area is characterised by two storey residential properties. The properties located along Cringle Road, Wilsthorpe Close, Red Rose Crescent, and Lingcrest Road are semi-detached in nature. Immediately to the east of the site (beyond the eastern footpath and into Stockport's boundary) there is also an area of open land which forms part of a 'green chain' and strategic open space within the Stockport Development Plan.

The Highfield Country Park, which bounds the site to the north and west, forms part of an area identified as an area of Natural and Semi- natural open space within the Manchester City Wide Open Spaces, sports and recreation study. The entire area (including the application site) is subject to a saved policy LL3 within the Unitary Development Plan for the City of Manchester (1995).

The application site, together with the wider grazing land, identified in red and blue within the location plan above, has been the subject of two previous outline planning applications for the redevelopment of the site for 57 new dwellings (116474/OO/2017 and 122042/OO/2018). Both applications were refused by the Planning and Highways Committee on the grounds that the proposal would result in the loss of open space and would be detrimental to landscape character and setting of the site and Highfield Country Park.

An appeal was made against the refusal of planning application 116474/OO/2017 and although this appeal was dismissed, the principle of the need to protect the land from development was not sustained. The reason the appeal was dismissed was that there was no agreement in place between the parties with regards to a financial contribution to mitigate against the additional pressures the development would have on the adjacent Park.

Notwithstanding this appeal decision, planning application 122042/OO/2018 was also refused by the City Council. The appeal was subsequently allowed given the principle of development was in effect established by the previous appeal and an agreement had been reached, to the satisfaction of the Planning Inspector, between the parties relating to a financial contribution towards the adjacent park. This agreement also included the provision of 20% on site affordable housing.

The proposal

The applicant is seeking retrospective planning permission for the retention of 1.8-metre-high fencing to Cringle Road and Nelstrop Road North for a temporary two years. It is understood that the animal grazing which once existed at the site ceased abruptly and the applicant required the site to be secured from Cringle Road and Nelstrop Road North to prevent flying tipping and unauthorised use. The site is secured to Highfield Country Park where there is also no vehicular access.

Two types of fencing have been installed at the site as follows:

Fence type 1 (Cringle Road) – Green palisade fence 1.8 metres in height to the back of footpath and extends along Cringle Road for 36 metres. The palisade fence replaces a wooden fence and post system which has now been removed. There has been no tree or vegetation removal from the Cringle Road part of the application site.



View along Cringle Road prior to the works taking place (including exiting boundary treatment and vegetation/trees)



View along Cringle Road following completion of the works

Fence type 2 (Nelstrop Road North) – Green weldmesh fence 1.8 metre in height to the road edge and extends along Nelstrop Road North for appropriately 110 metres. The weldmesh fences replaces a timber and wire fence.



View along Nelstrop Road North prior to the works taking place (including exiting boundary treatment and vegetation/trees)



View along Nelstrop Road following completion of the works

The installation of fence type 2 has resulted in the removal of vegetation and grassland along Nelstrop Road North.

Consultations

Local residents/public opinion The application has been advertised as being of public interest and a site notice has been displayed at the application site and a notice placed in the local press. Notification letters have also been sent to nearby residential properties.

25 objections have been received in respect of this matter. The comments can be summarised as follows:

- The fence is too high, is an eye sore and should have been part of the original planning permission for the residential development;
- The fence is cheap and has an industrial/commercial feel which is not appropriate for this area;
- The installation of the fence has resulted in the loss of ancient hedgerow and has destroyed local wildlife. This has been carried out when there is a climate change emergency;
- Applicants should not be able to carry out works which destroy habitats and change the landscape character and then apply retrospectively for it. It should be restored immediately;

- Since the installation of the fence, the path and cycle route flood due to no proper drainage being in place together with pools of water full of faeces from where the horse manure pile was. This is a public health issue;
- There has been an unnecessary loss of biodiversity as a result of the removal of the hedgerow which has made Nelstrop Road North a less pleasant place to walk and cycle;
- Building the fence in the position shown is an illegal land grab;
- The feel and character of the area has been changed unnecessarily with an unsympathetic metal fence which is out of keeping with the area. The developer has shown a complete disregard for the local community and Council policies which is also of a concern when considering the site now has planning permission for residential;
- Flora and fauna has been removed thus removing the habitat and feeding ground of a large number of species;
- Mitigation for this work should be the provision of enhanced cycle provision in the local area;
- A mixed native species hedge be replanted, with sufficient space allowed, for it to grow 3m thick, without it encroaching on Nelstrop Rd North;
- To maintain the Green Corridor, that the SE corner of the proposed housing site should be left open and green, and on the public side of any back fences or hedges of the new houses;
- Since this has occurred, there has been a notable reduction in the number of bats in the area.

1 neutral comment has been received which questions the need for the application given the works have already been carried out.

Highway Services have no objections to the proposal. The fencing is located entirely within the applicant's ownership and does not extend over the adopted highway. The fencing does not obstruct sight lines, nor does it restrict access.

Flood Risk Management Team have no objections to the proposal. The location of the fencing does not affect surface water flooding. The fencing material permits water transmission and does not present an obstruction to free flow of surface water.

Greater Manchester Ecology Unit advise that the main ecological issues are loss of remnant hedge/hawthorn scrub and associated bird nesting habitat. It is accepted that no protected species were likely to have been impacted upon by the removal of vegetation and the installation of the fence. The previous ecological reports prepared for this site found no evidence of protected species along these boundaries. The retrospective nature of the application means it is now not possible to check. Whilst bird nesting habitats have been lost, the vegetation was removed outside of bird nesting season. There has been no previous evidence of Himalayan balsam and Japanese knotweed.

The new fence has resulted in the loss of scrub in the form of the remains of a hedge and associated bird nesting habitat, although the high levels of disturbance resulting from pedestrians is likely to reduce its potential for birds. Mitigation is, however, required. It is noted that some replacement hawthorn trees have been planted but this is a temporary measure and likely to be superseded by any Reserved Matters

application. The outline application also accepted that mitigation could be provided on site for loss of trees and hedgerow and off site for loss of grassland. It is recommended in this instance that some additional hawthorn hedge is proposed along the eastern and southern boundaries of the site.

Stockport Metropolitan Borough Council No comments at the time of writing this report.

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 and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The Manchester Core Strategy (2012)

The relevant policies within the Core Strategy are as follows

Policy SP1 Spatial Principles one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice. The development is a temporary solution to secure the site until it is redeveloped for housing. The development has replaced low quality boundary treatment, in a poor state of repair. The siting, scale and appearance of the boundary treatment is in keeping with the type of treatment you find around future development site or recreational settings of this nature.

Policy EN9 Green Infrastructure states that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management. The development has resulted in the loss of low-quality green infrastructure. The vegetation was considered to be low quality and had been previously identified for removal as part of an earlier planning permission. In the event the planning permission for the redevelopment of the site is not implemented, mitigation should be secured in an appropriate time scale. This is considered elsewhere within this report.

Policy EN14 Flood Risk the development does not pose any risk to surface water flooding. The design of the fence means that it is permeable allowing water to pass through it.

Policy EN15 - Biodiversity and Geological Conservation the area where the vegetation removal has taken place was not considered to be of high quality and was removed outside of bird nesting season. The impact on habitats was therefore minimised. Biodiversity improvements would be sought if the redevelopment of the site does not take place within appropriate timescales in order to mitigate appropriately against the loss of habitats. Bird and bat boxes are also considered necessary in this regard to improve the

Policy EN16 Air Quality states that the Council will seek to improve the air quality within Manchester. The development is not considered to compromise air quality.

Policy EN17 Water Quality states that developments should minimise surface water run off and minimise ground contamination into the watercourse. The development is not considered to give rise to any impact on the local water environment.

Policy EN18 Contaminated Land states that any proposal for development of contaminated land must be accompanied by a health risk assessment. The development would not compromise below ground contamination.

Policy DM1 Development Management consideration has been given to the siting, design and scale of the development. The development is considered to be acceptable in terms of visual amenity for the duration of the temporary period after which it would be removed from the site resulting in no long term impact from the development. The impact on ecology and biodiversity is considered elsewhere within this report.

For the reasons given above, and within the main body of this report, 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.

Saved Policy LL3 'Environmental Improvements and Protection' states that the Council will protect the site from development and improve the major existing areas of open land on the boundary of the area with Stockport. Priority will be given to upgrading Highfield Country Park'. The proposal would not compromise the wider Highfield Country Park site and whilst the development would be seen in the same setting as the park, the temporary nature of the boundary treatment would ensure there is no long-term impacts. The loss of the vegetation has, to some degree, altered the character of Nelstrop Road North, however, the character of this road edge would alter as a result of the residential development of the site. Should redevelopment not be forthcoming, mitigation would be secured along this boundary in the form of new vegetation and planting.

For the reasons given above, and within the main body of the report, it is considered that the development is consistent with the policies contained within the UDP.

National Planning Policy Framework (2018)

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

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

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

Planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Section 15 *'Conserving and Enhancing the natural environment'* states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of sol, air, water or noise pollution or land instability and remediating contaminated land.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Design states that where appropriate the following should be considered:

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

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.

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

Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow'

There are four objectives in order to achieve this vision:

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

Principle of development

The two narrow parcels of land, the subject of this planning application, relate to a wider site which has planning permission to be redeveloped for 57 new homes.

The site was formally used to graze animals and had an associated farm area which was accessible to the public. This use has subsequently ceased.

The principle of boundary treatment around the site is considered to be acceptable. The site has previously been secured by boundary treatment which consisted of low rise timber fencing and posts. The photographs earlier in this report show that the

fencing was in a poor state of repair and in some instances had deteriorated allowing access to the site.

The applicant has indicated that they installed the fencing following the abrupt ceasing of the previous use which required the site to be urgently secured to prevent flying tipping and unauthorised use of the site.

The relevant planning matters in this case are the visual impacts of the works, loss of green infrastructure and impact on ecology, impact on drainage and highway considerations. These matters are considered in detail below.

Visual amenity

A 1.8 metre high palisade fence has been installed along the Cringle Road section of the application site and is approximately 36 metres in length. The fence is sited in the same position as the previous boundary treatment but extends to a greater height and is of a different material.

Cringle Road is characterised by a variety of boundary treatment types. Low rise brick boundary walls and timber fences are the predominant feature of the residential properties on the southern side of Cringle Road.

The entrance of Highfield Country Park, which is located close to the application site and also has a frontage to Cringle Road, is predominately secured by a vertical railing painted green. There is a short section of black palisade fencing at the entrance to the park.



Entrance to Highfield Country Park showing the two types of boundary treatment

The fencing along Cringle Road, which is the subject of this planning application, abuts the black palisade fencing of the park and continues the palisade fencing along Cringle Road up to the alleyway with 1 Wilsthorpe Close. The fencing is of the same type and height to that of the park palisade fencing with the exception that the fencing subject to this planning application is green not black.

Whist palisade fencing is not normally preferable as a long-term boundary treatment solution around development sites, the fencing in this instance would be temporary for a period of two years in anticipation of the site being redeveloped. The retained vegetation along this frontage also allows for the fencing to blend in with the landscaping in this location making the boundary treatment less obtrusive.

Should the site be redeveloped, boundary treatment associated with the new homes would be a feature of the street scene. In the event that the redevelopment of the site is not forthcoming, the boundary treatment would need to be removed or a further planning application sought to retain appropriate boundary treatment in this location. A high-quality boundary treatment would need to be secured at that point in the interest of visual amenity.

A 1.8 metre high weldmesh fence has been installed along the Nelstrop Road North section of the application site and is approximately 110 metre in length. The fence is sited in the same position as the previous boundary treatment but extends to a greater height and is of a different material.

Nelstrop Road North is characterised by low rise timber fencing and vegetation which provides a buffer to the narrow lane. The installation of the 1.8 m high weldmesh fence has provided a more visible boundary treatment feature in this location. This has been further heightened by the removal of the vegetation which makes the fencing more noticeable and has altered the character of the area. Notwithstanding this, the fencing is transparent and allows views through the boundary treatment to the park area beyond. This is preferable to a more solid fence type whilst the site remains undeveloped. The colour of the boundary treatment also allows the fencing to be more easily assimilated into the landscape.

Metal fencing is also a feature of the local area and is found along the Cringle Road frontage and other boundaries around Highfield Country Park. The temporary nature of the boundary also means that it would be removed following the expiration of the two year period. Should the residential redevelopment of the site be forthcoming, boundary treatment associated with this development would be evident along Nelstrop Road North (the details of which would need to be agreed as part of this planning permission).

The fencing is considered to be appropriate in this instance for a temporary period of two years. The fencing is not considered unduly harmful for this short period. Views are maintained through the site from both Cringle Road and Nelstrop Road North due to the transparent nature of the boundary treatment. The boundary treatment allows the site to be secured and deters unauthorised use of the site which could become a disturbance to the local residential area.

Impact on ecology

An ecological report has been prepared to support this planning application along with a tree survey in order to assess any impacts associated with the vegetation removal and movement of soil to facilitate the installation of the fencing. The surveys associated with the previous outline planning permission have also been referenced.

The installation of the fence line to Cringle Road has not resulted in the loss of trees or vegetation along this boundary. However, the installation of the fence line along Nelstrop Road North has resulted in the removal of Hawthorn and Elder shrubs along with grassland along a 60 metre stretch along the road.

It is understood that the vegetation was removed late last year which would have avoided the bird nesting season and therefore minimised the destruction of habitats which may have been present within the hedgerow. It is noted that previous surveys at the site did not find the presence protected species within the hedgerow.

The applicants ecological survey states that the shrubs and the grassland were not considered to be of high ecological value and were designated to be removed as part of the residential redevelopment of the site should that have been necessary to facilitate the development.

In mitigation of the loss of the shrubs, the applicant has installed five Hawthorn shrubs behind the fence line which would allow habitats to be formed in the spring and as the shrubs mature.

A heap of soil containing the removed vegetation has been placed on the edge of the open grassland land along the eastern boundary of the site. The applicants survey states that the spoil was deposited on species poor grassland and a manure heap (which would have been associated with the form grazing field). The applicant has confirmed that turf has been laid over the spoil.

Greater Manchester Ecology Unit have considered the proposals and accept that the hedgerow was poor quality, unlikely to contain any protected species and was removed outside of bird nesting season. Whilst noting that there has been some mitigation to the loss of the vegetation with the planting of the 5 Hawthorn shrubs and turf areas, they consider this to be an interim position and should the site be developed the vegetation would again be lost.

Whilst the outline application does make provision of new green infrastructure, which would be secured by this planning permission, in the event this permission is never implemented, additional mitigation is required in line with the Ecology Unit's comments. This includes further planting along the eastern boundary. This mitigation should be secured by planning condition and should be agreed should the residential development not take place within 2 years of the grant of this planning permission.

Impact of drainage

The fencing installed along Cringle Road follows the same position as the previous fence line and has not resulted in any vegetation removal. It is noted that local residents have noticed pooling of surface water along Nelstrop Road North which they have attributed to the works at the application site.

It is acknowledged that the development has resulted in the loss of green infrastructure along Nelstrop Road North which would have had some drainage qualities with the vegetation soaking up any surface water run off from the adjacent

road. However, it is not considered that the fencing in itself fencing would affect surface water run off in this part of the application site.

The proposal has been assessed by the Flood Risk Management Team who consider that the development does not pose any risk to surface water run or drainage. The transparent nature of the fencing material would allow for surface water run off from the road to drainage into the soil underneath the fence line as would have previously been the case.

Highway considerations

The development does give rise to any highway or pedestrian safety concerns. There is no direct impact on the adopted highway and sight lines and access around the site is maintained to an appropriate standard. Highway Services have not raised any objections to the proposal.

Public Opinion

There has been local concern expressed about the development particularly that the fencing is out of character with the local area, too high and is not of a suitable appearance. In addition, residents have expressed significant concern about the impact of the vegetation removal on local ecology and loss of habitats for wildlife together with impacts on drainage. Comments have also been received that the works have been undertaken on land which is not in the applicant's ownership.

The applicant has declared that the works which have been undertaken are on land which is within their ownership and no evidence has been presented which would suggest that this is not the case.

It is acknowledged that the vegetation removal along Nelstrop Road North has altered the landscaped character of this narrow lane resulting in the weldmesh fencing being visible. However, the fencing would only be in situ for a temporary period of two years after which it would be required to be removed. Planting has been installed behind the fence line in mitigation of the lost vegetation and a condition is recommended which secures the further enhancement of this area.

Notwithstanding this, the loss of habitats for wildlife is clearly regrettable and whilst the new scrubs become established there would be a short-term disruption to the local wildlife corridor. The impact on the habits would have been minimised as they were removed outside of the sensitive bird nesting season. There is no evidence to suggest that the removal of the hedgerow has affected the number of bats in the local area.

The installation of the fencing is unlikely to be the cause of the surface water drainage issues in the area. The fencing is permeable and allow water to soakaway at ground level.

Conclusion

The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The boundary treatment is considered appropriate for a temporary period of two years only. It is not considered that there would be any unduly harmful impacts which would warrant refusal of this planning application for the reasons outlined within the main body of this report.

The impact on the loss of habitats and ecology can be suitably mitigated against by biodiversity improvements at the site in the event that residential development does not come forward. There are no highways or drainage implications as a result of the development.

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 Temporary Approval

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The impacts of the development have been carefully considered and mitigation sought where necessary. The proposal is in line with City Council Planning Policies and is therefore determined in a timely manner.

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

- 1) The permission hereby granted is for a limited period only, expiring on 18 February 2023.

Reason - The use hereby granted is for a temporary period only to secure the site prior to redevelopment pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

- 2) The development hereby permitted shall be removed no later than one month from the 18 February 2023.

Reason - The use and buildings are required to cease and be removed from site within a specified timescale in order to allow reinstatement of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

- 3) In the event that the redevelopment of the site does not take place within 2 years of the date of this planning permission, the land shall be restored in line with a strategy submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include details of laying the site to grass and other planting (including trees/shrubs where appropriate). The restoration of the site shall take place in accordance with timescale agreed in writing with the City Council, as Local Planning Authority.

Reason – In the interest of visual, residential amenity and biodiversity of the site should the redevelopment of the site not be forthcoming in line with the extant residential planning permission for the site pursuant to policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

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

Covering letter, drawing L(-1)011, tree survey and biodiversity report stamped as received by the City Council, as Local Planning Authority, on the 18 December 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.

- 5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawing L(-1)011 and tree survey and biodiversity reports stamped as received by the City Council, as Local Planning Authority, on the 18 December 2020 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.

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: 128920/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
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit
Stockport Metropolitan Borough Council**

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

Representations were received from the following third parties:

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



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Application Number	Date of Appln	Committee Date	Ward
129010/FO/2020	31st Dec 2020	18th Feb 2021	Levenshulme Ward

Proposal Temporary use of the southern section of public car park as a market for a period of 4 years: operating on Saturdays 10.00 am to 4.00 pm (52 weeks per year); Fridays between 4.00 pm and 10.00 pm (up to 12 evenings per year) and Sundays 10.00 am and 5.00 pm (up to 12 days per year) with the associated retention of an existing container / generator unit and fenced enclosure to be used for storage of segregated waste/ recycling and installation of 1 x electrical power cabinet

Location Public Car Park Accessed Via Stockport Road And Albert Road, Manchester, M19 3AB

Applicant Mr Paul Bower, 4 Dean Bank Avenue, Manchester, M19 2EZ,

Executive summary

Proposal – This application relates to Levenshulme District Centre car park, which is bounded by a railway line and station to the west and Stockport Road to the east. The use of the car park as a market commenced in 2013. The current market has planning permission that expires on 7 August 2021. It allows the market to operate on Saturdays (10 am-4 pm) between March and December (inclusive) and on no more than ten Friday nights (5 pm-9 pm) per year.

The proposed development relates to the temporary use of the southern section of the public car park as a market for a period of 4 years. The proposal would increase the operating periods on Saturdays 10.00 am to 4.00 pm (52 weeks per year); Fridays between 4.00 pm and 10.00 pm (up to 12 evenings per year) and Sundays 10.00 am and 5.00 pm (up to 12 days per year). The development would involve the siting of a total of 50 moveable stalls and gazebos to the south and immediately to the north of the public footpath crossing the car park from east to west. The remaining area in the northern section would remain in operation whilst the market is being held.

Objection – A petition signed by 19 individuals and 7 emails of objection and expressions of concern relating to:

- i. The impact of the holding of the market on local car parking provision;
- ii. The siting of stalls and their related effect on the undertaking of servicing and deliveries;
- iii. The impact of the siting the development on access to the rear of neighbouring properties;
- iv. The harm caused to amenity attributed to noise disturbance, waste storage and litter dispersal.

Support – 92 emails of support have been received and are summarised below:

- i. The market has positively raised the profile of Levenshulme District Centre to the area. It has added significantly to the vibrancy of the district centre and its retention is strongly supported;
- ii. The market has increased footfall within the district centres demonstrating the benefits of its operation to its traders and businesses in the wider district centre;
- iv. The market is a well-run and a safe space for families and the wider community providing a much needed destination for social engagement and interaction across a diverse community;
- v. The site is in a sustainable location that can be accessed by local people without the need to use cars, which is beneficial to carbon reduction.

Key Issues

- i. The importance of the market to the vitality and vibrancy of Levenshulme District Centre;
- ii. The potential harm associated with the extended operation of the market;
- iii. The impact of the loss of car parking capacity on the operation of the district centre;
- iv. The benefits of securing additional arrangements to improve the operation and management of the market.

A full report is attached for Members consideration.

Description

This application relates to Levenshulme District Centre car park, which is bounded by a railway line and station to the west and Stockport Road to the east. Albert Road lies to the south, with the car park access to the north gained from Farmside Place. The existing car park is bisected by a cycle/pedestrian route running beneath the elevated railway line and providing a route through to Stockport Road. Retail and commercial uses are located to the north and east of the site with a mix of commercial and residential uses located to the south of the site with frontages to Albert Road.



Fig. 1 - Views across the car park

The use of the car park as a market commenced in 2013. At that time the market was held infrequently and did not require planning permission. However, planning permission ref: 102060/FO/2013/N2 was approved on 4 July 2013, allowed the siting of storage container and internal generator unit thereby facilitating the holding of a market on a more frequent and regular basis. Planning permission ref: 104683/FO/2014/N2 was approved on 14 March 2014 for a temporary 2 year period and allowed a market to be held on Saturdays from 10.00 am – 4.00 pm between March and December (inclusive) and no more than 4 annual Friday night markets. A further planning application ref: 116414/FO/2017 was approved 10 August 2017 for a temporary period expiring - 7 August 2021. It allowed the holding of a weekly market on Saturdays (10 am-4 pm) between March and December (inclusive) and no more than 10 annual Friday night markets (5 pm-9 pm) with the retention of the storage container, generator and waste and recycling enclosure. This planning permission expires on 7 August 2021.



Fig 2 - Comparative views of the car park on non-market days and during market events

The proposed development involves:

- i. The development relates to the temporary use of the southern section of public car park as a market for a period of 4 years. The proposal would increase the markets operating periods on Saturdays 10.00 am to 4.00 pm (52 weeks per year); Fridays between 4.00 pm and 10.00 pm (up to 12 evenings per year) and Sundays 10.00 am and 5.00 pm (up to 12 days per year);
- ii. The siting of a total of 50 moveable stalls and gazebos to the south and immediately to the north of the public footpath crossing the car park from east to west. The remaining area in the northern section would remain in operation whilst the market is being held. The arrangement of the stalls would facilitate movement through and around the site and would also allow existing rear access to property along the eastern site boundary. This arrangement is illustrated in Fig.3;

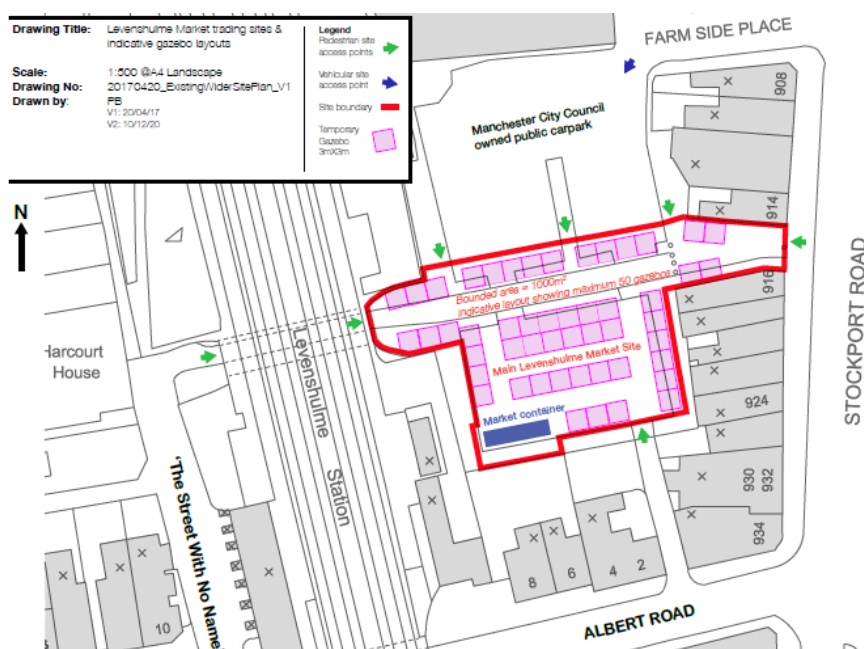


Fig. 3 - Market layouts

- iii. The existing storage container and generator unit would be retained in the south-west corner of the site adjacent to a landscaped strip situated adjacent to the southern boundary of the site, which is shared with properties located between 2 – 8 Albert Road. Part of this area, to the rear of the storage container, is enclosed by paladin fencing and would be retained to facilitate the storage of waste and recycling bins and water butts;
- iv. The applicant proposes a phased decommissioning of the use of the existing generator through provision of electrical mains connection to the site. This would be facilitated by the installation of an electrical cabinet to be sited to the south of the cycle/pedestrian route running through the site;
- v. The market would continue to be operated by local people on a voluntary basis.

Consultations

Local residents – Representations objecting and supporting the development are summarised below:

Objection – A petition signed by 19 individuals and 7 emails of objection and expressions of concern have been received and are summarised below:

- i. The siting of market stalls has significantly reduced the availability of car parking for customers of neighbouring businesses thereby resulting in a loss of trade. Car parking is limited within the district centre and should be retained. Its absence has, alongside car parking generated by the market, resulted in

- additional car parking in nearby residential streets. The car park should also be retained in support of commuters using Levenshulme Station.
- ii. The siting of the market has also affected servicing of adjacent businesses, which require rear access due to the presence of parking restrictions on Stockport Road. Businesses report that the proximity of market stalls has limited general access to rear alleyways and affected waste collections and deliveries;
 - iii. There are concerns that the siting of the market would prevent access by emergency vehicles;
 - iv. The area to the south of the site has been used to site a bin store, which has prevented properties along Albert Road preventing residents from maintaining rear access from their garden areas. The siting of the bin store has also caused disamenity associated with the lengthy storage of waste within it. It is considered that the bin enclosures should be removed to facilitate rear access;
 - v. The development has not been supported with adequate arrangements for waste storage and collection and the clearance of litter at the end of trading. These are concerns that, as a result, the development may have contributed to localised vermin infestation;
 - vi. The market has generated significant noise including the transmission of music, which has continued beyond the end of trading. There are concerns that this disturbance may intensify if the sale of alcohol is permitted;
 - vii. Some representations have indicated the market should only operate on the basis of the previous planning permission;
 - viii. The submitted petition has been accompanied with a number of requests should the market be permitted to continue, including:
 - The siting of stalls to ensure access to neighbouring properties for servicing and deliveries;
 - Appropriate arrangements for waste storage and collection from the market;
 - Guaranteed access to car parking space for neighbouring businesses;
 - Assurances regarding access for emergency services through the car park;
 - Consideration of an alternative location for the market to address concerns regarding its further expansion.

Support – 92 emails of support have been received and are summarised below:

- i. The market has positively raised the profile of Levenshulme District Centre and increased visits to the area. It has added significantly to the vibrancy of the district centre and its retention is strongly supported. It is also considered that a further planning permission will give traders greater certainty in their future business plans and on-going participation in the market;
- ii. The market has increased footfall within the district centre demonstrating that its operation benefits traders and businesses in the wider district centre. This renewed interest in the district centre has acted as catalyst for new investment along Stockport Road. This is demonstrated by the recent increase in bars and restaurants in the area. The maintenance of the market is therefore seen as being crucial to the on-going regeneration of the district centre in the post COVID period;

- iii. The market is a valuable platform for local businesses and artists and provides them with a direct income from on-site sales, whilst raising their profile and promoting sales elsewhere. The operation of the market thereby helps to sustain the employment generated by a significant number of businesses;
- iv. The market is a well-run and a safe space for families and the wider community. The market is seen as both a retail and leisure destination. It provides a much needed destination for social engagement and interaction across a diverse community. The market provides space for various charity promotions and family activities. The success of the market is reflected in it being awarded the 'Best Small Outdoor Market' by the National Association of British Market Authorities in 2020;
- v. The site is in a sustainable location that can be accessed by local people without the need to use cars, which is beneficial to carbon reduction. The market also provides outlets that supply organic and vegan foods that support and encourage more environmentally sustainable lifestyles. This is seen as a welcome addition to the retail offer.

Afzal Khan MP – Has expressed support for the on-going operation of Levenshulme Market in its present location and on basis of the terms of the existing planning permission. The market has operated for seven years and has become an integral part of the local economy and wider community. It draws customers from not just surrounding areas, but from across the entire region. The market has been a catalyst for the continued rejuvenation of the local district and subsequently contributes to Manchester's Development Framework Core Strategy.

Councillor Dzidra Noor – Advises of representations received from local businesses expressing concerns regarding the extended operation of the market, particularly with regard to the loss of car parking provision, which is considered to be harmful to their business operations. There is concern that access to car parking will be necessary to sustain business recovery in the post COVID period. Councillor Noor acknowledges the important contribution the market has made to the vitality and vibrancy of the district centre and the provision of much needed space for local traders. However, it is considered that the operation of the market should be limited to Saturdays and once per month on Friday evenings.

Levenshulme Traders Association – Oppose the extension to the operational periods of the market for the following reasons:

- i. Levenshulme Traders Association maintains its support for the market but maintains that it should continue to operate in accordance with the existing and previously approved arrangements;
- ii. In usual circumstances, the market can operate on up to 40 Saturdays per year and less frequently on Friday evenings, which is considered to be acceptable;
- iii. It is not considered the increased operating periods have been satisfactorily justified. The proposed operating arrangement for the market should be reviewed and, if satisfactory, operated for a trial period of 6 months as part of temporary planning permission. Any issues emerging during this time could thereby be identified and addressed;

- iv. Notwithstanding the above, the increase in Friday night market events, providing that adequate secure toilet and water facilities are provided within the site for use in association with the market;
- v. There is concern regarding any expansion in the number of stalls serving alcohol for consumption on? site. The retail sale of alcohol for consumption elsewhere would be more appropriate;
- vi. A greater dialogue between the market management for local businesses regarding parking issues and demarcation of the car park on market days.
- vii. The arrangements for the storage and collection of waste and the clearance of litter at the end of trading should be reviewed as the current arrangements are not considered to be satisfactory;
- viii. There is concern that the retail offer within the market does not reflect the social diversity of the area;
- x. The siting of the market restricts the operation of the car parking and significantly reduces the number of available car parking spaces. It is argued that market traders generally use any spare capacity reducing the availability for public car parking. The arrangements for off-site car parking, as set out in the application, are not being fully utilised. A lack of car parking has therefore impacted upon the operation of neighbouring businesses that rely on car borne customer visits and passing trade. This is particularly significant as Levenshulme District Centre has limited car parking;
- xi. The proposed operation arrangements.

National Association of British Market Authorities (NABMA) –Levenshulme Market CIC is a member of the NABMA, which has written in support of the continued operation of the market. The NABMA has provided the following comments:

- i. Markets are a vital part of local communities. They provide an important retail outlet but much more than this providing a focal point for local communities and celebrating the culture and history of the places they represent. In the last year markets have contributed significantly to meeting the challenges of COVID providing important sources of food and other essential supplies;
- ii. In 2020, Levenshulme Market won the category of Best Small Outdoor Market in recognition of very important work they undertake in the local community;
- iii. Levenshulme CIC have successfully operated this market on a voluntary basis and provide an opportunity for many people to trade and shop. The market operation is a real community effort and is held in great affection by the local community.

Levenshulme Neighbourhood Team – Have provided a supporting statement that has accompanied the planning application. It affirms that the presence of a weekly street market on the current site is a key element of the on-going regeneration of Levenshulme District Centre. It is stated that the market has increased footfall within the district centre creating a retail destination within the local area and beyond. The market has provided trading opportunities for local businesses. It has also broadened the retail and food offer in the centre and contributed to cross-community engagement and social interaction. The applicants have contributed to the district centre beyond the operation of the market through its involvement in environmental clean-up campaigns and improvements to the area of landscaping on

the railway embankment adjacent to the car park. It is considered that the development would positively contribute to Levenshulme District Centre.

Highway Services - The following comments have been received:

- i. There are no objections to the proposed extension of the operational days and times;
- ii. The proposed waste management arrangements are acceptable from a Highways perspective;
- iii. Pedestrian and vehicle access arrangements are also acceptable.

Environmental Health – Have advised that a further noise survey would not be required in respect of the operation of the generator unit, on the basis that conditions are related to the development:

- i. A scheme being submitted to and approved relating to the installation and operation of a mains electricity supply related to the operation of the market as detailed within application being implemented to an agreed timescale along with arrangement from the cessation of use, decommissioning and removal of the existing generator unit from the site;
- ii. Confirmation that the details of the previously approved noise assessment have been implemented; including its recommendation for the repositioning of intake and external outlets to a position away from the nearest residential uses.

The above conditions have been included.

Environmental Health have also expressed some concern regarding the impact of the additional operating hour relating to the Friday market and the introduction of a Sunday market. It is considered that these concerns can be responded to through the recommended conditions, requiring the submission, approval and implementation of additional noise attenuation measures should issues emerge following the extended operation of the market. There is particular concern in relation to potential noise impacts.

Flood Risk Management – No objection but it is recommended that an informative be included advising that electrical equipment is suitably located to reduce any potential risk from surface water flooding.

Greater Manchester Police Design for Security – Any comments will be reported.

Network Rail – No comments received.

Issues

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. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a

mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

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

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

- i. Chapter 6: Building a strong, competitive economy – States that planning decisions 'should help create the conditions in which businesses can invest, expand and adapt.' It also emphasises the 'need to support economic growth and productivity, taking into account local business needs' (Paragraph 80). In this case, it is considered that the development provides opportunities for business innovation and diversification of the retail offer in the district centre. This presents potential opportunities to increase interest in the district, generate consumer footfall and create conditions to encourage wider retail and commercial development.
- ii. Chapter: 7 - Ensuring the vitality of town centres – States that planning and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation (Paragraph 85). As stated, the development presents opportunities for diversification of the retail offer thereby enhancing the vitality and viability of the district centre. The development would thereby be positively related to chapter 7.
- iii. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 91). These considerations have been related to the layout and design of the proposed development and the incorporation of measures to address issues of security and potential opportunities for criminal and anti-social behaviour.

It is not apparent that the previous operation of the market has been adversely affected by incidences of crime or anti-social behaviour. The layout of the stalls allows appropriate circulation through the site and aids natural surveillance within it. The proposed operating hours are not considered to be excessive within the context of a district centre and the provision of four access points aids the dispersal of

customers at the ended of trading. The development is therefore considered to the appropriately related to Chapter 8.

- iv. Chapter 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:
 - a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
 - b) Safe and suitable access to the site can be achieved for all users; and
 - c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 108).

It is considered that the site is in a sustainable location regarding its access to public transport and measures can be put in place to improve access to the retained car parking area. The development would thereby be positively respond to the objectives of chapter 9.

- v. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land. In this case, the site presents an opportunity for the limited provision of a market, whilst maintaining its use as car park at other times thereby responding positively to the objective of chapter 11.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application reference has been given to the following aspects of the PPG, which have been positively responded to for the reasons set out in this report:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;
- iii. Noise.

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

The following policies are relevant to the proposed development:

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

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

The positive benefits of the development have been balanced against the potential harm resulting for the temporary loss of the car parking areas and the additional activity concentrated around the site on market days. It is considered that any potential harm would be temporary and offset by site management and operational conditions. The operation market would give the district a distinctive retail offer that would contribute to the continued regeneration of the district centre, which would be particularly important to local economic recovery in the post-COVID period. The market is operated as a local social enterprise and many of its traders are from the surrounding area thereby demonstrating its links with the local area. It would also provide an important outlet for the sustained operation of local businesses. The development would present continued opportunities for social interaction and engagement across a diverse community. Efforts have been made as part of the development to improve its environmental sustainability. It is therefore considered that policy SP1 would be complied with.

Policy C 1 Centre Hierarchy - States that the development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres. Policy C1 states that district centres, such as Levenshulme, have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. It is considered that the development would comply with policy C1 by positively diversifying the retail and leisure offer in the district centre.

Policy C 2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, leisure activities and financial and legal services. The development would contribute positively to the character and viability of the district centre thereby ensuring compliant with policy C2.

Policy C6 South Manchester District Centres – Relates to Chorlton, Didsbury, Fallowfield, Levenshulme and Withington district centres. The policy states that Levenshulme District Centre has the capacity to support more sustainable shopping patterns, which is consistent with the nature of the proposed development. It states that new development should also contribute to the character of the centre.

It also states that the role of the independent retail sector in would be supported in Levenshulme alongside convenience shopping. It is considered that the development would be consistent with these objectives.

Policy EC1 Employment and Economic Growth in Manchester - The relevant sections of policy EC 1 include the contribution of the development to:

- i. Improving access to jobs for all via public transport, walking and cycling;
- ii. Demonstrating that employment-generating development has fully considered opportunities to provide jobs for local people, through construction or use;
- iii. Ensuring the continued social, economic and environmental regeneration of the City;

Policy EC9 South Manchester - States that within South Manchester, including Levenshulme District Centre, development proposals and planning applications should ensure the efficient use of existing employment space and improve public transport, walking and cycling connectivity between residential neighbourhoods and employment locations.

The development would provide temporary but regular space for economic activity, be accessed via sustainable transportation links and positively contribute to the character of the neighbourhood. Policies EC1 and EC9 would thereby be accorded with.

Policy EN 8 Adaptation to Climate Change – States that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. The development would incorporate arrangements for storing harvested rainwater and would retain an existing green roof to the storage container. Further measure can be put in place to encourage travel to the market using public transport and improvement are to be delivered to ensure the provision of a more efficient mains electricity supply. It is considered that these measures would be proportionate to the magnitude of the development and appropriately related to policy EN8.

Policy EN 14 Flood Risk – Requires that consideration be given to flood risk and the necessary improvement to drainage. The car park has not been identified as a location of significant flood risk but the recommendation of the Flood Risk Management Team regarding the position of electrical equipment have been related to the development as an informative.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport.

Policy T 2 Accessible areas of opportunity and need - The Council will actively manage the pattern of development and the relevant section of the policy states: that new development should provide appropriate car parking facilities, including meeting the needs of disabled people and the provision cycle parking.

In this case, the application site benefit strongly from its sustainable location with easy access to bus routes along Stockport Road and Albert Road. Access to the development is therefore not upon public transport and the recommended operational conditions would help to manage access to retained car parking spaces and traffic generation to and from the site. These measures would help to offset the impact of reduced district centre car parking on market days. On this basis, policies T1 and T2 would be positively responded to.

Policy DM1 Development Management - States that all development should have regard to the following specific issues, which are relevant in relation to the proposed development:

- i. Appropriate siting, layout and scale;
- ii. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- iii. Development should have regard to the character of the surrounding area;
- iv. Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, road safety and traffic generation;
- v. Accessibility - For people with disabilities and via sustainable transport modes;
- vi. Community safety and crime prevention;
- vii. Refuse storage and collection;
- viii. Vehicular access and car parking;
- ix. Flood risk and drainage.

The development would incorporate a layout that would deliver inclusive access, provide costive pedestrian flows through the market and secure appropriate natural surveillance. The impact of noise and activity have been related to the context of the site as a precinct centre location positioned between a major road and railway line. Controls over levels of activity would be maintained through the site management plan and operating hours conditions. Issues relating to waste and recycling storage, car parking and flood risk have been appropriately assessed through the consideration of the development. Policy DM1 would be appropriately accorded with.

Unitary Development Plan saved policies - The following policies are relevant:

Part 1 policies

Policy E3.3 – This policy applies to Stockport Road as a major radial route to the City Centre. However, views of the site from Stockport Road are limited and any impact on its would be limited to related activity from traders and visitors accessing and egressing the site. A more significant impact would be on views of the site from the adjacent elevated section of the adjacent railway line and Levenshulme Station. It is considered that the appearance of the operation market would not be harmful to visual amenity and would add vibrancy to the district centre. It is considered that measures can be put in place to maintain the appearance of the site through arrangement for waste storage manage the removal of litter. It is therefore considered that the development would comply with policy E3.3.

Policy S1.2 (Shopping) – Encourages the delivery of improvements to exiting district centres so that they remain the focus for retail and community activity. It is considered that the development would positively contribute to these objectives.

Part 2 policy

Policy DC26 (Development and noise)

Policy DC26.1 - The proximity of the site to residential uses has necessitated the consideration of the impact of noise, attributable to the development, on people living and working nearby. Policy DC26.1 is relevant in this regard.

Policy DC26.5 - In recognition of the noise potentially generated by the use, policy DC26.5 is referred to ensure the control of noise levels by requiring, where necessary, high levels of noise insulation in new development.

In this case, consideration has been given the potential impact of the additional number of market events and the expansion of operating hours on Friday evenings. As previously discussed, the local noise environment is characterised by district centre activity that takes place throughout the day and into the evening. Weekend activity is also usually more noticeable in such locations. Notwithstanding the above conditions have been included to ensure that any required noise mitigation measures can be provided and managed by condition to secure compliance with policy DC26.

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

In this case, officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions with the applicant have informed the recommended schedule of conditions based on a more detailed understanding of the development and how it may be undertaken without causing undue harm. It is considered that the planning application has been supported with sufficient information to allow its appropriate assessment.

Principle of the development – The market has established its presence as part of the district centre since the use first commenced in 2013. During this time it has contributed to the expansion in the diversity of the retail offer within the district centre and increased the number of visitors to the area, it is considered that many local businesses have benefitted from linked trips to shops, bars, pubs and restaurants. The increased interest in the district centre has also been linked to the introduction of new bars and other businesses along Stockport Road.

However, it is recognised that the operation of the market has had some impact on the availability of car parking. Consideration has therefore been given to how the impact of the market operation might be improved, including increased access to

retained car parking spaces. The occurrence of the Friday night market would increase from 10 to 12 events. It is considered that the additional occurrence of the market would be subsumed into the character of the night-time economy of the district centre without producing a substantially additional harm. The Saturday market operates over 12 rather than 10 month period and the Sunday market would be a new event. All the market events would be subject to enhanced site management arrangements delivered through the recommended condition. It is considered that the implementation of appropriate management conditions would ensure a continued positive contribution to the regeneration of Levenshulme District Centre. The principle of the development is therefore considered to be acceptable.

Frequency of market events – The applicant has indicated that it is unlikely that all of the market events applied for would take place due to cancellations due to adverse weather conditions. In response, the submission seeks some flexibility regarding the holding of markets on Fridays and Sundays? Saturdays, although the maximum number of events would be limited to 12 in each case by condition. The applicant has also confirmed that the markets would not operate over consecutive days, although the Friday and Sunday markets may, on some occasions, take place over the same weekend. As stalls would not be maintained in situ overnight, the availability of car parking within the site on non-market days would be increased. On this basis, it is not considered that the frequency of the market operation would have an unduly harmful impact on the surrounding area.

Residential Amenity - The site is within the busy and vibrant Levenshulme District Centre and adjacent to an active railway line. The site is therefore located in a relatively noisy environment. Apart from accommodation above retail / commercial units and 6 - 8 Albert Road, there is relatively limited residential use surrounding the site. The operation of the Friday and Saturday market would be consistent with previous temporary approval, albeit on a more frequent basis. It is considered that any additional impact would be offset by the additional site management arrangements designed to safeguard the amenities of the area. Whilst the proposals would introduce an additional market on Sundays, its occurrence would be infrequent and consistent with many of the characteristics of the Saturday market. However, it is acknowledged that the local noise characteristics may differ on a Sunday but not significantly. It is considered that the concerns of neighbouring businesses and residents would be addressed through recommended site management condition.

It is acknowledged that the operation of additional Friday night opening together with a limited number of Sunday markets could lead to additional impacts from noise on neighbouring residents. Colleagues in Environmental Health have raised this as a concern and specific conditions are recommended in order to mitigate these impacts.

Site management plan – The applicant has submitted a transport statement that identifies potential arrangements for the provision of remote off-highway car parking for use by traders not requiring access to their vehicles during the operation of the market. This would release the availability of spaces within the retained car park and ensure that traders' vehicles would not be parked in neighbouring residential streets. The applicant is amenable to a site management condition that would clearly set out the requirements for the operation of the market. The details of this condition are set out below, including arrangements for the delivery of appropriate off-site car parking

and improvement of the operation of the market, a site management plan condition has been recommended requiring the approval and implementation of the following:

- i. The specified location and number of remote off-highway car parking spaces to be made available to traders not requiring access to their vehicles during the operation of the market. Arrangement would be put in place to ensure that vehicles would only be brought to the site prior to market set up and following the end of trading but remain off-site whilst the market is in operation. An exception would be made for traders requiring essential and frequent access to their vehicles during trading, e.g., food businesses needing to re-stock refrigerated goods;
- ii. The provision of stewards to marshal vehicles to and from the car park as part of the market set up and car parking reinstatement and assist pedestrian and vehicular movement during the operation of the market;
- iii. The setting out of the market in accordance with the approved layout arrangements, including the maintenance of circulation strips adjacent to the access to the rear of properties located to the east and south of the site;
- iv. The immediate cessation of music transmission at the end of trading and throughout the car park reinstatement period;
- v. Signage to aid circulation around the site and the dispersal of customers at the end of trading;
- vi. Ensuring that all waste, recycling and litter is collected and appropriately stored in the identified waste storage enclosure whilst awaiting collection;
- vii. The storage of stalls, gazebos and temporary barriers in the on-site container unit and waste management enclosure.

The recommended site management plan would formalise many of the existing operating arrangements adopted by the applicant thereby giving a high degree of confidence that the above condition would be accorded with.

Highways Issues – The existing car park has 52 demarcated spaces and the applicant has indicated that the market would temporarily suspend the use of 25 spaces. The remaining 27 spaces would remain publicly available whilst the market is in operation. The concerns of objectors regarding access to a reduced level of car parking have been considered. Highway Services have not identified any adverse impacts associated with the on-going operation of the market. The site is in a sustainable location with access to rail and bus links and easily accessed by pedestrians and cyclists. The need to access the site by private car is thereby significantly reduced. The car park is publicly accessible and it will not be possible to allocate spaces for the specific use of neighbouring businesses. Notwithstanding the above, the applicant has provided a transport statement that provides a detailed assessment of visitor travel patterns and details a commitment to the promotion of sustainable transport options. Although, there are also no restrictions to prevent traders from using the retained public car park, as previously stated, the applicant has identified measures to secure off-site car parking for traders. It is considered that the above commitments can be linked to the development through the site management plan condition, which would facilitate greater access to retained car parking spaces.

The comments of businesses regarding impact of the development on servicing and deliveries have been assessed. The application site primarily functions as car park when the market is not in operation. Whilst there may be opportunities to servicing of neighbouring businesses via the car parking area, this will be dependent on the capacity of the vehicle to access and manoeuvre through the car park when it is in operation. The siting of market stalls would have an impact on servicing and deliveries that would be comparable to the occupation of adjacent car parking, in terms of access to neighbouring rear yard areas. Notwithstanding the above, the market would be conditioned to operate on specific days and it would seem possible to arrange deliveries outside of its operating periods. The undertaking of deliveries would also seem to be less likely on Friday evenings and on Sundays. On balance, it is not considered that there would be an appreciable change in circumstances on market days and the appropriate servicing of neighbouring properties would be maintained.

Number of stalls – The development replicates the previously approved siting of 50 stalls within the southern section of the car park but omits 10 market stalls previously permitted on Levenshulme Village Green located at the corner of Stockport Road and Chapel Street. A condition has been included to ensure that the capacities of the site are not exceeded by limiting the operation of the development to a maximum of 50 stalls.

Opening hours and operating period – The development would be conditioned to replicate the previously approved hours for the Saturday market, i.e., 10.00 am to 4.00 pm. The proposals would allow the operation of the Saturday market into January and February to cover the full 52 weeks of the year. The market has successfully operated in accordance with the specified hours and its characteristics and impact are considered to be predictable and acceptable. The Friday market would be undertaken on additional 2 evenings per year and for an additional hour terminating at 10.00 pm. Again, the characteristics of the evening market with known activity beyond 9.00 pm would be consistent with the previously approved circumstance and capable of being subsumed into evening environment of the district centre. The Friday night opening hours are therefore considered to be acceptable.

Although the holding of a Sunday market would be a new circumstance, its characteristics would be comparable to the Saturday market, albeit with a 5.00 pm closing time. The applicant has indicated that markets would not be held on consecutive days thereby reducing the possibility of concentrated and repetitive activity around the car park throughout a single weekend. Given nature and vibrancy of the district centre, it is considered that the proposed Sunday opening hours would be appropriate and the following hours are therefore recommended: Sundays 10.00 am and 5.00 pm (up to 12 days per year).

Site set up, reinstatement and servicing hours - The existing car parking has an authorised 24 hour operation with related activity. However, as the development would have associated impacts given the concentrated operation during the early morning and later evening period, there may be some impact on residential amenity that needs to be addressed. The applicant has indicated that the market requires a 3 hour set up period. It is likely that less time would be required for site reinstatement. The replication of the following previously approved hours has been recommended:

Friday Market (12 events per year): 12 noon and 12 midnight;
Saturday weekly market: 6.00 am and 8.00 pm.

It is acknowledged that Sunday market set up may cause some additional disturbance due to lower background noise levels. The following hours are therefore recommended:

Sunday Market (12 events per year): 8.00 am and 8.00 pm .

Any additional time required to set up the Sunday market would need to be taken from the recommended opening times.

Inclusive access – The access points to the car park from adjacent streets are level and appropriate circulation spaces within and between the stalls would be provided. Inclusive access would thereby be achieved.

Access to neighbouring properties - The submitted drawings indicate that a 2 metre wide strip would be maintained the rear boundaries of adjacent properties to the east and south of the site. The maintenance of this strip would be maintained as a requirement of the development and in conjunction with through the site management condition.

Regarding access to the rear of properties located between 2 to 8 Albert Road, it does not appear that these properties have maintained gates along the boundary to facilitate access across the landscaped strip to the south of the application site. It is the case that this land former formed a passageway that returned northwards along the western boundary to the adjoining railway embankment, However, these parcels of land were the subject of a stopping up order that came into effect on 2 July 1980. The land thereby ceased to be used a passageway and became part of the car parking area. It is not apparent that any rights of access have been maintained and it is therefore considered that the retention of the waste and recycling store within part of this area would be appropriate.

Waste management – The existing arrangements for the enclosed storage of segregated waste would be retained. These arrangements have previously considered to be acceptable and are likely remains and the operating capacity of the development would not change. However, any further comments from Environmental Health will be reported. The operation of the waste management arrangement in conjunction with the service plan would ensure that concerns of residents relating to litter around the site are addressed.

Carbon reduction – The development benefits for form sustainable transport links, is accessible on foot and cycle and provides opportunities for retail sales with a reduced reliance on private car usage. The proposed phased provision of a mains electricity supply with secure more efficient and less polluting energy supply, which would improve the existing circumstance. Arrangements for recycling would be made. The existing storage container incorporates a green roof and arrangements would be made for the storage of harvested rainwater in containers. The development would thereby make an appropriate contribution to carbon reduction.

Crime reduction and security – Any comments from GM Police Design for Security will be reported, Notwithstanding the above, the previous operation of market does not appear to have been accompanied with incidences of crime or anti-social behaviour. Furthermore, the arrangement of the stalls and circulation spaces would maximise natural surveillance and avoids the formation of isolated spaces. The arrangement for the secure storage of stalls, equipment, segregated waste would be retained and would be appropriate.

Conclusion - It is considered that development would make an on-going and positive contribution to Levenshulme District Centre by attracting visitors to the area who in turn make linked trips to neighbouring businesses. The development would thereby promote the regeneration of the district centre. It is considered that the recommended operational conditions would improve the management of market events and address concerns raised by neighbouring residents and businesses. The approval of the development for a temporary 4 year period is therefore recommended.

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: Temporary Approval for a 4 year period expiring on 18 February 2025

Article 35 Declaration

In this case, officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions with the applicant have informed the recommended schedule of conditions based on a more detailed understanding of the development and how it may be undertaken without causing undue harm. It is considered that the planning application has been supported with sufficient information to allow its appropriate assessment.

Condition(s) to be attached to decision for approval

1) The permission hereby granted is for a limited period only, expiring on 18 February 2025 and the works and use comprising the development, for which permission is hereby granted, shall be respectively removed and discontinued. The land shall be reinstated in accordance with a scheme to be submitted to and approved in writing by the City Council local planning authority before this permission expires and implemented in accordance with and an agreed timetable.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 31 December 2020:

Planning application forms;

Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 20170420_ExistingWiderSitePlan_V1

Location Plan Ref: Drawing No: 20201210_ExistingLocationPlan_V2

Temporary market container & electrical cabinet location Ref: Drawing No: 0201123_SitePlan_V3

Waste Management & Collection Plan - Drawing No: 201210_WasteCollectionPlan_V2

Proposed recycling compound fence Ref: Drawing No: 20170513_ProposedContainerPlan_V1

Parking Statement by Levenshulme Market – December 2020

Design & Access Statement by Levenshulme Market (est.2013) dated December 2020

Waste Management Proforma dated 27 December 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 for the City of Manchester.

3) The use of the land as a retail market, as identified on approved drawing referenced Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 0170420_Existing WiderSitePlan_V1 shall only take place on: Saturdays 10.00 am to 4.00 pm (52 weeks per year); Fridays between 4.00 pm and 10.00 pm (up to 12 evenings per year) and Sundays 10.00 am and 5.00 pm (up to 12 days per year) and shall not be held on consecutive days or at no other times.

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 for the City of Manchester.

4) The authorised retail market shall consist of no more than 50 stalls with associated gazebos, which shall be laid out in accordance with the details shown on drawing referenced: Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 0170420_Existing WiderSitePlan_V1. The pedestrian / cycle routes

running through the site and connecting Stockport Road and the 'Street With No Name' shall remain unobstructed at all times.

Reason - In order to protect the amenity of local residents and secure the appropriate operation of the authorised market pursuant to policies SP1, C2, EC9, S2.4, T1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

5) Within one month of the planning permission hereby granted, a site management plan shall be submitted to and approved in writing by the City Council as local planning authority detailing:

- i. The specified location and number of remote off-highway car parking spaces to be made available to traders not requiring access their vehicle during the operation of the market. Arrangements shall ensure that traders vehicles would only be brought to the site prior to market set up and following the end of trading and remain off-site whilst the market is in operation;
- ii. The provision of stewards to marshal vehicles to and from the car park as part of the market set up and car parking reinstatement and assist pedestrian and vehicular movement during the operation of the market;
- iii. The setting out of the market in accordance with the approved layout arrangements, including the maintenance of circulation strips adjacent to the access to the rear of properties located to the east and south of the site;
- iv. The immediate cessation of music transmission at the end of trading and throughout the car park reinstatement period;
- v. Signage to aid circulation around the site and the dispersal of customers at the end of trading;
- vi. Ensuring that all waste, recycling and litter is collected and appropriately stored in the identified waste storage enclosure whilst awaiting collection;
- vii. The storage of stalls, gazebos and temporary barriers in the on-site container unit and waste management enclosure.

Reason - In order to protect the amenity of local residents, in the interests of pedestrian and highway safety and to secure the appropriate operation of the authorised market pursuant to policies SP1, C2, EN19, EC9 and T1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

6) All stalls, gazebos and moveable equipment shall be removed from the car parking area at the end of each daytime and evening trading period and securely stored within the container and enclosed compound area as shown on the drawing referenced: Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 0170420_Existing WiderSitePlan_V1 and Proposed recycling compound fence Ref: Drawing No: 20170513_ProposedContainerPlan_V1 until the next market is held.

Reason - In order to protect the amenity of local residents and secure the appropriate operation of the authorised market pursuant to policies SP1, C2, EN19, EC9 and T1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

7) No loading or unloading, including work relating to the market site set up and reinstatement and storage of removable equipment, shall be carried out on the site outside the hours of:

Friday Market (12 events per year): 12 noon and 12 midnight;

Saturday weekly market: 6.00 am and 8.00 pm;

Sunday Market (12 events per year): 8.00 am and 8.00 pm.

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

8) Within one month of the date of the planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, relating to the installation and operation of a mains electricity supply related to the operation of the market as detailed in Design & Access Statement Levenshulme Market (est.2013) - Renewed Planning Application (December 2020) and drawing referenced Temporary market container & electrical cabinet location - Drawing No: 20201123_SitePlan_V3. The scheme shall also include details relating to the timescale for the decommissioning the existing generator and the cessation of its use and removal from site along with any associated plant and equipment. The development shall be undertaken in full compliance with the approved scheme and the mains electricity supply maintained within the site thereafter and whilst the market is in operation.

Reason - In the interests of residential amenity and to reduce to the risk of noise disturbance pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Unitary development Plan and the guidance contained in the National Planning Policy Framework.

9) Within one month of the planning permission, written confirmation shall be submitted to and approved by the City Council as local planning authority, confirming that the details of Noise Assessment by Hoare Lea dated 30 June 2014 and Ref: LET-1-MCC-10-053-MM-30062014_D and stamped as received by the City Council on 30 May 2017, including its recommendation for the repositioning of intake and external outlets to a position away from the nearest residential uses. The generator unit shall be undertaken in accordance with the period preceding the cessation of its use, decommissioning and removal from site.

Reason- In the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and policy DC26 of the saved Unitary Development Plan for the City of Manchester.

10) The development hereby approved be fully implemented in accordance with the submitted waste management strategy received on and comprising:

201210_WasteCollectionPlan_V2

Proposed recycling compound fence Ref: Drawing No:

0170513_ProposedContainerPlan_V1

Waste Management Proforma dated 27 December 2020

The approved waste management strategy shall be implemented upon first commencement of the authorised development and remain in place at all times whilst the market is in operation.

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 for the City of Manchester.

11) If the operation of the Friday evening or the Sunday day-time market presents issues of due noise and disturbance, which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties and within 14 days of its written request, a scheme noise attenuation and site management shall be submitted to and approved in writing by the Council as local planning authority. The development shall be implemented in accordance with the approved thereafter and whilst the development is in operation.

Reason - In the interests of residential amenity and to avoid undue noise and disturbance, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

Local Government (Access to Information) Act 1985

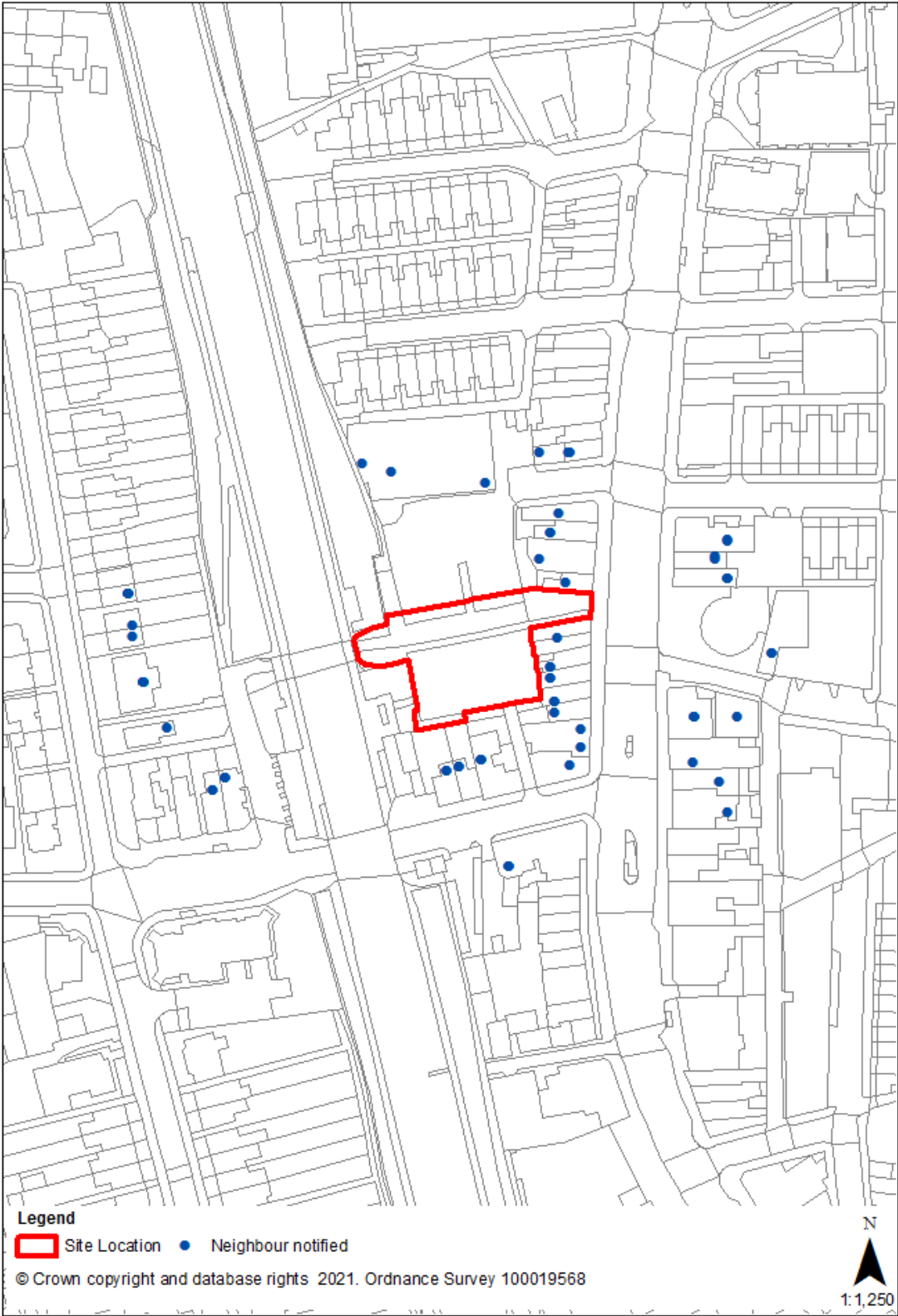
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 129010/FO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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:

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 :	Carl Glennon
Telephone number :	0161 234 4530
Email :	carl.glennon@manchester.gov.uk



**Manchester City Council
Report for Resolution**

Report to Planning and Highways Committee – 18 February 2021

Subject: Objection to Tree Preservation Order - JK/20/11/2020 – 109 Parsonage Road, Manchester, M20 4WZ

Report of: Director of Planning, Building Control and Licensing

Purpose of report

To inform the committee about the background and issues involved in the making of a Tree Preservation Order (TPO) on 20th November 2020 and to recommend the confirmation of this Tree Preservation Order.

Recommendation

The Director of Planning recommends that the Planning and Highways Committee instruct the City Solicitor to confirm the Tree Preservation at 109 Parsonage Road, Manchester, M20 4WZ, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the tree as plotted T1 on the plan attached to this report.

Ward Affected - Withington

Financial Consequences for the Revenue Budget /Capital Budget

Contact Officer:

John Kelsey – Planning Officer
Telephone: 0161 234 4597
email: john.kelsey@manchester.gov.uk

Background Documents No

Executive Summary

The committee is asked to consider 12 objections made to this order and 10 representations in support of the TPO. This relates to a Tree Preservation Order (TPO) served at the above address on 2 Copper Beech trees (T1, T2) and a Lime tree (T3) within the front and side garden 109 Parsonage Road, Manchester, M20 4WZ



2 mature Copper Beech and Lime on junction of Parsonage Rd and Shireoak Rd

Key Issues

TPO worthiness - City Arborist assessed the trees to be of high visual amenity value, making a significant contribution to the street scene and worthy of a TPO.

Impact of trees on house/foundation structure – small out of plane movement present within the main dwellinghouse which may be caused by the trees but is uncommon in Manchester to be the principle cause for this species of trees and type of soil.

Loss of trees – the mature 2 Copper Beech and Lime trees are an important element in street scene and the local urban landscape character and would be a significant loss.

Trees impact on drainage system, boundary walls – any damage can be repaired through relatively minor building repair works being carried out.

A full report is attached below for Members consideration

Background

This property is situated on the north side of Parsonage Road on its junction with Shireoak Road.

An initial request was made by a local resident to look at a number of trees in the area. Following a site survey and assessment the City Arborist considered the 3 trees to offer high visual amenity to local residents and the general public, to be in keeping with the street scene and make a very significant contribution to the local area. He noted that the trees have had historic height pruning work carried out on them and this appears to have been done professionally with no negative impact on the tree's health. The City Arborist recommended all 3 trees were worthy of TPO status.

The Copper Beech and Lime trees are approximately 13m in height with an average crown diameter of approximately 7 - 8m. Their large canopies are clearly visible from both short and long range views and to both occupiers of surrounding residential properties as well as public areas, principally from the public highway of Parsonage Lane and Shireoak Rd. The Helliwell System 2008 of visual amenity valuation has been carried out and this assessment found the trees to be of high visual amenity value.

Following the making of a provisional TPO, the homeowner and a further 9 local residents have objected in writing to the confirmation of this TPO and support the felling of the 3 trees. 2 objections have also been received from Councillors Rebecca Moore and Councillor Chris Wills. 10 emails supporting the TPO have been received. Email correspondence has been sent to provide a further explanation of why a provisional TPO has been made on a tree at this property

This report requests that the Committee instruct the City Solicitor to confirm the TPO at 109 Parsonage Road, Manchester, M20 4WZ

Consultations

Part 2, paragraph 5 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 states that before a provisional TPO is confirmed, any persons interested in land affected by the order should be served with a copy of the order. Local residents in the vicinity were consulted and objections and representations made with respect to the Order have been considered.

The following owner/residents were served with a copy of the order or notified about the TPO, on 27 November 2020. The Owner(s) and/or any Occupier(s) of 109 Parsonage Road, Manchester, M20 4WZ

Summary of objections

In summary they state:

- The trees are causing and will continue to cause substantial damage to the foundation and structure of the house and also have caused damage to drain connected to the property. This is supported by a structural survey report and drainage survey.
- Homeowner carried out a local search and the City Council confirmed at the time, there wasn't a TPO on trees at 109 Parsonage Rd; this influenced their decision to purchase the property. The making of the TPO has caused great distress to the family
- Manchester City Council did not make the homeowner aware a TPO was being made on the trees at the property.
- Local residents concerned that the trees are damaging the structure of the property and potentially neighbouring property.
- Trees are dangerous to both the homeowners and their family and to passers by from potentially falling branches and collapsing boundary wall.
- Flagstone(s) lifted within the curtilage of the property causing a young child to trip and injure herself.
- Owner intends to apply for permission to build a side extension in area currently occupied by the trees.

Councillor Moore and Councillor Wills share the concerns of the homeowner and local residents objecting to this TPO and have requested that the TPO is not confirmed.

Structural Survey Report

Following a home buyers report which found some cracking and movement in the property a structural survey was carried out, The structural investigation report states the property has suffered from some differential foundation movement most significantly to the front porch and single storey side bay due to inadequate foundations and would need underpinning.

The report notes that the house main elevations have had some slight out of plane movement and that the 3 large mature trees in close proximity to the left hand side of the property are causing on-going subsidence and desiccation of the clay subsoils. The report states that there is a risk of ongoing seasonal foundation movement to the property which would be eliminated by underpinning.

If the trees are removed as suggested, the report notes that there is a risk of some damage to the property in the short to medium term as a result of heave as the clay subsoil rehydrate and recover which may require some ongoing repair of cracking from time to time.

In its conclusion the report states that the movement of the main house seems to be downwards towards the rear left hand corner of the property and that this could

possibly be the result of subsidence related to the mature trees to this side of the house.

Drainage Survey

States there was a large displaced joint after the trap with some root ingress present.

Summary of support

- The trees are fantastic examples and contribute hugely to the visual impact of the street and also to the wildlife of the area. The temporary TPO is protecting them but the objection would leave them vulnerable to being felled if the TPO is not confirmed.
- The trees are vulnerable to being felled as has happened to many of the mature trees in the area lately.
- Support City Council recent tree planting in the area in particular on Parsonage Road and Burlington road, which will make great improvements in the area. Wish to preserve the efforts of those who did the same some 100 years ago when they planted these now mature trees.
- During lockdown the road has been quiet and nature has returned in the form of many different species of birds. These trees provide a valuable amenity to the area and provide a habitat for urban wildlife and improved air quality. If we are to maintain this calmness and preserve the areas wildlife, the trees need to remain.
- These trees are historic, part of the character of the area and losing them would have a detrimental impact on the neighbourhood.

Arboricultural officer comments

The City Arborist initial survey found the trees to be of high visual amenity value, making a significant contribution to the street scene and were worthy of a TPO.

The City Arborist provided a further response to the Structural Engineers and Drainage Surveys provided by the homeowner. The City Arborist notes that the report seems to indicate that the main structure of the house is in good condition but has some historical external cracking and increasing the existing foundations by underpinning to NHBC standards should prevent any possibility of future subsidence caused by trees

The City Arborist advises in relation to the key issue that the existing 3 mature trees are causing subsidence damage, both the mature copper beech and lime trees have a 'moderate' water demand. He states that the soil beneath foundation level on this site was found to be in 'low shrinkage' category and in practice, it would be very uncommon for moderate water demand trees to cause subsidence damage on low shrinkage soils in Manchester.

The City Arborist advises that when subsidence damage occurs it is caused by tree roots drying the soil below foundation level and subsequent shrinkage of the clay soil. The soil shrinks away from the foundations in hot dry weather and rehydrates and swells again over winter. This happens over long periods of time and is always repairable. With its usually mild and damp climate it is not common on the types of

soil present in Manchester. They advise that this type of damage is only really determined and recorded by accurate level monitoring / crack monitoring over an 18 month period by a structural engineer.

The City Arborist advises the report conclusion only finds that the trees have the potential to be the cause of foundation movement, with no real proof given, such as longer term monitoring. The City Arborist also notes that a TPO on a tree does not prevent an owner having his trees pruned in the future. It does prevent poor pruning and removal without good reasons.

The Planning Service has sought further advice in relation to the structural engineers report and agree with advice from the City Arborist that low shrinkage soils and medium water demand trees at these distances should not usually present a subsidence issue in Manchester.

From the descriptions and observation in the structural engineer's report, the slight settlements seem more likely to have been long term as a result of shallow foundations on clay soils and typical seasonal changes in the ground. To determine whether there are any movements caused by the proximity of the trees would, as City Arborist advise, need long term monitoring.

Issues

TPO worthiness

All three trees are mature specimens, are long lived species in good condition and are growing in a highly prominent location easily visible to the public. As such, they have high visual amenity value and meet the criteria to be protected by having a Tree Preservation Order placed on them.

Damage to the structure/foundations of the property

The structural survey states that there has been some movement in the property and that while it is more significant in the front porch and single storey side bay there is slight out of plane movement in the main property. The proximity of 3 mature may have some influence on the foundations of the property but without longer term monitoring it is not conclusive. The structural survey report advises that underpinning of the property would eliminate any further movement.

Damage to drains.

Tree roots will seek a water source and where a drain is cracked, some tree roots will seek out this hydrated soil area and enter the drain at this point. Repairing/replacing the damaged drain will in most cases resolve this issue.

Potential danger to boundary walls, lifting of paving flags, falling branches

The red brick dwarf boundary wall which runs along the front and side of the property is approximately 0.5m high. While there are some areas of missing mortar and movement in the wall it is not considered to present a demonstrable danger to the public using the adjacent footpath and any repairs should involve relatively minor building works.

The issue of raised flagstones within the curtilage of the property is a matter of maintenance for the homeowner and if necessary, some minor root pruning works could be agreed with City Council.

Regular maintenance and management of trees, including removal of deadwood will help minimise any falling branches onto the public highway and private garden. The making of a TPO does not prevent any works being carried out to protected trees but does ensure that the City Council can ensure the proposed works are appropriate for the tree.

Homeowner not made aware of a TPO on the trees purchasing the property

The timings of the local searches to establish if there was a TPO at the property were carried out at the same time as the TPO was being processed. The TPO would not show on the City Councils systems until it had been provisionally made by the City Solicitor, which was following the date of the local search and confirmation at the time that there wasn't a TPO made on the trees.

Homeowner not made aware by City Council that a TPO was being made

Before a TPO has been provisionally made it is not common practice for the City Council to contact the landowner. The landowner will be contacted to make them aware a TPO has just been made and that there is a right to raise issues and object.

Proposed future side extension

If the TPO is confirmed this would be a consideration in future negotiations and discussions during the planning application process.

Other issues

The 2 Copper Beech and Lime trees are native to the British Isles and are considered to make a valuable contribution to the City's urban environment. Both Copper Beech and Lime trees provide a biodiverse rich environment and habitat. Their loss would be considered to have a detrimental impact on local biodiversity. These mature trees provide valuable screening benefits and supports improvements in local air quality.

Conclusion

It is considered that the 2 Copper Beech (T1, T2) and Lime (T3) trees as shown on the attached plan, should be protected by a Tree Preservation Order. The City Arborist considers the trees to be in good condition, healthy with no major defects. They are of high amenity value, located in a prominent position within the front and side garden, highly visible to occupiers of neighbouring properties, visitors and both passing traffic and pedestrians on Parsonage Road and Shireoak Road in particular. The trees in question are an important element of the local urban landscape character and its biodiversity.

The homeowners are concerned about these trees and the movement found in their property. While the structural survey would indicate that there is some differential

movement, this is more significant in the front porch and side bay window where there are no foundations, Long term monitoring would help determine whether there is any movement to the property caused by the proximity of the trees.

The Order has been properly made in the interests of securing the contribution these trees make to the public amenity value in the area. The concerns of the homeowner have been fully considered and balanced against the contribution these 2 Copper Beech and Lime tree make to the local environment. Whilst it is acknowledged that the reason for objecting to the TPO, in particular the trees impact on structure of the property, boundary wall and drainage system, and impact on the timing and process of making this TPO, require due consideration it is not felt that they outweigh the significant contribution these prominent trees of high amenity value make to the area and the wider urban landscape. It is considered that the visual public benefits of retaining these trees outweigh any harm caused.

Human Rights Act 1998 considerations

This Tree Preservation Order needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the 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. Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home and a right to peaceful enjoyment of one's possessions, which could include a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the residents/objectors and other occupiers and owners of nearby land that might be affected may be interfered with but that interference is in accordance with the law and justified by being in the public interest and on the basis of the restriction on these rights posed by confirmation of the Tree Preservation Order 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.

The Head of Planning, recommends that the Planning and Highways Committee instruct the City Solicitor to confirm the Tree Preservation Order at 109 Parsonage Road, Manchester, M20 4WZ, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the trees as plotted on the plan attached to this report.



Land at 109 Parsonage Road, Withington Tree Preservation Order 2020

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