



Planning and Highways Committee

Date: Thursday, 3 June 2021

Time: 2.00 pm

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

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

Face Masks/ Track and Trace

Anyone attending the meeting is encouraged to wear a face mask for the duration of your time in the building and to provide contact details for track and trace purposes.

Filming and broadcast of the meeting

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

Membership of the Planning and Highways Committee

Councillors

Curley (Chair), Shaukat Ali, Andrews, Baker-Smith, Y Dar, Davies, Hutchinson, Kamal, Kirkpatrick, J Lovecy, Lyons, Riasat, Richards and Stogia

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 is enclosed.
- 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 15 April 2021. 7 - 12
- 5. 128864/OO/2020 - Land Opposite 83-87 Vine Street, Manchester, M18 8SR - Gorton and Abbey Hey Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 13 - 64
- 6. 128698/FO/2020 - Vacant Land bounded by Stockport Road, Swallow Street, Siddall Street and Pennington Street, Manchester - Longsight Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 65 - 114
- 7. 129251/FO/2021 and 129252/LO/2021 - 98-116 Deansgate and 35-47 King Street West, Manchester, M3 2GQ - Deansgate Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 115 - 214
- 8. 129406/FO/2021 - Land at Deansgate South, Manchester - Deansgate Ward**
215 - 264

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

- 9. 128248/FO/2020 - Land Bound by Gould Street, Williamson Street, Bromley Street and Bilbrook Street, Manchester, M4 4DD - Piccadilly Ward** 265 - 388

The report of the Director of Planning, Building Control and Licensing is enclosed.
- 10. 127241/FO/2020 - 515-521 Barlow Moor Road, Manchester, M21 8AQ - Chorlton Park Ward** 389 - 426

The report of the Director of Planning, Building Control and Licensing is enclosed.
- 11. 121897/FO/2018 - Unity House 42 Great Southern Street, Manchester, M14 4EZ - Moss Side Ward** 427 - 448

The report of the Director of Planning, Building Control and Licensing is enclosed.
- 12. 127016/FO/2020 and 127017/LO/2020 - 363 Wilmslow Road, Manchester, M14 6XU - Withington Ward** 449 - 502

The report of the Director of Planning, Building Control and Licensing is enclosed.
- 13. 129835/JO/2021 - Untapped 67 Church Road, Manchester, M22 4WD - Northenden Ward** 503 - 522

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.

Information about the Committee

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

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

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

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

Further Information

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

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This agenda was issued on **Tuesday, 25 May 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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Planning and Highways Committee

Minutes of the meeting held on Thursday, 15 April 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: Shaukat Ali, Andrews, Y Dar, Davies, Flanagan, Hitchen, Kamal, Leech, Lovecy, Lyons, Madeline Monaghan, Riasat and White

Apologies:

Councillors: Nasrin Ali and Watson

Also present:

Councillor Ahmed Ali

PH/21/20 Supplementary Information on Applications Being Considered

A copy of the late representations that were received in respect of application 126927/FH/2020 since the agenda was issued. Additional late representations had been received in respect of the Tree Preservation Order (109 Parsonage Road, Manchester).

Decision

To receive and note the late representations.

PH/21/21 Minutes

Decision

To approve the minutes of the meeting held on 18 March 2021 as a correct record.

PH/21/22 126927/FH/2020 - 9 Norman Road, Manchester, M14 5LF – Rusholme Ward

This application relates to the erection of two storey side and part two, part single storey rear extension to provide additional living accommodation. The application had been previously submitted to the meeting held on 18 March 2021 where the Committee decided to undertake a site visit. The site visit was held prior to the meeting. The application site is a large two storey semi-detached villa on the north side of Norman Road. The property has an elevated ground floor and is accessed by a flight of steps leading to a substantial decorative entrance porch. There is also a

flat roofed bay to the ground floor and basement levels. At the rear there is a three-storey outrigger shared with the adjoining property. On the side of the outrigger is a substantial bay window, glazed on three sides. There is a substantial attached garage, 8 metres deep by 2.3 metres wide, at the side of the main body of the property infilling the space between the building and the site boundary. The property has a hipped roof with decorative brick eaves detailing. The outrigger has a dual pitch roof with a gable to the rear elevation. The building was originally of brick construction, this has, together with the neighbouring property been painted in a combination of off white and grey.

The Planning officer referred to an additional late submission received from Manchester Civic Society, that raised a number of issues as part of an objection to the application.

The Committee heard the objection from a resident representative for local residents and the Rusholme and Fallowfield Civic Society. Concerns were raised on the two extension to the rear of the property within permitted development policy. It was considered that the proposed width does not fall within planning policy. The Committee was asked to consider an additional condition to require the reinstatement of the front garden area.

The applicant addressed the Committee on the application. The applicant made reference to the declaration of a personal interest by a member of the committee regarding the neighbour living in the adjoining property to the application property.

The member concerned had declared a personal interest at the start of the meeting and had been removed from the meeting for the application.

Councillor Ahmed Ali (Ward Councillor) addressed the Committee and referred to the property in relation to the conservation area. The extension and right to light, in particular the 45 degree and 25 degree rules. Reference was made to the front of the property and the applicant was requested to undertake planting scheme to the front of the garden area. Councillor Ahmed stated that his interest is objective.

The planning officer responded to the points raised and reported that the application for full planning permission had been submitted and would be considered on its merit. The Committee was advised permitted development planning policy applied only to a single storey extension aspect of the application. The points raised on the planting and the inclusion of additional condition were not considered to be reasonable for the reason that the application relates to development to the rear of the property only. The Committee was advised that loss of light and in particular the 45 degree rule had been considered but was not a substantial concern taking into account the surrounding properties distance and position. The application had therefore been recommended for approval based on its merits.

A member of the Committee referred to the point raised by the applicant regarding the declaration of a personal interest by a member of the Committee. The committee was reminded of the inclusion of a photo containing a political poster that had been raised during the previous consideration of the application and how it had been

disregarded by the Committee. The member asked for an explanation of the speaking rights of ward members on an application within their ward.

The Council's legal services representative provided an explanation on the procedure relating to the declaration of interests by members of the Committee and the opportunity to address the Committee when an application is within their ward, as detailed within the Council Constitution. It was explained that Councillor Lovecy had indicated that she had a personal interest in the application and this had arisen since the previous consideration of the application and she had indicated she would withdraw from the meeting and would not take part in the consideration of the application.

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

A member referred to the length of the extension at the rear of the property and that it did not extend further than the neighbouring property.

The Planning officer reported that the extension length is 6 metres and would be 4.5 metres longer to the extension in neighbouring property.

The Chair invited Councillor Lovecy to respond to the statement made by the applicant as ward Councillor.

Councillor Lovecy addressed the Committee in response to the comments made and did not comment on the application being considered. The Committee was informed that since the last consideration of the application the circumstances had changed and this had been brought to the attention of the Chair and the Committee's legal services representative in advance of the meeting. For that the reason Councillor Lovecy had declared a personal interest and would take no part in the consideration of the application.

A member referred to the size of the garage on the property and asked if was there sufficient room for the property owner to store a vehicle and cycles.

The Planning Officer reported that the garage would store refuse bins, cycles and a vehicle. The front of the property could also be used to park vehicles.

Members referred to the inclusion of the condition to prevent the property from becoming an HMO (condition 5) to prevent use as C3 property. Also, the point was made that the retention of the front walls and gate posts would benefit the visual aspect property and surrounding area.

A member referred to the front garden to the property and the suggestion of the property sitting within a conservation area and requested a condition be included to retain the front walls and gate posts.

The planning Officer reported that the property is not listed and did not sit within a conservation area. The Committee was advised that adding a condition was not a reasonable inclusion and therefore, would be difficult to legally defend.

The Director of Planning reported that there would be no legal enforceability to the condition suggested for the retention of the front boundary wall and gate and front garden of the property. The property is not within a conservation and is not listed. The Committee was advised that discussion could be held with the applicant prior to the issue of the decision notice to reach a compromise on the retention of the wall and gate posts and garden.

Councillor Shaukat Ali moved a proposal for the Committee to undertake a site visit. Councillor Riasat seconded the proposal.

In agreeing to the application the Committee noted and welcomed the inclusion of Condition 5 (Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010), to prevent the property from being used as a House in Multiple Occupation.

The Committee also noted the undertaking by the Director of Planning to discuss with the applicant, the retention of the front boundary wall and gate posts

Decision

The Committee agreed the application as detailed in the report submitted and subject to the conditions included.

(Councillor Lovecy declared a personal interest in the application for the reason that she knows the neighbour adjoining to the property the application is for and took no part in the discussion or vote on the application.)

PH/21/23 128936/FH/2020 - 25 Hampton Road, Manchester, M21 9LA – Chorlton Ward

The application related the erection of a single storey rear extension and first floor front extension to form additional living accommodation. The application site is located at the end of a residential cul-de-sac, comprising of 4 rows of terraces and two pairs of semi-detached properties. Hampton Road is located off Hewlett Road within the Chorlton ward and benefits from its proximity to both Turn Moss Playing Fields and Longford Park, the District Centre, Chorlton metrolink station and the bus routes along Wilbraham Road/Edge Lane and Manchester Road/Barlow Moor Road.

The applicant did not attend the meeting and there were no objectors present.

The Committee was advised that the application was submitted for consideration, for the reason that the applicant is an employee of the City Council and an objection had been received from the consultation process.

Councillor Flanagan moved the recommendation to approve the application. Councillor Shaukat Ali seconded the proposal.

Decision

The Committee agreed the application as detailed in the report submitted and subject to the conditions included.

PH/21/24 Confirmation of Manchester City Council (109 Parsonage Road, Manchester) Tree Preservation Order 2020

The Committee considered a report of the Director of Planning, Building Regulations and Licensing relating to the background and issues involved in the making of a Tree Preservation Order (TPO). The application was placed before the Planning and Highways Committee on the 18th February 2021 and at that meeting the Committee deferred deliberation in order to allow the home owners where the trees are located, to produce any additional evidence or information that they might be able to provide in order to show if any of the individual trees are potentially causing any damage to the house. The Committee also requested that a structural survey submitted by the homeowners to be circulated to Committee Members for information.

The homeowner provided two further structural surveys from two different structural engineers to demonstrate the impact of the trees on the dwelling house.

The Planning Officer reported that there had been a further objection received to object to the confirmation of the TPO. The Committee was advised that the structural surveys provided had shown the damage to the house and on this basis the recommendation was to not confirm the TPO.

The homeowner of the property the trees are located on addressed the Committee to object to the confirmation of the TPO.

The Chair invited members of the Committee to speak on the application.

A member noted and welcomed the additional information provided by the structural survey that had identified the extent of damage that the trees roots have had on the structure of the property through subsidence and ground clay shrinkage. It was also noted and welcomed that the homeowner had undertaken to provide additional trees to replace those on the property.

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

Decision

The Committee agreed not to confirm the Tree Preservation Order at 109 Parsonage Road, Manchester M20 4WZ,

PH/21/25 Thanks to Retiring Committee Members

The Chair reported that Councillor Madeleine Monaghan and Councillor Mary Watson would not be seeking re-election in May and on behalf of the Committee

thanked them both for their service to the Council and the Planning and Highways Committee and wished them well for the future.

Application Number	Date of Appln	Committee Date	Ward
128864/OO/2020	11th Dec 2020	3rd Jun 2021	Gorton & Abbey Hey Ward

Proposal Outline application with all matters reserved except for access and layout for a residential development comprising 25 x 2 storey dwellinghouses (Class C3)

Location Land Opposite 83-87 Vine Street, Manchester, M18 8SR

Applicant Mr Hogarth , Kirkland Developments Ltd, 5a Woodford Road, Bramhall, Stockport, SK7 1JN

Agent Mr Michael Stewart, Michael Stewart Architecture Ltd, 75 Parsonage Road, Heaton Moor, Stockport, SK4 4JL

Executive Summary

Outline planning permission is sought for access and layout only, in connection with the development of 25 two storey houses accessed from Vine Street. All other matters are reserved. The main issues arising from the proposals are the delivery of 25 affordable 2,3 and 4 bedroom family houses , the location of the proposed access from Vine Street and associated retention of street trees , the potential for a pedestrian connection to Gorton Station, the potential of a culvert being present on the site and finalised ground levels in proximity to the southern boundary of the site. 86 neighbouring occupiers were notified of the application proposals. As a result of this process there has been a limited level of interest in the application, with 2 objections from local residents in regard to overdevelopment, traffic and parking, the location of the proposed access and public safety; an email supporting the principle of development, but seeking a pedestrian connection to Gorton Station; and 3 emails from a resident raising matters regarding drainage , site levels and biodiversity over the notification period.

Local ward members have also commented on the scheme.

A full report is attached for Members consideration.

Site Description

The site is bounded by the Manchester to Marple railway to the north , a recently built housing development comprising 46 dwellinghouses to the south (planning ref 104855/FO/2014/N2) , traditional terraced housing to the east , and the Enterprise Trading Estate to the west .With the exception of the small trading estate and a terrace of small local shops on Constable Street further to the west, the area is largely residential.

The topography of the developable area of the site is predominantly flat. The site is irregular in shape and is a brownfield site. The land has no buildings, and has been vacant since railway maintenance buildings have been removed and the branch railway line dismantled with the subsequent infilling of the cutting, in approx. 1999.

The previous use of the land was an electricity transformer and railway maintenance buildings used by British Rail/ Rail track until the 1990's.

The northern area of site comprises a steeply sloping embankment running from east to west (which falls away to the Manchester to Marple rail line), which cannot be developed. There is also a 10m no build zone required by Network Rail, which is measured from the fence line forming the boundary to Network Rail's land at the bottom of the embankment.

Access is currently provided from Vine Street directly to the south of the railway cutting. The site is not located within a Conservation Area, and there are no listed buildings in close proximity to the site.

The site has previously been granted planning approval for a part single part two storey specialist rehabilitation and recovery facility (Class C2) in July 2013 (ref: 102193/FO/2013/N2), but this development was not implemented.

Description

Outline planning approval is sought for layout and access in connection with developing the site for 25 dwellinghouses. All other matters including appearance, scale and landscaping are reserved. A variety of house types are proposed, comprising a mix of 15 two bedroom, 9 three bedroom and 1 four bedroom houses. All would meet the Council's approved space standards. A parameters plan has been submitted which indicates that the proposed properties would be two storeys in height.

Access would be taken from Vine Street at a location to the south of the existing access to the site, and the existing dropped cross over would be reinstated. The layout would be in the form of a spine road running east west from Vine Street through the centre of the site, which would terminate in a turning head at the western end of the site, with houses located to the north and south of the proposed road, orientated to face onto the street. Each house would have a front and rear garden.

The tenure for all the proposed houses would be affordable rent being delivered through a registered provider (Southway Housing).

Consultations

The application has been advertised on site on 17th December 2020, and in the press on 22nd December 2020.

Local Residents – Two objections have been received from local residents on the grounds of overdevelopment, traffic and parking, transport policy and public safety. One resident advises that generally they welcome the redevelopment of the site for housing. However, following the addition of 62 homes in a previous development on Vine Street within the last five years, they are concerned about a further 25 dwellings being proposed without addressing the lack of increase in amenities, road, or pavement infrastructure.

They state that the proposed development has been designed to accommodate households with cars, thus leading to 25 extra vehicles, and that as the recent housing development to the site has multi car households they are concerned that this proposal will lead to more than 25 vehicles at the site, which would lead to further pavement parking on Vine Street impeding pedestrians, particularly wheelchair users and those with prams. They suggest that the scheme could have been designed to improve access to Gorton Station. Residents will therefore have to take a circuitous and unlit route to a station which they could see from their windows.

In regard to public safety they advise that Vine Street includes a nursery and is a main thoroughfare for students to Wright Robinson College.

The road, as illustrated in the plans, would create a blind corner next to a railway bridge, endangering children, parents and drivers.

The second resident's comments can be summarised as follows:

- a comparison cannot be made with the previous application on this site for a specialist rehabilitation and recovery facility, as this would not have included levels of parking, such as those being proposed for 25 households. The scheme would increase the numbers of motor vehicles in the area, with the associated pedestrian safety issues to small children going to the local nursery, park and schools
- this is the second development that Southway have built on Vine Street, and while either development separately might not have made a major contribution to increasing the amount of traffic and congestion and lowering air quality in the area, together both developments will;
- areas of Multiple Deprivation in East Manchester are being treated differently to areas with richer middle class people who live in South Manchester;
- building another development with an entrance directly onto Vine Street would directly negatively impact public safety in the area. Cars already speed along Vine Street;
- street trees should be removed in order to move the vehicular entrance;
- residents have seen enough developments over the last several years to know that mature trees in areas of development tend to be lost, regardless of what developers say at the outset. In any case, it is the council's position that any trees lost have to be replaced on a better than two for one basis;
- they do not object in principle to an affordable housing offer on this site, but feel that the current road plan is neither sensible, nor safe and foisting it upon local people without adequate consultation is clearly against the spirit of Our Manchester;
- if the developer will not connect their new development through to Lees Street, the only alternative they can see is for a connection to the development at Grapevine Avenue. This would be the developer taking responsibility for their own actions and development decisions, rather than foisting them upon the pre-existing community.

Another resident has sent three emails

- there should be more trees in the gardens and the topsoil displaced by the development should be used by the neighbours to help biodiversity, keep the soil in the area, enable food growing in gardens, following through with their initial concerns and adapting the 'cost-benefit' towards recycling Natural Resources and to retain local natural assets.
- they have expressed concerns that the proposed new dwellings would be located on land which would be raised in level, and therefore could give rise to overlooking.

Water drainage may also come towards their fence and the drain beneath adjacent houses. They query where surface rainwater run off would be drained away, and query whether separate drainage systems for surface and foul water has been designed into the scheme any infilling of land to make the houses on a level plane can also cause surface runoff onto the gardens of adjacent Grapevine Ave properties.

- they question who would be responsible for the maintenance of the southern boundary treatment to the site.

they support the introduction of bird and bat boxes, and even if the immature trees are removed they hope that the trees chosen to green the area will be conducive to wildlife.

-they request that the proposed gardens have a couple of trees per garden. In regard to security they welcome the extra security the development would provide.

-they are pleased that the development has taken ecology into account, climate change and unpredictable surface water.

-they suggest that solar panels are installed in all new build ventures

A Salford resident has emailed their support for the principle of developing the site, but recommends that a pedestrian connection is established from this site to Gorton railway station to create a walkable development, instead of a cul-de-sac forcing residents to drive everywhere.

Local Business - Have advised that they have looked at the company that is intending to build on the land and are slightly concerned that this may end up being a project that cannot be finished due to financial reasons leading to vandalism and/or antisocial behaviour in our local area if left unfinished.

Ward Members - Response received from Councillor Reid on behalf of the ward members initially expressing concerns if a cul-de-sac was to be created, and stating that traffic issues are already a problem in the area. It was advised that there are three primary schools and a large high school locally, and the site is next to a railway bridge. Furthermore, that members would like to see the site developed so that there is access through to Lees Street, which would entail some land being purchased.

Further correspondence from Councillor Reid advises that Members have concerns about an entrance and exit on the edge of the bridge, and facing Burstead Street. Burstead Street has parked cars down one side of it and it is very narrow. The bridge also causes a blind spot and it will lead to collisions. The trees that are described as mature trees, are street trees that have become so big that their roots are tearing up the pavements. Taking down these trees will reduce the pavement issues, which are a DDA concern and allow an entrance and exit that will be offset towards Vine Street.

Environmental Health- recommend that conditions relating to a construction management plan, and that any external lighting scheme is designed to control glare and overspill to adjacent properties are attached to any approval . They have also confirmed the acceptability of the submitted desk study , but advise that a contaminated land condition will be required in regard to site investigations, remediation strategy and verification report.

Furthermore, they advise that the measures in the noise report in relation to acoustic insulation against noise from the nearby railway and commercial uses are implemented and a verification report submitted to demonstrate suitable noise levels within the proposed dwellinghouses have been achieved; and that the development is implemented in accordance with the submitted waste management strategy, and submitted air quality information

Design for Security - Recommend that a condition to reflect the physical security specifications set out in section four of the Crime Impact Statement should be added, if the application is to be approved.

Network Rail – requires that the applicant agree a number of matters with Network Rail as the proposal has an interface with the existing operational railway relating to .

- the requirement for a condition regarding the submission of a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway;
- the installation of trespass proofing fencing to a height of 1.8m.
- the development must not affect the safety, operation or integrity of the operational railway;
- details of any scaffolding which is to be constructed within 10 metres of the railway;
- submission of a risk assessment and method statement prior to any vibro-impact works on site;
- site drainage and impacts to the railway, and seek a condition to require that the disposal of both surface water and foul water drainage is directed away from the railway;
- full details of ground levels, earthworks and excavations to be carried out near to the railway boundary to be submitted for consideration;
- a 3m gap is required between the buildings and structures on site and the railway boundary;
- recommend the developer engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings;
- details to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future;
- no trees shall be planted next to the boundary with the railway land and the operational railway to prevent long term issues with leaf fall impacting the operational railway;
- recommend that a condition to require the details of appropriate vehicle safety protection measures along the boundary with the railway to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway;
- advise that a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail.

The above comments have been shared with the planning agent.

The Coal Authority - The application site does not fall within the defined Development High Risk Area, there is no requirement for a Coal Mining Risk Assessment to be submitted.

Flood Risk Management – confirm the acceptance of a conditioned approach to surface water drainage and matters relating to the potential location of a culverted watercourse. Relevant conditions are suggested.

United Utilities - Request that conditions reacting to surface water drainage based on the hierarchy of drainage options in the NPPF, including a restricted flow rate to the public sewer, together with the submission of a sustainable drainage management and maintenance plan for the development are attached to any approval.

They have also advised that there are water mains in the vicinity of the proposed development site, and that whilst this infrastructure is located outside the site, the applicant must comply with their 'Standard Conditions for Works Adjacent to Pipelines'.

Highways Services – Have advised that the site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities including bus and train services.

Furthermore, that given the size of the development they anticipate that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

In relation to the site access, the applicant has had to consider the position of existing mature trees on Vine Street as well as proximity to the junction opposite (Burstead Street). On balance, the position of the proposed vehicle access is acceptable since it provides retention for the greatest number of trees whilst also avoiding an unwanted crossroads arrangement with Burstead Street.

The junction geometry is also acceptable and sufficient visibility is provided. It is required that buff tactile paving is installed at the junction to assist pedestrian crossing movements and double yellow line parking restrictions (in the form of a traffic regulation order) are required at the junction. An off site highway condition is therefore recommended.

Regarding the site layout, the carriageway and footway width is acceptable (5.5m and 2m) and where these are provided, the road is adoptable.

Driveway parking and secure cycle storage is provided for each property which is acceptable to Highways. Each dwelling should have electric vehicle charging provision.

In relation to waste collection it has been verified through swept path submission that a large refuse vehicle can enter and exit the development in forward gear. The bin storage proposals are acceptable from a highway perspective.

Alterations to the existing western footway of Vine Street are required and it should also be resurfaced adjacent to the development.

The framework travel plan is acceptable and it is recommended that a full travel plan be conditioned as part of any planning approval.

As part of any approval a Construction Management Plan should also be conditioned which should also include a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site. The design of the turning head has been revised to incorporate 2m footways with in excess of a 5.5m wide carriageway and therefore meets the geometric requirements to be considered for highway adoption.

Additional comments have been received in relation to matters raised by a resident and ward councillor, which are outlined below.

Alternative access points

Highways understand that vehicular access to the site is only considered viable from Vine Street because the land between the plot and Lees Street is owned by third parties and a connection from the cul-de-sac end of Grapevine Street is also not feasible because of third party ownership.

Three access points from Vine Street have been considered by MCC Highways:

1) They have issues with an access directly opposite Burstead Street since this would create a crossroads and could adversely impact on highway safety.

2) An access opposite 87 Vine Street is acceptable to Highways, but in order to provide the required junction visibility it would be necessary to remove two trees from the west side of Vine Street.

3) An access opposite 83-85 Vine Street (as shown on proposed plans) would provide sufficient separation from Burstead Street and in order to provide the required junction visibility it would be necessary to remove only one tree from the west side of Vine Street (this being the smallest of the three trees).

Based on the need to avoid the creation of a crossroads in addition to a desire to remove the fewest number of trees, they would recommend a new vehicle access opposite 83-85 Vine Street.

They consider that the amount of traffic generated by the development can be accommodated on the highway network and that a site entrance off Vine Street can be suitably designed with pedestrian crossing points in the form of dropped crossings and tactile paving.

GMEU – Have advised they would not regard the trees to be removed to facilitate the scheme to have high potential to support bat roosts, but advised retained trees should be suitably and robustly protected, and new compensatory tree planting should be required for any trees lost to the scheme.

The site has potential to support small numbers of foraging bats and foraging and nesting birds, and badgers are known to forage along the adjacent railway corridor and may sometimes use the application site. They therefore recommend a pre-commencement precautionary survey of the site for Badgers should be required; that no vegetation clearance required to facilitate the scheme should take place during the bird nesting season (March to August inclusive). Furthermore, that a detailed Landscape Plan is required as part of any detailed planning application for the site, to include new tree and shrub planting, and provision for new bird nesting boxes on or close to the site

Arboricultural officers - Have reviewed the associated documents relating to this application and visited the site to assess the trees proposed for removal and have made the following comments:

They have confirmed there are no objections to the removal of tree T3 as indicated on the plan. However, retention of trees T1 and T2 is important given their quality, stature and visual amenity in this location. A number of street trees have been lost due to development in the vicinity and further loss must be prevented.

Conditions are recommended to be attached if planning permission is permitted to require :

1. An Arboricultural consultant is embedded into the development to oversee the work on or near root protection areas and ensure fencing is in place to protect trees.
2. The plans for utilities are available before permission is granted so there is no decision to bring them in through Vine Street across rooting areas of trees for retention.
3. Mitigation proposals are appropriate for the loss of a public asset i.e. Tree T3.

Policy Context

National Planning Policy Framework (2019)

The revised NPPF was adopted in early 2019. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below.

The document states that the ‘purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the ‘objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’ (paragraph 7).

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

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

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

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

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

(paragraph 103). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

Within this context, applications for development should:

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

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

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

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

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

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

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

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

Planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

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

Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 130).

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (paragraph 131).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

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

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

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Noise

This section 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

This section states that where appropriate the following should be considered:

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

Health and Well Being

This section 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

This section 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.

The Development Plan

The Development Plan consists of:

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

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

A number of UDP policies have been saved and accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

Section 38(6) of the 2004 Act requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF also refers to this requirement.

The relevant policies within the Core Strategy are as follows:

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

The proposal would contribute towards meeting housing growth in the City and creating a quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on existing local residents along with promoting a sustainable development.

Policy T1 'Sustainable Transport' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. The proposal is located in an area where there is access to a range of public transport modes, including regular bus and train services. This is an outline scheme, which at present does not include the finalised details regarding the provision of cycle storage and electric charging points, these aspects of the scheme would be conditioned. It is considered that the scheme would accord with the broadly aspirations set out in policy T1.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a sustainable location and is close to forms of public transport including rail services at Constable Street, and bus services on Abbey Hey Lane and Ashton Old Road, and would have a minimal impact on the local highway network and encourage the use of other forms of transport.

Policy H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. Policy H1 prioritises residential development on previously developed land, in particular through the re-use of vacant housing or other existing buildings. The redevelopment of this brownfield site would accord with policy H1.

The development will form a medium density residential scheme (41 dwellings per hectare) within an area of East Manchester that is expected to accommodate housing growth. Consideration has been given to the access and the layout of the housing along with prioritising the re-use of the previously developed site. In addition,

the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The proposed accommodation would comprise a mix of 2, 3 and 4 bed houses (25 in total). These have been designed to comply with the guidance within the Manchester Residential Quality Guidance in regard to floorspace.

Policy H2 'Strategic Housing Location' states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre, identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits. This site is a strategic housing location and the delivery of development will help the delivery of the adopted core strategy objective.

Policy H4 'East Manchester' will be the focus for 30% of new residential development over the plan period, with priority given to high quality development and provision of family housing. Higher density housing will be permitted in certain areas of East Manchester, including Gorton district centre when part of a mixed-use scheme. The proposed development would accord with policy H4 by facilitating the delivery of a wide range of new affordable accommodation consisting of 2,3 and 4 bedroom family houses in the Gorton and Abbey Hey ward.

Policy H8 'Affordable Housing' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The proposed housing will be of an affordable tenure, providing 25 houses (100% provision) for affordable rent increasing access to new affordable homes in the East Manchester area. Further details will be provided in the main body of the report in this regard.

Policy EN1 'Design principles and strategic character areas'. Consent is only sought for access and layout with all other matters reserved, including appearance. This aspect of the proposed development will be dealt with at the Reserved Matters stage of the process.

Policy EN4 'Reducing CO2 emissions by enabling low and zero carbon development' the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies.

Policy EN5 'Strategic areas for low and zero carbon decentralised energy infrastructure' the regional centre has a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies.

Policy EN6 'Target framework for CO 2 reductions from low or zero carbon energy supplies' states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

This is an outline application with approval only sought for layout and access , however , the application has been submitted with information confirming that the dwellings would be built to a high sustainable standard all in accordance with current

building regulations Part L1A and sustainable environmental planning policies. Furthermore, the Dwelling Emission Rate would have a betterment over the Target Emission Rate, Building Regulations Part L 2012 by 9.92% in relation to Domestic CO2 emissions reduction targets.

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.

Policy EN9 'Green Infrastructure' states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Due to the brownfield nature of the site and current vacant use, there are self seeded trees, and areas of unkempt grass currently present on the site. The proposed development would involve the remediation of the site, and enable opportunities to create improved areas of green infrastructure as part of the development proposals in the form of well sized amenity spaces, and landscaping.

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

Policy EN15, 'Biodiversity and Geological Conservation', requires developers to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate. The application site is not considered to be of high value in ecology terms and appropriately worded conditions have been recommended to protect any nesting birds, to explore the potential use of the site by badgers, and provide ecological enhancement through the development.

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

Policy EN18 'Contaminated Land' states that the Council will prioritise remediation of contaminated land. The applicant has provided details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine the levels of mitigation required.

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

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

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

The applicant has given consideration to access to the site, together with the layout of the development along with providing solutions to prevent noise ingress, crime, refuse and car and cycle parking. The proposal also meets the City Council's space standards.

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved DC7 'New Housing Development' states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

The proposal meets City Council spaces standards and will be accessible for all residents of Manchester.

Saved policy 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 on future residents from existing noise sources, including traffic, and the railway and Trading Estate adjacent to the application site. Further mitigation would be secured by planning condition.

Saved UDP policy GO5b identifies sites that are allocated for new residential development and will contribute to the regeneration of Gorton North and South and the Plan's overall housing land availability. The site at Vine Street is identified on this list and on the proposals map, as an allocated housing site.

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)

This is 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.

Providing for Housing Choice - Supplementary Planning Document & Planning Guidance

This document provides guidance about the mix of new housing required in Manchester, and seeks to deliver affordable housing provision. Paragraph 5.58 outlines where there may be exceptions to providing affordable housing within a proposed development. This criteria includes where the financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability. The applicant has submitted an affordable housing statement which commits to the delivery of 100% affordable housing, which would be delivered through a registered provider (housing association).

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. 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.

East Manchester Strategic Regeneration Framework (2008 – 2018)

The SRF sets out a number of strategic objectives and frameworks for East Manchester. The document advocates the need for a greater range of housing types, a need to develop a wider choice for local residents, to support new mechanisms that

help people to gain a stake in the housing market and for an increase in larger housing types that are suitable for families.

Eastlands Regeneration Framework (March 2019)

The framework builds on the East Manchester SRF. It is envisaged that the ERF area will accommodate a significant number of new homes over the next 15 years, for existing and future residents, to provide a range and mix of residential accommodation which includes both affordable and higher value homes to attract and retain residents at this end of the market.

In respect of the issue of affordability of homes for East Manchester residents and the residential strategy for the ERF area must ensure that the nature and form of new housing provision takes account of this situation – delivering a balanced range of housing types and tenures that operate at all price points and meet the needs of Manchester and its residents in the short, medium and long term.

Other legislative requirements

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

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

Issues

Publicity

The proposal, by virtue of the number of residential units, has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News), and site notices were displayed at locations around the application site. In addition, notification letters have been sent to local residents and businesses in the local area on 15th December 2020.

Climate Change

Climate change is a key factor in the consideration of the proposed development, and key issues, including air quality, flooding and environment standards are considered in detail in the following sections.

Principle of Development

The application site is located within the Gorton & Abbey Hey ward of the City. Policy SP1 states that the emphasis should be placed on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport. This area of the City is a focus for the provision of new residential accommodation on areas of previously developed land.

It is considered that the most important policies for determining this planning application relate to the delivery of affordable housing, the creation of a safe access to the site, and the safeguarding of mature street trees,

The provision of an additional 25 units of accommodation, including 100% affordable housing, would further boost the supply of much needed new homes in the City in a location, where new housing remains a priority for the City Council.

The application site comprises a vacant brownfield site, and as such, the development accord with the principles of Policies SP1, H1 and H4.

Furthermore, the site is allocated for housing under saved UDP Policy GO5 which was carried over on adoption of the Core Strategy in 2012 and forms part of the Development Plan. Whilst the site is identified in the Council's Open Space and Recreational Needs Assessment 2009 as natural open space, this is private land which does not have public access and is a brownfield site. It is therefore considered on balance that the principle of the development is consistent with the planning policy framework.

However, there are detailed matters that require particular attention. This report will therefore consider the relevant specific policies and material considerations and determine whether any undue harm would arise as a consequence of the development.

Proposed Residential Accommodation

There is an identified need for housing in Manchester to meet the growing population and workforce. In line with the requirements in the NPPF, the mix of housing has been designed to take into consideration existing and future housing needs in this area of City.

The proposal includes a mix of house sizes and would comprise 100% affordable rent properties, which would support the Councils residential growth strategy in addition to meeting the NPPF requirements.

The homes have been designed to meet the Council's clear design aspirations and requirements as set out in the Residential Quality Guide. This includes the provision of front and rear garden spaces to support place making.

Affordable Housing

Policy H8 sets out how developments should respond to the 20% contribution of affordable housing across the City. Using 20% as a starting point, developers should look to provide new houses that will be for social or affordable rent with a focus on affordable home ownership options. Any requirement or not for affordable housing will be based upon an assessment of a particular local need, a requirement to diversify the existing housing mix and the delivery of regeneration objectives.

An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The application has been accompanied by an Affordable Housing Statement, which outlines that the viability of the scheme has been considered in line with best practice. The applicant has been able to agree the provision of affordable housing with Southway Housing Trust who are a registered provider. This would deliver 25 (100%) affordable housing units (15 two bed roomed , 9 three bed roomed and 1 four bed roomed house) to comprise 25 Affordable Rent properties.

Following handover of the completed units the registered provider will, in respect of the affordable rent, own and manage the units and be responsible for their future lettings and maintenance. In terms of affordability the following applies;

- Rent levels for the affordable rent units will be set at up to 80% of market rent, but no higher than local housing allowance.
- The disposal of the affordable rented properties to an affordable housing provider will ensure that those units remain affordable in perpetuity, unless disposed of under an affordable housing provider's statutory obligation of right to buy or acquire and subject to mortgagee exemptions.

The occupancy criteria for the affordable tenure will be as follows;

The council will have 100% nominations on first lettings, and also subsequent lets through the agreed common allocations framework, for the affordable rented units. Lettings will be through the [Manchester Move] system and allocated as per the allocations policy; or any approach agreed locally between the Council and the registered provider. This is likely to focus on achieving a mix of residents in the scheme to create a balanced and sustainable community. Tenancy sustainment actions will be undertaken by the Registered Provider.

The applicant would deliver the homes on behalf of Southway Housing Trust . The delivery of new homes, the tenure and the partnership with Southway Housing Trust is welcomed.

Siting / Layout

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester, requires that consideration be given to layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene and other important features of sites.



This outline application seeks approval for siting. Each of the properties would have a street frontage, which would maintain active frontages and surveillance along the proposed spine road and Vine Street. For the most part the proposed development comprises semi-detached houses, but includes a terrace of three units fronting onto Vine Street, a further terrace of three units and a detached house at the western end of the proposed spine road.

In line with the Residential Quality Guidance and the Guide to Development in Manchester, the new buildings along with the indicative landscaping (which is a reserved matter) dominate the street scene. There would also be the provision of off street parking in the form of driveways.

Existing housing is located to the east of the site on Vine Street and to the south on Grapevine Avenue. The potential impacts on residential amenity are discussed in more detail below, however in relation to the siting and layout of these properties, the positioning and orientation of the new properties are considered to be acceptable. The siting and layout of the development is in keeping with recent developments in the area.

Scale / Massing

Whilst approval has not been sought in regard to scale. A parameters plan has been provided for consideration which shows that the proposed houses would be two storeys in the height to compliment the scale of the existing houses around the application site. Overall, the scale of the development responds appropriately to the scale of the existing developments in the area and is considered to be acceptable in this location.

Appearance

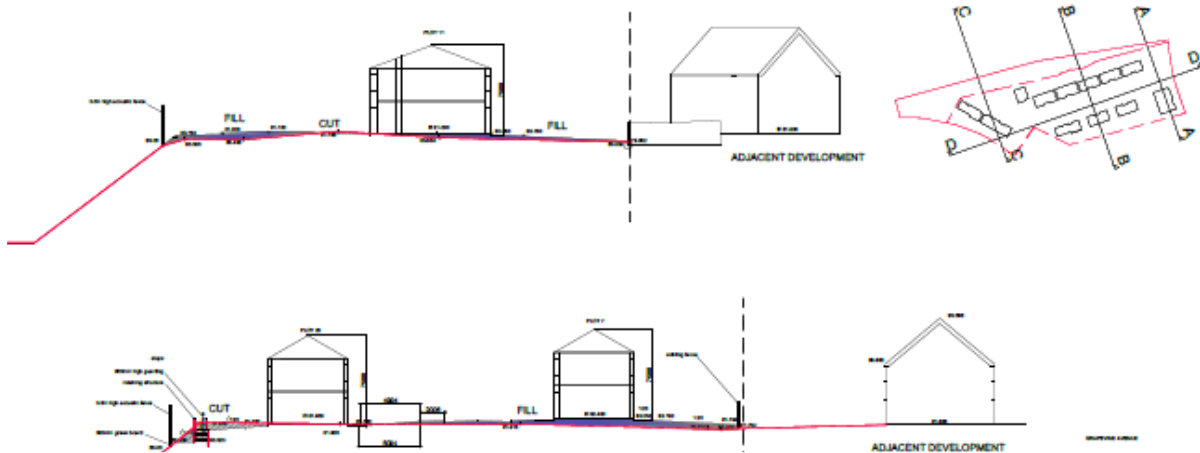
Appearance is a matter which would be dealt with at the reserved matters stage of the process.

Residential Amenity

The site lies within an established residential area and consideration has been given to any potential impacts. It is inevitable given the current nature of the site there would be a demonstrable change, however, it is not considered this would be such to cause any unacceptable harm.

The overlooking distance within the site between front habitable rooms would be 17m. The distance from the rear elevation of the proposed dwellings and the existing housing to the south is 20.8m. In two instances the distance would be reduced to 14m (in one instance this relates to a unit where habitable rooms are not directly facing but are angled from each other). In these instances a commitment has been given that the new dwellings would have no bedrooms in the rear elevation to ensure no significant loss of privacy would occur.

Some concern has been raised about final site levels and positioning of the properties in relation to the southern boundary. The relationship between the proposed and existing development is such that the maximum increase in ground level at the southern boundary shown on the submitted cross section plans would be 345mm. The use of conditions in regard to boundary treatments and consideration of the appearance of the houses at the reserved matters stage of the process would enable this matter to be appropriately managed.



It is acknowledged that there would be some increase in traffic, but again this would not be such that it would cause undue harm. Furthermore, it is possible there would be some impact from decontamination of the site and through construction. These phases would be managed and would be short term.

Traffic Generation

A Transport Statement has been prepared to consider the highways and transport issues. The transport conditions in the vicinity of the site have been reviewed through on-site observations and accident records. The report concludes that there no known highway design features that contribute to the occurrence of accidents and no specific safety issues that need to be addressed as part of the development proposal.

The submitted Transport Statement indicates that the proposed development could result in a net traffic impact of 9 additional vehicle trips during the morning peak hour and 13 additional vehicle trips during the evening peak hour. Whilst this level of additional trip attraction would have some impact on existing highway conditions in the vicinity of the site, this is not considered to be significant, and is likely to fall within daily fluctuations of traffic flow. It is therefore considered that the proposed development would not give rise to conditions which would give significantly adverse traffic conditions locally. Furthermore, Highway Services consider that the amount of traffic generated by the development could be accommodated on the highway network. It is also the case that space for cycle parking would be provided within each dwelling and a residential travel plan would be implemented in order to promote other means of transport other than the car.

Access

Vine Street has a 7.3m wide carriageway, which narrows to a width of approximately 6.0m as it passes over the railway bridge to the north. Vine Street is traffic calmed with speed bumps to help control traffic speeds.

There is an existing vehicle entrance with dropped kerbs off Vine Street in the north eastern extent of the site, in proximity to the junction with Burstead Street.

Primary access to the proposed development is to be provided from Vine Street slightly further south of the existing access point from Vine Street, which lies directly adjacent to the southern slope forming the railway. A road would be constructed to run through the centre of the site in an east -west direction terminating in a turning head at the western end of the site. The estate layout has been designed to accommodate the larger refuse vehicles used in Manchester.

Consideration was given to using the existing entrance to the site, but this was regarded by Highways officers as being too close to Burstead Street, thereby creating a cross roads arrangement with Burstead Street, which could adversely impact on highway safety. As an alternative, consideration was given to locating the access to a central point on the site frontage to Vine Street (opposite to no.87 Vine Street). Whilst this access was acceptable from a highways perspective, this would mean the removal of two of the three mature street trees within the frontage of the site. To minimise the level of tree removal to the smallest of the three street trees, the access has been situated to the south of the existing access, which would reduce the removal of trees, whilst not giving rise to a cross road arrangement. Highways Services have advised that an access opposite nos.83-85 Vine Street would provide sufficient separation from Burstead Street, noting the requirement to remove only one tree from the west side of Vine Street to provide the required junction visibility.

Furthermore, the traffic accident data within the submitted Transport Statement indicates no accidents were recorded on the Ashton Old Road/Vine Street priority T-junction. Nor were any experienced at the Burstead Street/Vine Street junction, which is close to the proposed site access. Due to the levels of the proposed projected vehicular trips detailed above in connection with the proposed development, it is considered that the access in the location proposed is acceptable and would enable the retention of two mature street trees. Furthermore, it is considered that a site entrance from Vine Street could be suitably designed with pedestrian crossing points in the form of dropped crossings and tactile paving which could be delivered as part of the proposed off site highway works condition.

Whilst the concerns of two local residents and Ward Members in regard to vehicular and pedestrian safety have been noted, Highway Services have not raised any objections on highway safety ground to the proposed arrangement. Based on the need to avoid the creation of a crossroads in addition to a desire to remove the fewest number of trees, Highway Services have recommended a new vehicle access opposite 83-85 Vine Street.

Concerns raised in regard to the condition of the surface of existing footway on the western side of Vine Street adjacent to the site has been noted , and it is proposed that a condition be attached to any approval to require the submission a repaving strategy for the public footpaths and redundant vehicular crossings on Vine Street adjoining the site, before occupation of the dwellings , and that the approved scheme be carried out in accordance with an implementation programme to be submitted for approval.

The matter raised by residents regarding a connection to Gorton Station on Constable Street to improve connectivity has been considered. However, this would

involve the creation of a route across land outside of the planning application site.. Highways Services have also advised that they understand that vehicular access to the site is only considered viable from Vine Street because the land between the plot and Lees Street is owned by third parties and a connection from the cul-de-sac end of Grapevine Street is also not feasible because of third party ownership.

Furthermore, a route to the west would effectively need to go through the Enterprise Trading Estate, with the associated issues from a commercial site with servicing areas, and although reference has been made to making a new route through the recently built housing development to the south, this development adjoins either the Trading Estate referred to above, or the rear of existing interwar houses on Annable Road and Franklyn Road. There is, however an existing pedestrian and vehicular route from Vine Street via Gatehurst Street, Long Street and Lees Street to Gorton Station.

Highway Related Matters and Car Parking

The development includes the provision of 25 off street car parking spaces (100% provision, in the form of driveways. The level of parking proposed is considered to be acceptable particularly given the access to public transport and the site's sustainable location.

Although the submitted layout plans has annotations to indicate that each house would have an electric charging point for vehicles, no finalised details relating electric charging points have been provided for consideration at this time. It is therefore proposed to attach a condition relating to the delivery of electric charging points.

The submitted documentation indicates that 100% cycle storage space would be provided, on the basis of one space per property. However, as no finalised details have been provided in terms of location and design of the storage of cycles it is recommended that this aspect of the scheme is also conditioned.

Furthermore, a number of measures to encourage travel to and from the site by sustainable modes are contained within the site Travel Plan. It is anticipated that this would also help to reduce car parking demand.

Overall, it is considered that the development would have adequate car and cycle provision to serve the needs of the development. Travel planning would help take advantage of the sustainable location of the application site in order to further reduce the reliance on the car to the site. Servicing and construction requirements can also adequately met at the site. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Ground Conditions

A Phase 1 Desk Study Report has been submitted in support of the planning application, which details various recommendations, including ground investigation with trial pits, boreholes, further ground gas monitoring and the testing of chemicals and groundwater samples

Historical investigations have identified possible sources of contamination, including lead and hydrocarbons which would have to be verified, and would require

remediation prior to the site being suitable for its intended use. A remediation strategy and site investigation is required to be submitted for approval before the commencement of any remedial works on site. The remediation strategy also needs to consider the control of dust from the remediation works as the site is bordered by some sensitive receptors (dwellinghouses).

Before any above ground works can commence on this site, a supplementary Site Investigation and Risk Assessment Report, together with a detailed Remediation Strategy, and Gas monitoring data needs to be submitted for consideration. After completion of site works, a verification report would also be required to validate that the work undertaken conforms to the remediation proposals received. These matters need to be conditioned.

It is therefore recommended that a detailed planning condition is attached to any approval to require further works to be undertaken in regard ground conditions before the commencement of any house building on the site, and the submission of final verification assessments, in order to comply with policy EN18 of the Core Strategy

Landscaping

Whilst landscaping is one of the matters which has been reserved for consideration, the site layout indicates how the scheme would provide compensatory planting and an overall net gain in the number of trees on the site, and includes soft landscaping to front and rear gardens areas. Where possible, the existing mature trees along Vine Street would be retained to create a buffer from the busy road;

It is therefore recommended that all soft and hard landscaping treatment proposed for the development are subject to conditions, requiring their submission for consideration.

Trees

There are immature trees and vegetation within the site and along the north and east boundaries. The site survey identified 5 trees (including 3 street trees), and three groups of trees with the potential to be affected by the development proposals. These include two Category B trees (2 of the 3 street trees), and three category C trees and three Category C groups. The development proposals would necessitate the removal of a Category C street tree and a category C Ash tree within the site close to the boundary of Vine Street, and the removal of two Category C groups of trees within the site which are comprised of young birch and goat willow trees. The area of trees on the slope of the cutting would also need to be subject to some thinning works, but consideration will be given to retention of trees along the railway embankment to enhance biodiversity, together with the retention of (with any necessary treatment), two mature Ash trees within the footway of Vine Street. Indicative planting shown on the proposed layout plan suggests that 49 new trees could be planted within the proposed development, with provision shown in front and rear gardens to mitigate for the trees to be lost.

It is recommended that works follow an Arboricultural Method Statement to ensure that retained trees are not adversely impacted by the proposed development works, including the installation of temporary tree protection fencing during development works and use of cellular confinement systems, and that this aspect of the scheme is

conditioned. Furthermore, there is an opportunity to mitigate visual amenity in the loss of the two category C trees at the entrance of the site, by the provision of extra-heavy standards at the site as part of the landscaping scheme, which would be dealt with at the reserved matters stage of the process.

Concerns in regard to the potential impacts to tree roots, in relation to the provision of utilities for plot nos. 1 and 2 have been noted. The planning agent has forwarded a document which outlines three methodologies to facilitate the provision of utilities, whilst safeguarding the roots of the existing street trees. A condition is therefore proposed to require that prior to the installation of any utility connections to the dwellinghouses fronting onto Vine Street, finalised details of the excavation methodology to be used in conjunction with the installation of utilities, taken from the options set out with the Excavation Strategies report revision V0 is submitted for approval.

Habitat Regulations and Ecology

The ecological survey accompanying the application makes a number of recommendations which include the promotion of tree and hedgerow planting using native species where possible; ensuring any trees to be removed are removed outside of bird nesting season; consideration of lighting impacts regard to foraging bats; the improvement of biodiversity at the site by the introduction of bat and bird boxes and that the site be re-surveyed for badgers immediately before the commencement of any work on site.

At present there are no buildings, or other structures on the site, and no mature trees with hollows that could accommodate bats. It is therefore considered unlikely that there are any bat roosts at the site. However, habitats within the site provide moderate habitat for foraging and commuting bats. A lighting condition relating to the wider development is proposed, and the issue of impacts to any foraging bats would be considered in connection with the future discharge of that condition.

It is understood that the presence of badgers has been noted in proximity to the site, and it is therefore proposed to attach a condition to the site be resurveyed for badgers immediately before the commencement of any work on site. A condition to ensure that trees are not removed during bird nesting season is also proposed.

Furthermore, the development presents an opportunity to enhance the habitats available to wildlife on site and provide a betterment to the low ecological value of the existing site through a net gain. It is therefore also proposed to attach a condition to improve biodiversity at the site.

Noise

In relation to the potential impact of the development on the surrounding existing residential properties, it is acknowledged that there are existing residents living within neighbouring buildings adjacent to the application site, and there would be an increase in the amount of built development and occupation on the site compared to the existing vacant site. However, any noise generated would only be from the comings and goings from occupants. It is therefore considered that the proposed development should not have any significant effect on the residential amenity currently enjoyed by the surrounding occupants.

In relation to the impact of existing noise sources within this area on the new residential accommodation being proposed, there are three main sources of noise that needed to be assessed and mitigated. These are traffic noise from the nearby main roads, the noise generated by the railway in the cutting directly to the north of the site, and the Trading Estate which lies directly to the west of the site.

In relation to the proposed development, it is considered that the internal noise level requirements can be achieved with appropriate noise mitigation measures, and that this aspect of the scheme be conditioned. Mitigation measures include the erection of acoustic fencing to the boundary with the railway and the Trading Estate, acoustic glazing and trickle ventilators.

Vibration levels have also been measured in the northern section of the site adjacent to the railway lines. The assessment determined that vibration levels due to train movements are at a low level and would not affect the development.

It is therefore proposed that a condition be attached to any approval to require that the mitigation measures detailed in the Noise and Vibration are implemented completed before any of the dwelling units are occupied, and that a verification report is submitted upon completion of the development and before first occupation of the residential units, to validate that the work undertaken conforms to the recommendations and requirements in the approved report.

Flood Risk / Surface Water Drainage

The site is not known to flood historically, but the surrounding streets may experience localised surface water flooding in areas along Vine Street, and the site lies in an area potentially at risk from reservoir flooding.

The proposed development is located in Flood Zone 1, i.e. land defined as having less than a 1 in 1000-year annual probability of flooding in any one year. The site is also at low risk of flooding from all sources. The development has been assessed against the NPPF 'Sequential Test'. Taking into consideration that the application is for a residential development in Flood Zone 1, NPPF confirms that the development is 'Appropriate'. The 'Exception Test' is consequently not required.

Information from the 'Hidden Manchester' map shows a historic watercourse potentially running beneath the eastern section of the site. However, the submitted Flood Risk Assessment report suggests the presence of this is not shown on any other records and no evidence of its existence has been found on site, and that the culvert may flow beneath the railway line to the north of the site and set in cutting with approximately 10m lower ground levels.

In light of the above and following concerns raised by Flood Risk Management officers, the developer proposes to carry out a 6m deep strip trench at the position of the culvert shown on the historic Council records to ascertain if a culvert is present and record the precise location.

Following in depth discussions with Flood Risk Management officers it has been agreed that a conditioned approach can be taken in this instance. It is therefore proposed to attach a condition to ensure no development takes place until culvert investigation has been undertaken in accordance with the proposed trial trench detailed above, including the submission of verification photographs. Conditions

relating to the details of surface water drainage and that the system that is put in place is managed and maintained thereafter are also proposed.

Sustainability and Energy Efficiency

The application is accompanied by an Energy and Sustainability Statement within which it is advised to meet the challenging demands associated with sustainable development a “fabric first” approach is considered the most cost effective and efficient way of delivering an energy saving development that can meet housing needs, and reduce CO2 emissions during the life cycle of each dwelling.

Provided the dwellings are built in accordance with the fabric first approach detailed within the submitted statement with high levels of fabric performance and efficiency, the dwellings would be to a high sustainable standard in accordance with current building regulations Part L1A and sustainable environmental planning policies. A SAP calculation has been provided for plot 1 which indicates the Dwelling Emission Rate has a betterment over the Target Emission Rate, Building Regulations Part L 2012 by 9.92%.

It is therefore proposed to attach a condition to require that the development is implemented in accordance with the Energy and Sustainability Statement, and that a post construction review certificate is submitted within a timescale that has been agreed.

Designing out Crime

The application is accompanied by a Crime Impact Statement by GMP Design for Security officers. The report suggests that the proposed scheme is generally acceptable in terms of layout but includes a set of recommendations to be implemented where feasible to enhance the security of the development against potential threats.

The proposed development would, however, help to provide natural surveillance along Vine Street, and along the proposed estate road which provides the opportunity to include security features to reduce the fear of crime. Whilst the submitted Design and Access Statement provides an indication of the height and design of the future boundary treatment at the site, as this is an outline application there are no detailed design specifications for the dwellinghouses, such as finalised designs of the boundary treatment, or window and doors specifications. Given the comments made by Design for Security officers, it is proposed that this aspect of the scheme is recommended to be conditioned, and that the development is required to achieve Secure by Design Accreditation.

Waste

Four bins are proposed to be stored in the curtilage of each dwellinghouse, with one bin for general waste, one bin for pulpable recycling and one bin for mixed recycling, and one bin for green waste. The refuse capacity has been calculated to comply with Council guidance. The proposal therefore accords with policies DM1 and EN19 of the Core Strategy in this regard. A condition is proposed to be attached to any approval in regard to the implementation of a refuse storage arrangements within the scheme.

Air Quality

This site is not located within an Air Quality Management Area, and the site is not close to major sources of pollutants. Furthermore, local monitoring results indicate annual mean NO₂ concentrations are below the relevant Air Quality objectives (AQO).

In relation to the construction and operations phases of the development there is the potential to impact on the air quality. With the implementation of the appropriate measures significant impacts are not anticipated during the construction phase. Such measures would form part of an agreed construction management plan that would be subject to a condition of the planning approval. It is considered that the impacts on air quality during construction would be temporary and predictable and could be appropriately mitigated through the measures identified above.

The main potential for air quality impact once the proposed development is occupied is likely to be emissions from road traffic associated with the proposed development. The conclusions of the submitted Air Quality Assessment are that due to the low number of anticipated vehicle trips associated with the proposals, road traffic impacts are predicted to be negligible.

Environmental Health officers concur with the conclusions of the Air Quality report, and have requested that the mitigation, and best practice measures set out in the Air Quality Assessment to safeguard local air quality are implemented. It is recommended that this aspect of the development is conditioned to ensure there are no detrimental impacts to existing air quality conditions as a result of the development.

Broadband

Both BT Openreach and Virgin Media have existing fibre infrastructure in place around the application site. It is therefore anticipated that the area is likely to have good download speeds.

Archaeology

This site has been the subject of an archaeological desk based assessment in relation to a previous scheme in 2013. This study found that the site contains no heritage assets and has a very low potential for archaeological remains.

Permitted Development

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable. In order to protect the nature of the accommodation being proposed it is considered there is a case for ensuring the dwellings are not converted into multiple occupation without proper consideration. It is recommended that a condition should therefore clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a House of Multiple Occupation (HMO) without the requirement for formal planning permission.

Furthermore, it is considered that there is a case for ensuring that dwellinghouses hereby approved shall be used only as private dwellings and not as serviced properties 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).An appropriate condition is therefore proposed.

Inclusive Access

The submitted documentation confirms that the proposed houses are positioned to afford level access, and that the dwelling internal ground floor plans are designed to be level and with pedestrian and vehicle approaches having no significant incline.. The front and rear doors will have accessible thresholds.

Legal Agreement

A legal agreement is proposed in order to ensure that 20% of the properties are affordable and would remain so in perpetuity.

Community Engagement

A public consultation strategy was undertaken by the developer. Due to the COVID-19 outbreak, this was undertaken via a leaflet drop within the local community with an opportunity for residents to provide feedback by email. The leaflet advised on the consultation process and details on the proposals, with the catchment area defined as the local community within the immediate surrounding area of the application site. The public consultation ran between 2nd December and 9th December 2020, with a dedicated email address available during this time. The leaflet made clear that comments would continue to be monitored and duly considered through the determination of the application.

Key feedback points related to concerns over any proposed tree removal along the railway line for the following reasons:

- Reduced screening from noise and vibration caused by adjacent train movements;
- The contribution these trees bring to local wildlife and habitats;
- Increased risk of flooding and land instability;
- The contribution the trees bring to enhancing the local streetscene and area and the positive wellbeing benefits arising from this.

Conclusion

The proposed scheme would bring forward a sustainable development of family housing and affordable homes with the associated redevelopment of a brownfield site. All issues have been set out in the report and addressed and this includes where necessary mitigation to ensure the delivery of a proposal for new homes.

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 a section 106 legal agreement is proposed in order to ensure that 20% of the properties are affordable and would remain so in perpetuity.

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 were sought in respect of this development where early discussions took place regarding the layout, and scale of the development, accommodation type and mix along with highway impacts. Further work and discussions have taken place with the applicant through the course of the application, particularly in respect of site levels, matters associated with the potential location of a culverted watercourse ,highway impacts, and affordable housing along with other matters arising from the consultation and notification process. The proposal is now considered to be acceptable and been conditioned accordingly.

Conditions

1.Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2.Approval of the details of the scale, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

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

Drawing ref: 18.13 PL01 (Location Plan); 1813 SA 01 (Site Analysis Plan);18.13 PL05 (Layout Strategy) received 11th December 2021; as revised by layout shown on 18.13.PL02 rev.G;

Site Analysis photographs 1 of 4; 2 of 4, 3 of 4 and 4 of 4:

Plan ref: 18-442 rev.C (Topographical Land Study);

Planning Statement from NJL Consulting. Ref. December 2020 2020-040;
 Design and Access Statement dated December 2020;
 Mapping information in regard to utilities;
 Letter from GMAAS to the developer dated 26th November 2020 confirming the site contains no heritage assets and has a very low potential for archaeological remains;
 Air Quality Assessment ref: 4039 r2 dated 4th December 2020;
 Preliminary Ecological Appraisal 7th December 2020 (including plan ref: SE0920-01_ECOP01);
 Crime Impact Statement VERSION B: 10th December 2020 Ref: 2020/0631/CIS/01;
 Outdoor Lighting Report dated 3rd December 2020 (including plan ref: 22050-D-01(Section 38 Proposed Lighting and Installation Design Layout));
 Structural Design Philosophy by Scott Hughes:
 Broadband Connectivity Assessment Issue 01:Noise and Vibration Assessment for Planning Purposes dated 7th December 2020
 Ref: AEC REPORT: P4238/R1c/RDC;
 Arboricultural Impact Assessment 10th December 2020;
 Flood Risk Assessment and Drainage Strategy; revision 2 December 2020;
 Desk Top Report in relation to ground conditions (including coal mining report)ref: AG3211-20-AL43 Issue 2 dated December 2020;
 Waste Management Strategy;
 Transport Statement ref: VN 201796 Issue 2 10th December 2020 (including swept path and sightline plans);
 Energy and Sustainability Statement dated 1st December 2020;
 Received 11th December 2020

Drawing ref: 18.13 SX01A (Site Cross Sections).; and 18.13 SX02A (Site Long Section) received 17th December 2020;
 Land ownership plan ref: 7790160 dated 22nd December 2020 to show no land within the site edged red is in Network Rail ownership received 23rd December 2020;

Southway Affordable Housing Mix Statement dated 3rd December 2020 received 18th January 2021;

Plan ref: S18-442 rev.A (Topographical Land Survey showing Trial trench for culverted watercourse) received 18.03.2021;
 Affordable Housing Statement dated 25th March 2021 ;

Plan ref: 18.13 PL02 rev.G (site plan for outline planning) and plan ref: 18.13 PL05 rev.A (Layout Strategy)received 21st May 2021;

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.

4. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period.

The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24 hour emergency contact number;

- Hours of operation;
- Expected number and type of vehicles accessing the site: o Deliveries, waste, cranes, equipment, plant, works, visitors; o Size of construction vehicles; o The use of a consolidation operation or scheme for the delivery of materials and goods; o Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason- In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

5. Prior to any above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason -To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

6. The development hereby approved shall be implemented in accordance with Crime Impact Statement VERSION B: 10th December 2020 Ref: 2020/0631/CIS/01, in particular sections 3.3 and 4. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation for the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

7. Prior to commencement of development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, dropped crossings, tactile paving and traffic calming measures) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellinghouses being occupied, and thereafter retained and maintained in situ.

Reason - In the interests of pedestrian and highway safety, pursuant to policy T1, and DM1 of the Manchester Core Strategy (2012).

8. The car parking indicated on the approved plans development be surfaced, demarcated and made available for use prior to the new dwellings hereby approved being occupied. The car parking shall then be available at all times in perpetuity.

Reason - To ensure that there is adequate car parking for the development proposed when the dwellings are occupied, pursuant to policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

9. Prior to above ground works commencing, finalised detailed designs for the provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings being occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

10. Prior to the occupation of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

11. Prior to first occupation of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Vine Street, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

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

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

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

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

13. Prior to the occupation of the development, finalised details of a strategy for all external lighting, including lighting on the buildings, within the building's curtilage, shall be submitted to, and approved in writing by, the City Council as local planning authority. The development shall be implemented in accordance with the approved details.

Reason - To ensure adequate lighting within the development, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

14. If , when the lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

15. Before the development hereby approved commences, a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) in accordance with the potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site identified in the Desk Top report ref: AG3211-20-AL43 Issue 2 dated December 2020, shall be submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out before the development commences, and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy), which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

16. The waste management strategy for the storage and disposal of refuse shall be implemented prior to first occupancy of the development and shall remain operational thereafter.

Reason - To protect the amenity of the occupants of the residential and commercial accommodation once the development hereby approved is occupied, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

17. The mitigation and best practice measures set out in the Air Quality Assessment dated 4th December 2020 to safeguard local air quality, shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

18.a) The proposed residential accommodation shall be acoustically insulated against noise from the nearby railway, traffic, and industrial /commercial uses in the vicinity, in accordance with the mitigation measures detailed in the Noise and Vibration report for Planning Purposes dated 7th December 2020 by Kirkland Developments Limited. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

b) Upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

19. No development shall take place until culvert investigation has been undertaken in accordance with the proposal received via email from Paul Graveney (Sent: 05 February 2021 17:10; Subject: RE: call summary - 128864/OO/2020) including attachment 'Vine Street - Culvert Trial Trench.pdf'. This should include verification photos for evidence of investigation as-proposed. If the culvert is proven present, the precise route, condition, capacity and connectivity of the culvert should be determined across the whole site. Results of the investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason- To reduce the risk of flooding, and to reduce the associated flood risk and danger of collapse of culverts pursuant to policy EN14 of the Manchester Core Strategy (2012).

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

Planning Authority. The development shall be implemented in accordance with the approved details.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Manchester Core Strategy (2012).

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

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason- To manage flooding and pollution and ensure future maintenance of the surface water drainage system pursuant to policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

22. Prior to commencement of development, a survey to identify whether badgers are present on the site shall be submitted to, and approved in writing by, the City Council as local planning authority, together with any mitigation measures required. Any mitigation measures which are approved shall be implemented within a timeframe to be agreed with the City Council as local planning authority.

Reason - To safeguard a European Protected Species (Habitats Regulations 1994) to comply with policy EN15 of the Manchester Core Strategy (2012).

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

Reason - In order to provide protection to nesting birds, pursuant to policy EN15 of the Manchester Core Strategy (2012).

24. Prior to any above ground works in connection with the development hereby approved, a scheme for delivering biodiversity enhancement at the site, shall be submitted to and approved in writing by the City Council as the local planning authority. The biodiversity enhancement measures approved, shall be implemented in accordance with the approved scheme, prior to the occupation of the dwellinghouses.

Reason - In order to improve biodiversity within the site, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

25. If no ground works are commenced on site within 12 months of the date of the permission hereby approved, a survey to identify whether bats are present on the site shall be submitted to, and approved in writing by, the City Council as local planning authority, together with mitigation measures prior to commencement of development. Any mitigation measures which are approved shall be implemented within a timeframe to be agreed with the City Council as local planning authority.

Reason - To safeguard a European Protected Species (Habitats Regulations 1994) to comply with policy EN15 of the Manchester Core Strategy (2012).

26. Prior to the any above ground works, a hard and soft landscaping treatment scheme (including a replacement tree strategy), shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings within that phase are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of 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 Manchester Core Strategy (2012).

27. In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans within the Arboricultural Impact Assessment dated 10th December 2020; and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those

areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

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

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

29. Prior to the installation of any utility connections to the dwellinghouses hereby approved fronting onto Vine Street (plot nos. 1-3), finalised details of the excavation methodology to be used in conjunction with the installation of utilities , taken from the options set out with the Excavation Strategies report revision V0 received 21st May 2021; shall be submitted to and approved in writing by the City Council as local planning authority . The development shall be implemented in accordance with the approved details.

Reason - In order avoid damage to trees adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

30. The development hereby approved shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy(2012) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

31. 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 part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, 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 Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

32. The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties 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) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced accommodation does 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 Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected onto the new build properties within the development hereby approved other than those expressly authorised by this permission.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

34. Prior to any above ground works, the finalised details of the positions, heights, and type of boundary treatment (including gates, and a suitable trespass proof fence adjacent to the boundary with the railway), shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in full before any property is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

35. Prior to any above ground works, the finalised details of the positions, heights, and type of acoustic fencing within the development hereby approved, shall be submitted to and approved in writing by the City Council as local planning authority.

The approved scheme shall be implemented in full before any property is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

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

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

37. Prior to the commencement of development, a method statement and risk assessment in relation to works in proximity to the boundary with the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved method statement and risk assessment .

Reason - To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway, pursuant to policies T1 and DM1 of the Manchester Core Strategy (2012).

38. Any scaffolding works to be undertaken within 10m of the railway boundary, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scaffolding works.

Reason - In the interests of protecting the railway and its boundary from over-sailing scaffolding, pursuant to policies T1 and DM1 of the Manchester Core Strategy (2012).

39. Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to ,and approved in writing by City Council as Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - To prevent any piling works and vibration from de-stabilising or impacting the railway, pursuant to policies T1 and DM1 of the Manchester Core Strategy for Manchester (2012).

40. Prior to any above ground works, details of a scheme to direct both the disposal of surface water and foul water drainage, away from the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason- To protect the adjacent railway from the risk of flooding, soil slippage and pollution, pursuant to policies EN14, T1 and DM1 of the Manchester Core Strategy (2012).

41. Prior to the commencement of the development, full details of proposed ground levels, earthworks and excavations to be carried out near to the northern boundary with the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason - To prevent any of the resulting ground levels, earthworks and excavations, from de-stabilising or impacting the railway, pursuant to policies T1 and DM1 of the Manchester Core Strategy for Manchester (2012).

42. Prior to any above ground works details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason- To prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion, pursuant to policies T1 and DM1 of the Manchester Core Strategy for Manchester (2012).

Informatives

1, Highways

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

2. Network Rail

1. Measurements to railway tracks and railway boundary

When designing proposals, the developer is advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability.

2. The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m 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. The Builder is to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. 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: AssetProtectionLNWNorth@networkrail.co.uk

3. Fencing

The applicant will provide at their own expense (if not already in place):

- A suitable trespass proof steel palisade fence of a minimum height of 1.8m adjacent to the boundary with the railway/railway land.
- The fence must be wholly constructed and maintained within the applicant's land ownership footprint.
- All foundations must be wholly constructed and maintained within the applicant's land ownership footprint without over-sailing or encroaching onto Network Rail's boundary.
- The fence must be set back at least 1m from the railway boundary to ensure that Network Rail can maintain and renew its boundary treatments.
- Existing Network Rail fencing, and boundary treatments, must not be damaged or removed in any way.
- Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land.
- Proposal fencing must not be placed on the boundary with the railway.
- Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- The fence should be maintained by the developer and that no responsibility is passed to Network Rail.

4. Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.

All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.

Buildings and structures must not over-sail Network Rail air-space.

Any future maintenance must be conducted solely within the applicant's land ownership.

Rainwater goods must not discharge towards or over the railway boundary

Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20

weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure. Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

5. Scaffolding

Scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, they must have a minimum 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

This is to ensure that the safety of the railway is preserved, and that scaffolding does not:

Fall into the path of on-coming trains

Fall onto and damage critical and safety related lineside equipment and infrastructure

Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

6. Vibro-Impact Machinery

If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail for agreement.

All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.

The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

7. Drainage proposals and Network Rail land

In order to comply with the NPPF, the applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

All surface waters and foul waters must drain away from the direction of the railway boundary.

Soakaways for the proposal must be placed at least 30m from the railway boundary. Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems. 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 land and infrastructure. Proper provision must be made to accept and continue drainage discharging from Network Rail's property.

Drainage works must not impact upon culverts, including culverts/brooks etc that drain under the railway. The applicant will not be permitted to direct surface or foul waters into culverts which run under the railway – any discharge of surface water under the railway via a culvert will require review and agreement from Network Rail who reserve the right to refuse use of any culverts.

The developer must ensure that there is no surface or sub-surface flow of water towards the operational railway.

Rainwater goods must not discharge in the direction of the railway or onto or over the railway boundary.

NB: Soakaways can materially affect the strength of soil leading to stability issues. A large mass of water wetting the environment can soften the ground, and a build-up of water can lead to issues with the stability of Network Rail retaining walls/structures and the railway boundary. Network Rail does not accept the installation of soakaways behind any retaining structures as this significantly increases the risk of failure and subsequent risk to the travelling public.

If the developer and the council insists upon a sustainable drainage and flooding system then the issue and responsibility of flooding, water saturation and stability issues should not be passed onto Network Rail. They recognise that councils are looking to proposals that are sustainable, however, they would remind the applicant that flooding, drainage, surface and foul water management risk as well as stability issues should not be passed 'elsewhere', i.e. on to Network Rail land.

The drainage proposals are to be agreed with Network Rail and surface water drainage on the site should be removed by a closed sealed pipe system.

The HSE identifies railways as a Major Hazard Industry. An earthwork failure within a high-hazard area has the potential to result in a catastrophic accident with multiple fatalities or long-lasting environmental issues. It should be noted that where the actions of an adjacent landowner have caused a landslip on the railway the loss adjusters are likely to advise recovery of Network Rail costs from the 3rd party, which would include costs of remediation and recovery of costs to train operators. Many railway earthworks were constructed in the Victorian period and are susceptible to failure by water saturation. Water saturation leads to an increase in pore water pressure within the earthwork material. Please also note that railways, and former railway land adjacent to it, is considered as contaminated land due to historic use of railways, which can affect the suitability of infiltration drainage.

8. Excavation and Earthworks and Network Rail land:

The NPPF states:

"178. Planning policies and decisions should ensure that:

a. A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability."

In order to comply with the NPPF, the applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they 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 the following:

Alterations to ground levels

De-watering works

Ground stabilisation works

Works to retaining walls

Construction and temporary works

Maintenance of retaining walls

Ground investigation works must not be undertaken unless agreed with Network Rail.

Confirmation of retaining wall works (either Network Rail and/or the applicant).

Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.

For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review.

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. The council are advised that the impact of outside party excavation and earthworks can be different depending on the geography and soil in the area. The developer is also advised that support zones for railway infrastructure may extend beyond the railway boundary and into the proposal area. Therefore, consultation with Network Rail is requested. Any right of support must be maintained by the developer.

9. 3m Gap

Network Rail requires that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land, and close to the railway boundary potentially impacting support zones or lineside cabling. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint including all foundation works. Network Rail requires a minimum 3m easement between structures on site and the railway boundary to ensure that they can maintain and renew their boundary treatments.

10. Noise

The developer (along with their chosen acoustic contractor) are recommended to engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings. The NPPF states, "*182. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use), in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*"

Network Rail is aware that residents of developments adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the council via mitigation measures and conditions to ensure

that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

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 carry out works at night on the operational railway when normal rail traffic is suspended and these works can be noisy and cause vibration.

Network Rail may need to conduct emergency works on the existing operational railway line 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 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.

Any assessments required as part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.

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.

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.

Noise and Vibration Assessments should take into account any railway depots, freight depots, light maintenance depots in the area. If a Noise and Vibration Assessment does not take into account any depots in the area then the applicant will be requested to reconsider the findings of the report.

Railway land which is owned by Network Rail but which may be deemed to be 'disused ' or 'mothballed', may be brought back into use. Any proposals for residential

development should include mitigation measures agreed between the developer, their acoustic contractor and the LPA to mitigate against future impacts of noise and vibration, based on the premise that the railway line may be brought back into use.

Works may be carried out to electrify railway lines and this could create noise and vibration for the time works are in progress. Electrification works can also result in loss of lineside vegetation to facilitate the erection of stanchions and equipment.

11.Trees

Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to

be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future. No trees shall be planted next to the boundary with the railway land and the operational railway, except for evergreen shrubs which shall be planted a minimum distance from the Network Rail boundary that is equal to their expected mature growth height. The vegetation planting must be in line with the attached matrix which has been agreed with the Tree Council. This is to prevent long term issues with leaf fall impacting the operational railway.

12. Parking / Hard Standing Area

Where a proposal calls for the following adjacent to the boundary with the operational railway, running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:

- hard standing areas
- turning circles
- roads, public highways to facilitate access and egress from developments

Network Rail requests the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

13. BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could 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.

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: 128864/OO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

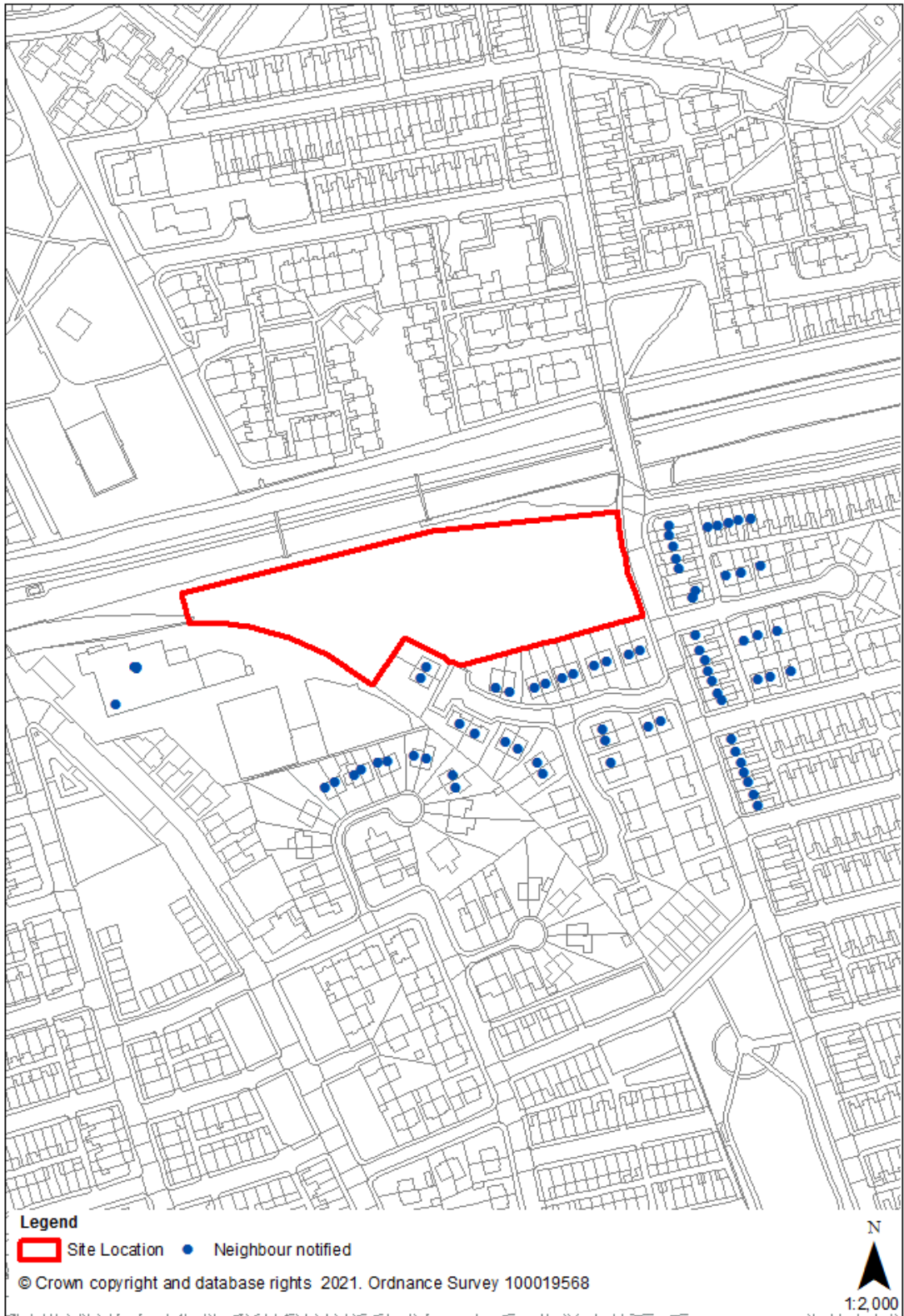
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC

**The Coal Authority
Network Rail
Greater Manchester Ecology Unit**

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

Representations were received from the following third parties:

Relevant Contact Officer : Sue Wills
Telephone number : 0161 234 4524
Email : sue.wills@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
128698/FO/2020	30th Nov 2020	3 June 2021	Longsight Ward

Proposal Erection of a detached building with a ground floor and four floors above (maximum height of 5 storeys) comprising 39 residential units (Class C3) , 8 retail/commercial units (Class E) to the ground floor, formation of a 22-space car park and servicing area accessed via Siddall Street, boundary treatments, waste storage enclosures and landscaping

Location Vacant Land Bounded by Stockport Road, Swallow Street, Siddall Street and Pennington Street, Manchester, M12 4QN

Applicant Mr Shujaat Rasool , Views (Holding) Limited, Suite 3.10 Building 2, Universal Square, Devonshire Street North, Manchester, M12 6JH,

Agent Miss Rachel May, Avison Young, Norfolk House, 7 Norfolk Street , Manchester , M2 1DW

Executive summary

Proposal – This planning application relates to a cleared area of vacant site bounded by Swallow Street (north), Stockport Road (east), Pennington Street (south) and Siddall Street (west). The eastern boundary to Stockport Road would relate to neighbouring retail and commercial uses that characterise Stockport Road. Residential uses predominantly comprising of back of pavement, 2-storey housing is located to the north, west and south of the application site. A building with a maximum height of 3 storeys is located to the south of the site and at the junction of Stockport Road and comprises of ground floor retail and a commercial use with apartments above. The principle of a mixed use residential and retail development was established on 21 November 2021 by planning permission ref: 117411/FO/2017 for the erection of a four storey building comprising 10 ground floor retail units and 24 apartments above.

The proposed development would involve the erection of a 5-storey building with an L-shaped configuration presented to Stockport Road and its returning junction with Pennington Street. The ground floor would comprise of 8 retail / commercial units (Class E). The upper floors would consist: 13 one bedroom apartments, 24, two bedroom apartments and 2, three bedroom duplexes (39 units in total). The Stockport Road (eastern) and Pennington Street (western) wings of the building would enclose two sides of a courtyard comprising car parking and servicing area. The rear external area would incorporate 22 residents' car parking spaces, including 2 accessible spaces.

Objection – Five local objections have been received and are summarised below:

- i. The height of the development would be excessive and would also result in an undue loss of daylight to existing houses;
- ii. Increased vehicular activity and congestion would be detrimental to pedestrian and highway safety. These circumstances would also be harmful to residential amenity;
- iii. To mitigate for the potential loss of on-street car parking consideration should be given to the introduction of a residents car parking scheme as part of the development.

Key Issues –

- i. The benefits the sustainable development of a vacant brownfield site with the potential to positively contribute to the diversification of the local housing supply and the quality of the retail and commercial offer within Levenshulme District Centre.
- ii. The capacity of the site to accommodate the proposed height and magnitude of the development and potential impacts on residential amenity, traffic generation and character of the area.
- iii. The viability of the development in terms of its capacity to support a contribution towards affordable housing.

A full report is attached for Members consideration

Description

This planning application relates to a cleared area of vacant, largely grassed land bounded by Swallow Street (north), Stockport Road (east), Pennington Street (south) and Siddall Street (west). Notwithstanding, the location of the site within Longsight ward, it is located within Levenshulme District Centre. The eastern boundary to Stockport Road would relate to neighbouring retail and commercial uses that characterise Stockport Road.

A three storey building used for the supply of building materials is located to the north of the site at the junction of Swallow Street and Siddall Street. Residential uses predominantly comprising of back of pavement, 2-storey housing is located to the north, west and south of the application site. A building with a maximum height of 3 storeys is located to the south of the site and at the junction of Stockport Road and comprises of ground floor retail and a commercial use with apartments above.

The site is enclosed with fencing and has previously been affected by fly-tipping. Some self-seeded bushes are situated centrally within the site. Double yellow lines (TROs) are located adjacent to the boundaries with Stockport Road returning at the respective junctions with Swallow Street and Pennington Street.

The principle of a mixed use residential and retail development was established on 21 November 2021 by planning permission ref: 117411/FO/2017 for the erection of a four storey building to form 10 retail units on the ground floor with 24 apartments

above with associated 25 space car parking area and new vehicular access from Siddall Street.

The proposed development comprises of the erection of a 5-storey building with an L-shaped configuration presented to Stockport Road and its returning junction with Pennington Street. The ground floor would comprise of 8 retail / commercial units (Class E) with the principal shopfronts presented to Stockport Road and the returning elevations to Pennington Street and Swallow Street. The Pennington Street elevation would incorporate the access to the upper floor apartment comprising: 13 one bedroom apartments, 24, two bedroom apartments and 2 no. three bedroom duplexes (accessed via individual doorways within the Pennington Street elevation). The proposed flats would be accessed via a lift and stairs. The proposed site layout is shown in Fig.1.



Fig.1 – Proposed site layout

The Stockport Road (eastern) and Pennington Street (western) wings of the building would enclose two sides of a courtyard incorporating a car parking and servicing area, which would be accessed via a recessed gated entrance in central position along the Siddall Street boundary. The rear external area would incorporate 22 residents' car parking spaces, including 2 accessible spaces. The building would partially over sail the car parking spaces to the south of the site and 4 electric vehicle charging points would be provided. Servicing of the internal residential recycling and waste storage would be taken from the courtyard. An internal secure storage room for 43 residents' cycle racks would also be accessible via the courtyard.

The boundaries to the northern and western elements of the site would be defined by low walls and railings. Sliding gates and separate pedestrian gate would provide access and egress to the courtyard via Siddall Street. Separate gated access from Swallow Street would facilitate servicing and pedestrian access. A separate segregated waste and recycling store in support of the Class E use would be provided along with dedicated cycle rack

The main body of the building would comprise of 4-storeys articulated by the formation of a fifth floor that would be setback from the eaves line of the main roof. The formation of a 4-storey bay adjacent to the Pennington Street junction would provide further articulation. The building would have a horizontal configuration as it extends towards the Swallow Street boundary with definition added by the formation of a second floor with a ‘turret’ detail. The rise and fall of the eaves line would be related to the formation of bays and recesses at the first and second floors and defined by contrasting red and grey brickwork. The elevation would be punctuated by vertical rectangular windows and related detailing. The ground floor would incorporate a fully glazed shopfront with intermittent vertical narrow metal columns relating to the 8 proposed Class E units. Beyond the 4-storey bay the shopfront would be set back from the edge of the adjacent pavement and recessed to from an integral canopy. The glazed detailing would return to the respective ground floor elevations to Pennington Street and Swallow Street. The above details are illustrated in Fig.2.



ELEVATION A



ELEVATION B

LeachRhodesWalker 8048 LAND SOUTH OF 786 STOCKPORT ROAD : COLOURED BUILDING ELEVATIONS - SHEET 1
 Scale: 1:200@A2 Auth By: CJG Drawn By: KM Date: 12.05.21 Dwg No: 8048_L(00)204

Fig.2 – Proposed Elevations to Stockport Road and Pennington Street
 Above the returning glazed shopfront the Pennington Street, the building would rise to 4-storey through the formation of rising columns and recesses defined by

contrasting brickwork and vertical rectangular windows. The fifth floor would be set back from the eaves line of the fourth storey. Adjacent to Siddall Street site boundary, the height of the building would reduce to 2-storeys with a third storey formed above it and comprising a recessed southern elevation with a parapet and railing balustrade. The reduction in building height and composition of red and grey brick relates this part of the development to the scale and appearance of 2-storey housing on Pennington Street. The Pennington Street elevation incorporates entrances to the apartment reception area and the respective entrance to the two duplex apartments. The above details are also illustrated in Fig.2.



LeachRhodesWalker ARCHITECTS 8048 LAND SOUTH OF 786 STOCKPORT ROAD : COLOURED BUILDING ELEVATIONS - SHEET 2
 Scale: 1:200@A2 Auth By: C.J.G. Drawn By: KM Date: 12.05.21 Dwg No: 8048_L[00]211

Fig. 3 – Elevations to Siddall Street and Swallow Street

Red and grey brickwork and rectangular would be applied to Siddall Street and Swallow Street. The expanse of brickwork to the Swallow Street elevation would be relieved by the glazing to the returning ground floor shopfront. The above details are illustrated in Fig.3.

Consultations

Local residents – Five local objections have been received and are summarised below:

- i. The height of the development would be excessive and would also result in an undue loss of daylight to existing houses;

- ii. Increased vehicular activity and congestion would be detrimental to pedestrian and highway safety. These circumstances would also be harmful to residential amenity;
- iii. To mitigate for the potential loss of on-street car parking consideration should be given to the introduction of a residents car parking scheme as part of the development.

Highway Services – The following comments have been received:

- i. This development is in a sustainable location within Levenshulme and bounded by Stockport Road (A6), served by bus routes and in acceptable walking distance to Levenshulme station for national rail services;
- ii. The transport Statement predicts a maximum trip generation of 10 and 11 two-way vehicle movements during the AM and PM peak periods (08:00 - 09:00 and 17:00 - 18:00) in relation to the residential element. Commercial trips have not been forecast it unlikely that related trip generation would have any significant impact on the local highway network;
- iii. There will be no dedicated vehicular parking for the retail units reflecting the previous planning permission. It is recommended that electric vehicle charging facilities are attached to a minimum 20% of the on-site spaces. The car parking layout should meet required dimensions.
- iv. The proposed position and configuration of vehicular access points would be acceptable.
- v. The proposed provision of 43 cycle parking spaces within a secure store would be acceptable. However, further cycle storage of the retail unit is encouraged;
- vi. An on-street loading bay will be provided on Swallow Street. Whilst a designated loading facility is supported, its position will need to be determined as a part of the consideration of the related legal agreement concerning off-site highways works. The position of the loading bay will also be related to a road safety audit. Delivered as part of the legal agreement that should also include details of an extension of traffic regulation orders (TROs) in the form of double yellow lines to prevent on-street parking and facilitate all vehicular movements during any loading/servicing from the bays. Off-site highways work would also need to address appropriate highway reinstatement and introduction of new drop kerbs etc.;
- v. Any requirement for the repositioning of signage poles will need to be agreed with the Council.
- vi. A Servicing Management Strategy is requested to facilitate servicing deliveries and waste collection.
- vii. Conditions are requested regarding construction management and travel plans related the relevant phases of the development.

Environmental Health - The following recommendations have been made:

- i. Deliveries, servicing and collections, including waste collections should not be undertaken outside the hours of 7:30 am and 8.00 pm, Monday to Saturday with no deliveries/waste collections on Sundays/Bank Holidays;

- ii. Condition relating to the provision of fume extraction and noise insulation of external equipment before the occupation of the ground floor Class E uses and subject to the related operational requirements;
- iii. The development should be related to a construction management plan;
- iv. Opening hours should be related to the findings of a noise survey related the operation of external equipment required in relation to Class E uses;
- v. The development should be related to a scheme relating the control of glare and overspill from external lighting;
- vi. The implementation of the development should be related to the submitted acoustic survey;
- vii. The implementation of the development should be related to the submitted waste management plan;
- viii. The implementation of the development should be related to the detail of the air quality assessment, include its amendment to include 4 electric vehicles charging points as confirmed by the applicant;
- ix. The details of the ground condition survey should be supplemented with additional site investigations. In the absence of satisfactory, information at this stage, a comprehensive land contamination condition has been included.

Flood Risk Management Team – Recommended conditions to ensure that:

- i. Surface water drainage works are designed and in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems;
- ii. The development is not occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority.

Neighbourhoods (Trees) – No objection to the implementation of works set out in the submitted tree age and condition survey.

Work and Skills Team – It is acknowledged that the submitted statement relating to measures to provide local employment opportunities relating to construction and operational phases to the development. However, to give more certainty regarding the delivery of local employment opportunities a condition has been recommended and included that requirement for the developer to demonstrate:

- 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.

Greater Manchester Police Design for Security – Recommend that a condition be applied to reflect the physical security specifications set out in section four of the Crime Impact Statement (CIS) should be added, if the application is to be approved.

Transport for Greater Manchester – No comments received

United Utilities – Have recommended that surface water drainage be undertaken in accordance with the submitted details and appropriate arrangement made for foul water drainage.

Greater Manchester Ecology Unit – The following comments have been received:

- i. The site is in an urban location and appears to have limited potential for the site to support protected species. An ecology survey is required in support of the development;
- ii. Notwithstanding the above, the vegetation within the site could provide suitable nesting habitat for breeding birds. It is therefore advised that clearance of the site should be timed to avoid the main bird nesting season (March - August inclusive) unless it can be demonstrated that no active bird nests are present. If at any time any other protected species (e.g. bats or badgers) or invasive species (eg Japanese knotweed or Himalayan balsam) are found to be present on the site or affected by the development, work should cease immediately and Natural England/ecologist should be contacted;
- iii. Opportunities to enhance the site for biodiversity should be encouraged including bat roost features or bird nest boxes and the use of native species within the landscaping scheme. A green roof could also be incorporated into the design to add ecological value and the sustainability of the development.

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.' In 'decision-taking', this means that development proposals that 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. The Framework has been related to the proposed development, with reference to the following:

- i. Chapter 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, it is

important that: a sufficient amount and variety of land can come forward where it is needed; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (paragraph 59). This should be reflected in the consideration of the size, type and tenure of housing needed for different groups in the community (paragraph 61). Chapter 5 states that the provision of affordable housing should not be sought for residential developments that are not major developments and that the re-use of brownfield sites should be encouraged (paragraph 63). It is considered that small and medium sized sites can make an important contribution to meeting the housing requirement of an area as they are often built-out relatively quickly (paragraph 68). It further requires that local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (paragraph 71). In this case, it is considered that the size and tenure of the proposed development would positively contribute to the quality and supply of housing in the local area, secure the development of a brownfield site and has component that responds to an identified local need for family housing. It would also help to diversify the local housing market through the provision of high quality design with capability of achieving sustainable future occupation. The applicant has provided a housing viability report that has been independently assessed and confirms that the development would not support a contribution towards affordable housing. However, the development would be related to a s.106 Agreement that will require a future contribute toward affordable housing should the performance of the development deliver sufficient added value following its implementation. It is considered that the above arrangements and contribution to housing supply would secure compliance with chapter 5.

- ii. Chapter 7: Ensuring the vitality of town centres - Paragraph 85 states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It also recognises that residential development can play an important role in ensuring the vitality of centres and encourage residential development on appropriate sites. It is considered that the proposed mix of uses would contribute positively to these objectives.
- 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). The application site is enclosed with hoarding fence and has been affected vandalism and fly-tipping, has harmed residential amenity and the quality of the local environment. The implementation of the development would address these issues and facilitate the managed occupation of the site. Issues relating to the reduction of crime and anti-social behaviour and provision of appropriate security measures have been related to the layout and design of the proposed development. It is considered the implementation of the details of the submitted CIS would appropriately address these issues. The contribution of the site as open space has been assessed. The site has been previously developed and does not appear to have no established recreational use or

value. Its loss would not affect local open space provision. The local area has more formal open space provision, including Crowcroft Park. It is considered that the development would accord with 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 (paragraph 108).

It is considered that, given the magnitude of the development, the generation of traffic and vehicular movement would be predictable and capable of being accommodated within the local highway infrastructure. Satisfactory off-street car parking would be provided within the context of district centre and the location of the site with access to the local bus network, Opportunities to encourage the option of more sustainable transport options would be related to the development through appropriate travel plan conditions and the delivery of cycle storage. The development would thereby accord with chapter 9.

- v. Chapter 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 encourages the use of previously developed or 'brownfield' sites. Reference has been made to paragraph 122, which states, that planning decisions should support development that makes efficient use of land, whilst considering:
 - a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) The importance of securing well-designed, attractive and healthy places.

It is considered that chapter 11 has been positively responded to as the development would secure the re-use of a brownfield site and secures housing with a high quality of urban design. The scale, proportions and character development would also be appropriately related to the surrounding area.

- vi. Chapter 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124). Paragraph 127 further states that planning decisions should ensure that development:
 - a. Will function well and add to the overall quality of the area (over the lifetime of the development);
 - b. Is visually attractive and related to good architecture, layout and landscaping;
 - c. Is sympathetic to local character and surrounding built environment, whilst not preventing or discouraging appropriate innovation or change, including increased densities;

- d. Establishes or maintains a strong sense of place, including the arrangement of streets, spaces, building types and materials;
- e. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

The development would introduce additional height into the Stockport Road streetscene, which would add visual interest and positively contribute to the local urban form. The reduction in the height of the building within the western section of the site would ensure that the development would be proportionate and appropriately related to neighbouring 2- storey housing. The proposed materials and composition of the elevational design would also be positively related to the character of the local area. Chapter 12 would thereby be positively responded to.

- vi. Chapter 14: Meeting the challenge of climate change, flooding and coastal change - States that new development should:
 - a. Avoid increased vulnerability to the range of impacts arising from climate change;
 - b. Help to reduce greenhouse gas emissions, such as through its location, orientation and design (paragraph 150).

It further states that all plans should apply a sequential, risk-based approach to the location of development - taking into account the current and future impacts of climate change to avoid where possible, flood risk to people and property (paragraph 157).

It is considered that the site responds positively to chapter 14, through the incorporation of design techniques that reduce the potential for carbon emissions and measures to managed surface water drainage and capable of being finalised through conditions. Opportunities for landscaping and tree planting would also add to the reduction of carbon emissions. It is considered that chapter 14 would thereby be accorded with.

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

- i. Consultation and pre-decision matters - The PPG reasserts that local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. All necessary local consultation has been undertaken along the posting of site notices and press advertisement;
- ii. Design - Good quality design is an integral part of sustainable development. It is considered that the development presents a contemporary building with a configuration that balances the functional requirements of the proposed mix of

uses within a coherent and cohesive design. The above objectives would thereby be accorded with.

- iii. Flood Risk Planning and Flood Risk - The potential for increase flood risk has been appropriately assessed and necessary conditions attached to secure satisfactory drainage.
- iv. Health and well-being - States those local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in planning decision making. In this case the development would provide a high quality of design that would positively benefit the appearance of the area.
- v. Air quality - The PPG states the relevance of air quality to a planning decision will be dependent upon the proposed development and its location. Consideration should be given to the likelihood that the development would:
 - a. Significantly affect traffic in the immediate vicinity of the proposed development site or further afield;
 - b. Introduce new point sources of air pollution;
 - c. Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor air quality;
 - d. Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations;
 - e. Affect biodiversity.

It states that where necessary, mitigation measures should be specifically related to the location of the development and be proportionate to the likely impact. An air quality assessment has been provided, which demonstrates that the development would not unduly affect existing air quality during its construction or operational phase. The inclusion to electric vehicle charging points would also help to management future vehicle emissions.

- vi. Land affected by contamination - States that the contaminated land regime under Part 2A of the Environmental Protection Act 1990 provides a risk based approach to the identification and remediation of land where contamination poses an unacceptable risk to human health or the environment. The application has been accompanied with a ground condition survey and it is considered that identified land contamination issues will be addressed through details required by condition.
- vii. Noise - Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. The PPG sets out the potential approaches to responding to noise and appropriate mitigation, which have been applied in the consideration of the proposed development. The development has been accompanied with an acoustic report and it is considered that identified noise impacts can be attenuated through the detailed design of the development and related to the development by condition.
- vii. Travel plans and traffic / transport assessments - The PPG has been considered in respect of the traffic and highways issues presented by the

development and potential measures to secure a reduction in reliance on private car usage. It is considered that the local highway network can accommodate the additional traffic generated by the development. However, positive benefits would be gained through the recommended conditions relating to the adoption and implementation of the travel plans in relation to the residential and Class E uses.

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

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles)

Policy SP1 specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

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

It is considered that the proposed development would contribute positively to the formation of a sustainable community, which would be beneficial to the quality of the living environment experienced by existing and future residents. This would be achieved through the development of a high quality and sustainable design that would respond to the on-going need for housing in the local area and add vibrancy to its character. The development would improve the local retail offer and provide employment opportunities at the construction phase (through a local labour agreement) and through the on-going operation of the ground floor units. Policy SP1 would therefore be positively responded to.

Policy C 1 (Centre Hierarchy)

Policy C1 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. In order to maintain the vitality and viability of its centres, provide services as locally as possible and minimise the need to travel by car Manchester's centre hierarchy is:

- i. Manchester City Centre;
- ii. District Centres;
- iii. 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. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. It also states that these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres. It is considered that the development would support these objectives through its positive contribution to Levenshulme District Centre.

Policy C2 (District Centres)

Policy C2 states that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. The delivery of this floor space should respect the network of centres across the City and in neighbouring districts. Development within this overall capacity which has the potential to impact on the current or future vitality and viability of other centres in Manchester or other districts will only be acceptable if there is no prospect of the affected centres accommodating growth themselves.

The following relevant objective policy C2 have been identified:

- i. Prioritise delivery of key 'visitor' services and states that retailing should be the principal use in Primary Shopping Areas and to ensure that provision is made in district centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres;
- ii. Promote the development of employment which provides opportunities for local people;
- iii. Promote the efficient use of land, including the re-use and regeneration of land and premises;
- iv. Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function;
- v. Remedy deficiencies in access to facilities;
- vi. Ensure new development respects and enhances the character of existing centres and delivers improvements to the quality and accessibility of the centre;
- vii. Assessment of the impact of development on the local environment.

It is the case the development would bring a vacant site with limited amenity value back into active use. Levenshulme District Centre has enjoyed a recent uplift in vacant units being returned to active use. It is considered that the development would contribute to this process by enhancing the range of local retail provision. The development would contribute to the local economy, particularly in relation to local employment provision. The development would therefore be appropriately related to policy C2.

Policy C6 (South Manchester District Centres - Chorlton, Didsbury, Fallowfield, Levenshulme and Withington)

Policy C6 states that across the area there is capacity for both further convenience and comparison retailing floorspace. The need for the promotion of enhanced in Levenshulme has been identified and is responded to by the development, along with its contribution to the character of the centre, including a range of unit sizes, provision for convenience development and environmental improvements. It is considered that the development would accord with policy C6.

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN 1 states that opportunities for good design to enhance the overall image of the City should be fully realised to reinforce and enhance the local character and context of the development site. In this case, it is considered that the composition of the development would be appropriately related to Stockport Road with an appropriate transition in height achieved to secure a satisfactory interface with neighbouring 2-storey housing. The development would be related to the coherent use of materials that also reflect the character of surrounding context. It is therefore considered that policy EN1 would be accorded with.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)

Policy EN4 has been related to the assessment of the submitted statement detailing measures to reduce CO2 emissions and to secure energy efficiency. The development has been related to 'fabric-led' design approach that would accord with the principles of the energy hierarchy in line within policy EN 4, which is considered that, due to the proposed high quality of energy efficient design, the development would deliver effective measures to reduce carbon emissions that respond to the physical constraints of the site and magnitude of development. On this basis, policy EN4 would be accorded with.

Policy EN 8 (Adaptation to Climate Change)

Policy EN8 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. In this case of this application reference has been given to the adaptability of the development to climate change with reference to:

- i. Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rainwater permeability;

- ii. The need to control overheating of buildings through passive design;
- iii. The opportunity to provide linked and diverse green space to enhance natural habitats, which will assist species adaptation.

Policy EN8 has been related to the proposed sustainable design of the proposed apartments and appropriate drainage management. As stated, the development has been related to a satisfactory environmental statement that demonstrates measures to reduce carbon emissions. Opportunities for landscaping and biodiversity enhancement would be realised as part of the development. Policy EN8 would thereby be complied with.

Policy EN9 (Green Infrastructure)

Policy EN9 states that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies, the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Policy EN9 has been related to the character, use and quality of the existing green space and the local provision of open and formalised recreational space. It is not considered that the site contributes to localised open space provision. The site retains hard surfacing and has been secured with hoardings for a number of years, whilst awaiting development. Furthermore, the site is within walking distance of Crowcroft Park and Rushford Park playing pitches are located beyond the railway line to the west of the site. It is therefore considered that the potential occupants of the apartments would have access to recreational open space and the development would be suitably related to policy EN9.

Policy EN 10 (Safeguarding Open Space, Sport and Recreation Facilities)

Policy EN10 states that the Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces. The principle and development of the application site was established by extant planning permission ref: 117411/FO/2017, following an assessment of existing open and recreational space, which remains in place. As stated, the site boundaries have been enclosed by fencing and there is no evidence of its use for recreation or play. The development would not, therefore, impact on local provision and policy EN10 would thereby be complied with.

Policy EN 14 (Flood Risk)

Policy EN 14 states that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The submitted details and characteristics of the development have been assessed and it is considered that

additional requirements for the provision of sustainable drainage and its management can be addressed through condition. On this basis, it is considered that policy EN14 can be complied with.

Policy EN15 (Biodiversity and Geological Conservation)

Policy EN15 states, amongst other things, that the developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate. Policy EN15 has been related to the assessment of the ecological evaluation of the site and the details of the ecology report. A condition has been included to ensure the provision of bat and bird boxes and native tree planting provision that would benefit wildlife. Policy EN15 would therefore be complied with.

Policy EN 16 (Air Quality)

An air quality assessment has been submitted and assessed. It is accepted that impacts on air quality would be mainly related to the construction stage. Impacts during the operational stage would be limited to residential and service vehicle movement without significant impact on local air quality. A pre-occupation condition relating to the proposed apartments relating to the installation of electric vehicle charging points has been recommended. It is considered that these measures would help to maintain and / or improve future localised air quality pursuant to policy EN16.

Policy EN18 (Contaminated Land and Ground Stability)

Policy EN18 states that any proposal for development of contaminated land must be accompanied by a health risk assessment. This application has been accompanied by a Desk Study and Geo-Environmental Assessment, which has been assessed by the Contaminated Land Section whose recommendations have indicated that identified issues are capable of resolution through the recommended contaminated land condition thereby securing compliance with policy EN18.

Policy EN19 (Waste)

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

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

Policy EN19 has been related to the proposed waste management arrangements, which are acceptable in terms of capacity, with issues relating to the transfer of waste containers to collection points addressed through condition. Policy EN19 would thereby be complied with.

Policy H1 (Overall Housing Provision)

Policy H1 relates to the City Council strategy for the delivery of new housing between March 2009 and March 2027. The proposed development responds positively to policy H1 by:

- i. Contributing to the creation of mixed communities by providing house types to meet the needs of a diverse and growing Manchester population, including elderly people, disabled people and people with specific support requirements;
- ii. Supporting growth on previously developed sites in sustainable locations and which takes into account the availability of developable sites in these areas;
- iii. Ensuring that the design and density of development contributes to the character of the local area;
- iv. Making appropriate provision for parking cars and appropriate levels of sound insulation;
- v. Being designed to give privacy to both its residents and neighbours.

It is considered that the development would be positively related to the quality and supply of the housing stock in the local area and would thereby accord with policy H1.

Policy H 5 (Central Manchester)

States that Central Manchester, over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. It states that high density housing will be permitted within Longsight District Centre as part of mixed-use schemes.

Policy H 6 (South Manchester) - States that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres including Levenshulme, as part of mixed-use schemes.

Policies H5 and H6 have been referenced given the proximity of the site to Longsight and Levenshulme District Centres. It is considered that the development would improve the delivery and quality of local housing and thereby responding positively to both policies

Policy H 8 (Affordable Housing)

Policy H8 sets the requirements for affordable housing or an equivalent financial contribution. It is relevant in this case as development would exceed the 15 or more threshold for affordable housing provision. Policy H8 requires that developers use a 20 % target for the incorporation of affordable housing. As stated, its has been direct affordable housing contribution would not be viable in his case However, The development would be related to a s.106 Agreement that will require a future contribute toward affordable housing should the performance of the development deliver sufficient added value following its implementation. It is considered that this approach would secure compliance with policy H8.

Policy H11 (Houses in Multiple Occupation)

Policy H11 has been related to a condition to ensure that the proposed duplex apartments are maintained as single occupancy accommodation and to prevent future occupation as small-scale houses in multiple occupation (Class C4) proposed housing is retained as Class C3 accommodation. This accords with the requirement of policy H11, which aims to secure a sustainable supply of family housing and maintaining an appropriate mix housing type and tenure.

Policy T1 (Sustainable transport)

Policy T1 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. In this case, the development would be supported 22 car parking spaces and storage for 43 cycles for use by residents. This provision is acceptable in such a sustainable location. This provision would be supplemented with travel plans to be related to the residential and Class E uses and delivered by conditions. On this basis, it is considered that the development responds positively to policy T1.

Policy T2 (Accessible areas of opportunity and need)

Policy T2 states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the regional centre and to ensure good national and international connections; is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. The sustainable location of the application site, in terms of access to public transport and proximity to services within local centres would ensure that the development would be suitably related to the specified objectives of policy T2.

Policy DM1 (Development Management)

Policy DM1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

It is considered that the above assessment demonstrates how the development would accord with policy DM1 points a - h (inclusively). It is considered that the impact of the development on residential amenity would be suitably mitigated and managed through the details of the application and related conditions. Policy DM1 would therefore be accorded with.

Unitary Development Plan (Saved UDP) Policies -The following Unitary Development Plan saved policies are relevant to the assessment of the development:

Part 1

E3.3 (Environmental Improvement and Protection)

States that all development in Manchester should meet high standards of urban design and opportunities for good design, which enhance the overall image of the City should be fully realised, particularly along major radial roads, such as Stockport Road. In this case it is considered that the applicant has positively responded to the requirements of policy E3.3. by presenting a quality contemporary design that positively responds to the composition of the streetscene and Stockport Road as a major route to and from the city centre and through Levenshulme District Centre.

Policy S1.2 (Shopping)

States that, the Council in partnership with the private sector will encourage, the appropriate improvement and re-development of existing district centres to ensure that they remain the focus for both shopping and a full range of community facilities. Policy S1.2 identifies Levenshulme as a centre that would benefit from improvement to safety, enhanced environmental quality, measure to address traffic problems and increased economic viability. It considered that the operation of the site is capable of being appropriately managed in relation to traffic generation, servicing and security. The quality of the design of the development and its contribution the retail offer and local housing market would accord with these objectives of policy S1.2.

Part 2

Policy DC7 (New Housing Development)

Policy DC7.1 states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. Policy DC7 also requires that a satisfactory quality of development is achieved. In this case the layout of the proposed houses and the quality of design would accord with residential quality guidance. It is also considered that satisfactory access for people with disabilities would be achieved and policy DC7.1 would thereby be complied with.

Policy DC26 (Development and noise)

The following elements of policy DC26 are considered to be relevant:

Policy DC26.1 has been related to the proposals contribution to the local noise environment and how existing noise sources, including noise from neighbouring industrial / commercial uses, may impact on the proposed housing.

Policy DC26.4 requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily. This particularly relevant given the potential noise generated along Stockport Road and by the nearby railway line.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to minimise the impact of noise on future residents, including the incorporation of noise insulation.

The development has been accompanied with noise survey that indicates that the detailed design would secure appropriate attenuation from noise relating to the surrounding environment, traffic and between the proposed uses. Although ground floor Class E uses are not yet known a condition has been recommended in relation to any future equipment in support of these uses included the provision of noise attenuation. It is considered that issues relating to noise attenuation can be addressed to secure accordance with policy DC26.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

The following paragraphs are of relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. It is considered that these design principles have been incorporated into the development, would uplift the quality of local urban form and relate appropriately to the constraints of the site and its context. An appropriate density of development would be achieved.
- ii. Section 3 Accessibility - The development achieves satisfactory arrangements for inclusive access to the proposed commercial units and apartment houses, including level access to external door thresholds and internal circulation space.
- iii. Section 4 Environmental Standards - Identifies the need to ensure that development is environmentally sustainable and designed to reduce carbon emissions. In response the development has been related to an environmental standards statement that demonstrates that the above objective would be accorded with. The development would also be supported with appropriate arrangements for the storage of segregated waste and recycling.

- iv. Section 7 Housing Density and Mix - States that the composition of the residential development has been assessed to determine if the development positively contributes to the range of housing choices and assists the sustainability of these neighbourhoods. It is considered that the development responds positively to these objectives through its contribution to the quality and a diversity in housing supply.
- v. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout and the measures to be implemented to secure accordance with the CIS.

Providing for Housing Choice Supplementary Planning Document (SPD) and Planning Guidance (adopted 2nd September 2008) - This document provides planning guidance about the mix of new housing provision required in Manchester to meet the requirements of the City's planning policies and government guidance about planning policies for housing provision, The City Council is committed to establishing a strategy for affordable housing provision in Manchester. It is important that everyone living in Manchester has the opportunity of a decent, affordable and accessible home and that the range of available housing both supports the City's economic growth and develops and sustains neighbourhoods, attracting families and workers.

In this case, the proposed development would be exceed the 15 unit threshold for the provision of affordable housing. In this case the applicant has indicated that the proposed apartment would be sold on the opens market. As previously discussed, an exception for an affordable housing contribution has been demonstrated, However, arrangements will be put in place for the future re-appraisal of the financial performance of the development to determine the appropriateness of a future affordable housing contribution are been set out in this report. In these circumstances it is consider that the above guidance would be accorded with.

Manchester Residential Quality Guidance (MRQG) - Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live. It also seeks to raise the quality of life across Manchester. It was approved by the Executive at its meeting on 14 December 2016 and maintains that the delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need incorporate the most appropriate and up to date technologies to significantly reduce emissions. The guidance is therefore relevant to all stages of the development process, including construction and operational management. It is considered that the proposed apartment layout would achieve and, in some instances, exceed the criteria for internal space as set out in the guidance. The quality of the design and layout of the development and quality of design would positively contribute to the character of the local area, encourage sustained long term occupation and thereby secure compliance with the MRQG.

Manchester's Great Outdoors - A Green and Blue Infrastructure Strategy for Manchester (GI) (2015 -25) adopted July 2015 - The strategy sets out a framework to guide the maintenance of and access to green space and blue space, i.e. waterways, canals and rivers etc., within the city. The strategy builds on the investment to date in the city's green infrastructure (GI) and the understanding of its importance in helping to create a successful city. In this case, the principle of redeveloping the site has been established through extant planning permission ref: 117411/FO/2017. Notwithstanding the above, it is not considered the development would undermine existing open space provision as the use of the site for recreational purposes does not appear to be historically established. It is not considered that the development would undermine to the objectives of the above strategy.

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 with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers engaged in pre-application discussions with the applicant's agent and thereby established the parameters of the development and identified pertinent material considerations. These discussions informed the subsequently submitted planning application. Further discussions were undertaken during the consideration of the development in relation to the outcome of neighbour and statutory consultation. Consideration was given to the relationship of the development to neighbouring residential uses and Levenshulme District Centre. The viability of providing an affordable housing contribution was discussed alongside potential arrangements for a related legal agreement to facilitate a future reconciliation appraisal. These discussions resulted in the submission of further details that have enabled the full and appropriate consideration of the that the proposed development.

Principle of the development – The principle of a mixed retail, commercial development was established by extant planning permission ref: 117411/FO/2017. The proposed development would meet the policy objective of securing a new use for a brownfield site and contributing towards the supply and diversity of housing with significant regeneration benefits. The provision of Class E units that would be appropriately related to the district centre and its retail and commercial offer. The height, scale and massing of neighbouring buildings and would provide a quality of elevational design to secure a positive contribution Stockport Road as a city centre radial route. The composition of the proposed building, its height and window design would secure appropriate relationships to neighbouring housing, including 2-storey houses on Siddall Street and Pennington Street. The proposed development responds positively to Council policy and NPPF guidance relating the mix of uses within district centres, including encourage residential development on appropriate sites. This includes the introduction of new residential development, which can play an important role in ensuring the vitality of centres on appropriate sites. The development is in a sustainable location that would facilitate access to local services

without reliance on private car usage. The development also benefits from access to public transport and incorporates measures to encourage cycling. Notwithstanding the above, a level of proportionate car parking has been included that would be supported with electric vehicle charging to offset the related environmental impact. Appropriate servicing arrangements would be provided as part of the development, including segregated waste and recycling storage in relation to the respective Class E and residential uses. The separation of retail and residential uses and public and private spaces would be satisfactorily achieved. The operation of the development would be satisfactorily managed through the recommended conditions, including noise insulation, opening and servicing hours and restrictions to the uses that may be under undertaken under Class E. The principle of the development is therefore considered to be acceptable.

Notwithstanding the above, it is recommended that Members be minded to approve the development subject to a s.106 Agreement to secure a future reconciliation re-appraisal to determine if the delivered development should be related to an affordable housing contribution.

Affordable housing and s.106 Agreement to secure future reconciliation re-appraisal

- The applicant has indicated that the proposed apartments would be sold on the open market. A viability report has been submitted and independently assessed to confirm that the development would not support a contribution towards affordable housing. Notwithstanding the above the applicant has been advised that, in accordance with current policy, the development would need to be linked to a s.106 agreement to facilitate a reconciliation appraisal based on its actual performance, i.e., to determine whether the development has accrued added value that would facilitate a contribution towards affordable housing. These arrangements are now attached to all permissions where developers seek exemption to 20% affordable homes requirement through financial viability. It is therefore recommended that the development be related to a s.106 Agreement relating to a reconciliation appraisal and review of an affordable housing contribution related to the implementation of the development.

Magnitude of development – The development has, in part, been informed by planning permission ref: 117411/FO/2017, which involved the presentation of a 4-storey building to Stockport Road. However, the application has demonstrated that the proposed magnitude of the development is required to ensure the delivery of a scheme that would secure a high quality of urban design, a mix of apartment that accord with the MRQG and secure enhanced features, including a through floor lift. In so doing, the potential of securing the sustained occupation of the development has been greatly enhanced. It is also considered that the design of the roofscape has appropriately responded to the changing building heights within the neighbouring street scene. The impact of the building height and proportions would be relieved by the formation of spaces across and within the site, when viewed from Siddall Street and Swallow Street. The proposed magnitude of development is therefore considered to be acceptable.

Siting – The Stockport Road (eastern) elevation would be appropriately related to the alignment of neighbouring properties at 784-786 Stockport Road and 808 Stockport Road. The formation of pre-dominantly recessed and fully glazed

shopfronts would distinguish and demarcate the Class E uses from the residential component of the development. The glazing would also act as a plinth to the main body of the building aiding its definition and presence within the streetscene. The presentation of new built form, incorporating habitable room windows and terraces, would introduce a new relationship to existing apartments on the southern side of Pennington Street. There is some concern that the interface between existing and proposed habitable windows may result in overlooking or otherwise be harmful to residential amenity. As distances of 8.6 metres and 9.2 metres would be maintained between these elevations, it is considered that these concerns can be addressed through a condition requiring the submission of details to secure the inclusion of appropriately positioned oriel or single aspect windows. The development presented to Siddall Street would project beyond the building line formed by 10 – 44 Pennington Street. However, it is considered that this building line defines a section of Pennington street, that terminates in response to the configuration of the street pattern and the juxtaposition of the junction with Siddall Street. These circumstances facilitate the transition from 2-storey houses to new built form of more substantial height. This is achieved by relating the descending height of the development to the gable elevations of existing terraced houses. The arrangement of windows in the western elevation of the building have been related to the gable elevation of 10 Pennington Street with other habitable room windows related to the courtyard. The applicant has indicated the view from roof terraces and balconies would overlook rooftops to the south and west of the site. A distance of 34 metres would be maintained across the courtyard from the eastern apartment elevation to the nearest gable elevation at 7 Swallow Street. Oriel windows would be incorporated in the southern elevation of apartments adjacent to the courtyard to avoid overlooking of adjacent apartment windows. The positioning of pedestrian and vehicular access points would be acceptable. It is considered that subject to the resolution of issues concerning apartment windows in the southern elevation to the siting of the development would be acceptable.

Height, scale and massing – Planning permission ref: 117411/FO/2017 established the principle of a four storey building with the application site. The impact of the formation of a fifth floor would achieve an acceptable addition to the composition of the proposed building. The fifth floor ‘footplate’ would be limited and set back from the eaves of the main roof thereby reducing its impact when viewed from neighbouring streets. The neighbouring context has some height, including the immediately neighbouring junction of Stockport Road and Pennington Street and also the junction of Swallow Street and Siddall Street. The development would be viewed, in part, in relation to these architectural reference points. Whilst acknowledging the development to the north of the application site is two storey, it is considered that the height of the building would add variance and visual interest to the streetscene. The massing of the Stockport Road elevation has been satisfactorily expressed through the articulation incorporated into the elevations and roofscape, including the depth of reveals to recessed bays and windows and use of contrasting materials. This approach has been applied coherently and consistently applied throughout the development. An appropriate relationship to two storey housing would be achieved through a graduated reduction in height. This approach, alongside appropriate application of articulation and materials, would secure a satisfactory transition in height between the development and two storey houses on Pennington Street. It is considered that the development would be a proportionate addition to the

streetscape and its proposed height would be suitability related to the context of the site.

Permitted Upward extensions – A condition has been recommended to remove permitted development right that would otherwise potentially allow the erection of additional rooftop extensions. This condition is considered to be necessary to maintain satisfactory relationships to the neighbouring residential uses and the streetscene, in terms of the height and proportions of the development.

Daylight, sunlight and overshadowing assessment – The submitted assessment has been related to and informed by Building research Establishment (BRE) guidelines and criteria. It has considered the potential for neighbouring to be sensitive receptors, in terms of daylight, sunlight and overshadowing issues. The potentially affected properties have been identified as: the upper floor accommodation at 1-3 Pennington Street, 41-43 Pennington Street (to the south of the site) and 10 Pennington Street and 7 Swallow Street (to the west of the site). The two commercial buildings fronting Swallow Street situated to the north of the site are not considered to be sensitive receptors as they are not in residential use. No sensitive have been identified within buildings to the east of the site on the opposite side of Stockport Road. The preliminary assessment undertaken indicates that any impact from the proposed development to the upper floor accommodation at 1-3 Pennington Street and 41-43 Pennington Street would be negligible when considered against the baseline position related to existing circumstances and informed by BRE criteria and guidance. It is therefore considered that there will not be any significant additional adverse daylight, sunlight or overshadowing issues that may affect the identified properties as a result of the development. Any additional overshadowing generated by the proposed building would 'almost entirely to the surface car park area forming part of the development. The development would not appear to have an unduly harmful effect the existing circumstances regarding daylight, sunlight and overshadowing issues. The applicant has provided a series of time 'lapsed' drawings relating daylight / sunlight movement throughout the following time and seasonal periods:

March 21 – per hour: 7.00 am to 6.00 pm;
 June 21 – per hour: 5.00 am to 7.00 pm;
 December 21 – per hour 9.00 to 3.00 pm.

On the basis of the submitted details, the overshadowing impacts would be limited to previously identifies properties with harm being minor and transient and thereby acceptable.

Design – In this case, it is considered that additional height to Stockport Road would positively contribute to the quality and appearance of the streetscene and the graduated reduction in height of the building would ensure an appropriate relation to neighbouring housing. The elevational treatment involving contemporary window design and the bold formation of bays and recesses would give the building a distinctive character. These details along with variations in building height would ensure that the formation of brickwork would not be overly expansive. Notwithstanding the above, the proposed materials have been informed by and appropriately related to the development in the surrounding area. The formation of

floor to ceiling in the ground floor windows would relieve the solidity of the upper floor elevations and give a sense of coherence across the ground floor Class E units. It is therefore considered that the proposed design accords with policy EN1.

Accessibility – All external entrances to the retail units, apartment and duplex apartments accessed via Pennington Street, rear car park and residents roof terraces would achieve level or ramped access and egress from the street or external ground level. The apartment reception areas would provide access to a communal stairwell and a lift that would provide access to all floors and suitably wide internal corridors. Within the apartment building appropriately wide door openings, level thresholds and circulation spaces would be formed. The proposed duplex apartment would incorporate a ground floor bedroom and bathroom with dimensions of 2.1 metres x 2 metres. The layout of the duplex apartments thereby present opportunities for future adaptation to meet to needs of future residents with mobility disabilities. Two accessible parking bays located in the external courtyard in satisfactory proximity to the access to the lift / stairwell core. It is considered that these arrangements would ensure that arrangements for inclusive access would be provided.

Future use of the development – A condition is recommended to ensure that the proposed duplex apartments are maintained as single occupancy accommodation and to prevent future occupation as small-scale houses in multiple occupation (Class C4) proposed housing is retained as Class C3 accommodation. This approach would ensure that the development contributes to a sustainable supply of family housing and appropriate mix housing type and tenure. Class E comprises of a multitude of uses, including restaurant uses. Given the proximity of upper floor apartments and the configuration of related windows, it is not considered that restaurant uses that may require substantial fume extraction equipment and other external plant would be appropriate. A condition is recommended limiting the permissible issues within Class E to retail and financial and professional services.

Residential amenity – The proposed development would provide a high residential accommodation that would incorporate the formation of amenity space through the formation of balcony areas and rooftop terraces. These amenity spaces have been designed to avoid direct overlooking of neighbouring houses and apartments. It is considered that a design solution can be brought forward that would ensure that appropriate windows can be incorporated into the southern elevation without harming the composition of the proposed building. Conditions would ensure that the operation of the proposed Class E uses would be undertaken without undue harm to existing or new residents, including the arrangements for servicing. On balance, it is considered that the impact on residential amenity would be predictable and manageable.

Residential space standards – The internal space achieve within the proposed apartments has been assessed with reference the criteria set out within the MRQG. The development would deliver 37 apartments that would achieve or exceed to the criteria for one bedroom, 2 person apartments and two bedroom, 3 person apartments.

Impact on local open space provision – The impact of the development on open and recreational spaces was assessed as part of the consideration of planning permission ref: 117411/FO/2017. The local circumstances have not significantly changed since the previous planning permission. It is therefore considered that, although the site has been grassed areas, it retains the characteristics of a previously developed land, including areas of hard surfacing and impacted gravel. It is not apparent the site has been used for informal recreational purposes and has not been laid out as a sports pitch. It is therefore not considered that the site contributes to local open space and its loss would not have a harmful impact on the supply of recreational provision. GMEU has confirmed that the site has very limited ecological values with self-seeded trees and overgrown grass and vegetation being the only noted features. The condition of the site and its enclosure with fencing undermines the appearance of the streetscene and any subsequent contribution to the local environment. The site is within walking distance of Crowcroft Park. Rushford Park playing pitches are located beyond the railway line to the west of the site. There is also an area of grassed open space bounded by Pennington Street, the railway line and Park Grove. Future residents would thereby have access to recreational open spaces. The loss of the open space would also be offset by the positive contribution of the development to local regeneration.

Crime and Security – It is considered that the development would achieve satisfactory natural surveillance in the relation to the overlooking of the rear car parking and servicing areas. Appropriate boundary treatment would secure satisfactory demarcation of public and private space. It is also considered that, by limiting servicing to the gates to the side boundary gates adjacent to Swallow Street, the appropriate and secure management of the courtyard would be achieved. A condition has been included to ensure that the development is related to the physical security measures set out in the submitted crime impact statement. The development would thereby achieve measures to reduce to risk of crime and the management of the on-going security of the site.

Boundary treatment – The boundary treatment would involve to the fomentation of low walls and railings and would be applied to the site perimeter securing the residential and courtyard boundaries to Pennington Street, Siddall Street and Swallow street. The railing detail would also be applied to upper floors terraces. The proposed boundary treatments would allow the formation of shallow gardens area to Pennington Street and satisfactory demarcation of the public and private realm.

Reducing carbon emissions and sustainable design – The applicant has submitted an environmental standards and energy statement. It sets out the environmental performance of the development, which has been assessed with reference to national and local policies. The statement seeks to positively respond the Council's climate emergency declaration to ensure:

- i. The impact on climate change would be minimised through a standard of proposed design informed by an enhanced 'fabric led' design and construction standards that would deliver an energy efficient building;
- ii. The development would be 'inherently efficient and cost-effective', which would be related to the decarbonisation of the national electricity grid and the

- implementation of a full electric heating strategy as part of the development to facilitate a 'near-zero' or zero carbon scheme;
- iii. Improvements beyond current building regulation standards relating to energy conservation;
 - iv. The incorporation of: photovoltaic panels to provide on-site renewable energy generation and heating and cooling for all non-domestic areas related to incorporate efficiency heat pumps supplying within the scheme.
 - vi. The proposed retail units would be designed in accordance with the BREEAM criteria and achieve the required 'Very Good' rating, in accordance with 'good practice' for new non-domestic buildings;
 - vii. Water management for the development that would align with the regulatory standards for calculated daily consumption;
 - viii. The incorporation of a Sustainable Drainage Systems (SuDS) and measures to limit surface water runoff commensurate with the location of the site within Flood Zone 1. The drainage strategy will also be designed to withstand a 1 in a 100-year storm event plus a 30% allowance for climate change;
 - ix. Waste arising during construction and occupation/operation will be minimised. The development would be related to a site waste / recycling plan would be related to the construction and operational phase of the development;
 - x. Landscaping would enhance the development and encroach biodiversity;
 - xi. Materials would be sourced and supplied to minimise environment impact;
 - xii. The sustainability of the site is maximised through its access to public transport and measures to encourage cycling and walking.

It is considered that the proposed arrangements respond positively to the climate change emergency and would deliver an effective methodology for achieving a satisfactory reduction in carbon emissions. The implementation of the above measures is related to the development by condition.

Car parking and highways issues – The applicant has been accompanied with a Transport Assessment that identifies a marginal increase in vehicle movements associated with the development, i.e., one additional vehicle movement every six minutes during the peak hours. These findings have been assessed and accepted by Highways. The development is supported with on-site car parking provision for 22 vehicles. The applicant has indicated that up to 9 car parking spaces for residents may be potentially provided at a nearby off-site location. However, it is considered this additional parking would not be required as satisfactory number of on-site car parking spaces would be provided as part of the development. The site is in a sustainable location in relation to access to public transportation and its relationship Levenshulme District Centre. The development would also be supported with 43 cycle spaces, i.e., 110% residents' cycle parking provision, which would be satisfactory. A cycle rack has been provide in relation to the proposed Class E uses. The characteristics of the site location and the provision of cycle storage gives confidence that the development could be related to travel plan conditions relating to the respective residential and Class E uses. The layout of the car parking and servicing area is acceptable to highways and its future management, including the undertaking of servicing, is related to a recommended condition. The proposed arrangements for servicing (via Swallow Street) and access to car parking would not impact of the operation of the adjacent quality bus corridor. The development would be supported with a servicing bay to be located on Swallow Street and Highways

have confirmed that the precise location and specification can be addressed through an off-site highways condition. It is considered that traffic generated by the development would be predictable, manageable and reflective of the characteristics of Levenshulme District Centre. The resulting impact would thereby be acceptable.

Travel Plan – The applicant has included a travel plan framework in relation to the occupation of the proposed apartments. The sustainable location of the site, its accessibility on foot and via public transport and the provision of cycle storage would give confidence regarding effective delivery of travel plans in relation to the occupation of the apartments. However, in order to maximise an overall reduction in private car usage a separate travel plan condition has been related to staff to be employed within the ground floor Class E units. It is recommended that the development be conditioned accordingly.

Off-site highways works - A condition has been included to ensure that all necessary works to the adjacent highways that are related to the development are undertaken prior to the occupation of the development.

Electric vehicle (EV) charging points – The applicant has reviewed the proposed provision and confirmed that 4 EV charging points would be provided. A condition has been recommended to ensure that these charging points are installed before the occupation of the apartments, achieve an output of 7kw/H and are subsequently maintained in situ.

Cycle storage – Proposed residential cycle storage area would be located within the building and would exceed 100% provision for residents' use. The development would provide a single cycle rack for Class E staff. This limited Class E cycle storage would be related to constraints on available space within in the courtyard, which would also accommodate car parking, an external waste enclosure and circulation routes. Given the narrowness of the forecourts to be formed the provisions of cycle storage for staff and customers would not appear to be viable. On balance, the arrangements for cycle storage would be satisfactory.

Construction Management Plan (CMP) - Given the relationship of the site to neighbouring houses, it is considered that the undertaking of construction will need to be appropriately managed. A satisfactory CMP has been submitted and is related to the development by condition.

Waste management – Within each apartment, a 5 litre food caddy and compostable bags would be provided. The applicant has indicated that the residential waste storage enclosure would comprise eight (1,100 litre) Eurobins for segregated waste and recycling (3 no. general waste, 2 no pulpable material (including paper and card), 2 no mixed recycling and 1 no organic (food)). The enclosure for the eight commercial / retail units would incorporate six Eurobins. The proposed arrangements for waste management and recycling storage would be acceptable, i.e., residential storage within an internal room and Class E storage in an external enclosure. Notwithstanding the above, a condition has been recommended to ensure the approval and implementation of agreed details relating to the appearance of external bin storage enclosures.

Noise – The development has been related to a noise assessment that relates the potential impact of the development on the existing noise climate and future residential occupation. The assessment identifies Stockport Road (A6) as the predominant noise source affecting the development along with occasional trains traveling along the railway to the west. To address these impacts a comprehensive glazing and ventilation strategy has been proposed to appropriate standards in relation to new apartments with the development. It is recommended that the development be conditioned accordingly. The use of the car parking area would have some noise impacts on the neighbouring residents but given the previously discussed number of vehicle movements associated with the development would be limited and reflective of the characteristics of the area. The future occupants of the ground floor Class E has still to be determined. However, a condition has been related to the ground floor uses to restrict future opening and servicing hours. A separate condition relating to the submission of any details relating to the submission of approval of any required external plant and equipment that might be required in support of the Class E units has been recommended. It is considered that this approach would ensure that the noise attributable to the development would be predictable, manageable and within the margins of acceptability.

Ground floor opening and servicing hours – In order to safeguard the amenities of existing neighbouring residents and the future occupants of apartments within the development, it is recommended that the following operating hours be conditioned in relation to the ground floor Class E uses:

i. Opening hours (as conditioned to planning permission 117411/FO/2017:

Monday to Sunday (including Bank Holidays) - 8.00 am and 10.00 pm.

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

Monday to Saturday: 7.30 am to 8.00 pm

Sunday and Bank Holidays - No deliveries/waste collections.

External equipment – As stated, although ground floor Class E uses are not yet known a condition has been recommended in relation to any future equipment in support of these uses included the provision of noise attenuation.

Air quality – The site is partially located within the Greater Manchester Air Quality Management Area. Given the location and magnitude of the development. It has been related to an air quality assessment that sets out the potential and indirect impacts arising from the construction and operation of the development and identifies mitigation measures to maintain air quality. An assessment of the construction phase assessment has been related to IAQM guidance and concluded that dust emission during construction would not significant. However, as a precautionary measure, a dust management plan has been proposed for the duration of this phase of development. This would be delivered through the construction management plan. An assessment of traffic emissions has been undertaken that considers the impact of related generated road traffic generation on local air quality. The assessment also maintains that the development will result in

minimal increases in pollutant concentrations. The assessment of the operation /occupation phase of the development advised that electric vehicle charging points should be provided (based on a minimum provision related to 10% of proposed apartments). A further reduction in associated vehicle emission would also be achieved through the implementation of a travel plan and the provision of 43 cycle storage spaces.

The above arrangements are acceptable subject to a condition relating to the final specification of the vehicle charging points, including a charging capacity of 7 kw/H. It is considered that the implementation of Class E and residential travel plans with reduce vehicle movement to the benefit of local air quality. It is considered that the development would not unduly affect local air quality and any potential impact can be mitigate against at both the construction and operational phase.

Land conditions - The applicant has submitted a ground condition survey that has been assessed and gives assurance that, subject to further information, issues relating to historic land contamination are capable of being addressed. A condition has been recommended to ensure that submission of additional details pertaining to the report and to ensure the implementation of an appropriate remediation strategy and all necessary mitigation works.

Flood risk and site drainage – The application site is located within Flood Zone 1 and has low risk of flooding. The applicant has been advised of the conditions requested by Flood Risk Management Team are necessary to ensure the appropriate implementation of the development. Notwithstanding the above, the applicant has confirmed that the development would incorporate sustainable drainage systems (SuDS) and flow control techniques to: limit surface water runoff and deliver a drainage strategy to withstand a 1 in a 100-year storm with a 30% allowance for climate change. On this basis, any additional risk of flooding would be responded to and satisfactory drainage achieved.

Ecology – The development has been related to an ecological assessment that the site predominantly comprises of hardstanding with minimal amounts of vegetation and little ecological and/or conservation value or potential to supported wildlife habitats. No ponds are located within 250 metres of the site with the potential to support newts, other amphibians or reptiles. The development would introduce planting and biodiversity opportunities, which would add wildlife and aesthetic value to the site. The findings of the ecological assessment are accepted by the GM Ecology Unit, including its recommendation for the provision of the following:

- i. Bat and bird boxes;
- ii. Replacement tree planting;
- iii. Incorporation of native planting species within the landscaping scheme.

A condition has been recommended to ensure that the above measures are delivered as part of the development.

Tree removal and landscaping – A tree age and condition survey that identifies that the following trees and shrubs are within the site: T1 Goat Willow; T2 Sycamore; T3 Ash and T4 Cherry Laurel. The assessment concludes that the existing trees and

shrubs are poor quality specimens with a life span of less than 10 years. The Council Arboricultural Officer has assessed the submitted survey and accepted that the removal of the existing trees is justified subject to appropriate replacement planting. The applicant has submitted details of how replacement tree planting and landscaping might be incorporated into the development. A condition has been recommended requiring the submission of a fully detailed scheme. The replacement tree applicant within this scheme would also need to incorporate native trees species and suitably enhance the appearance of the site. It is also considered that the landscaping scheme would allow the opportunity for bio-diversity enhancement to be realised. A separate condition has been included that relates the development the submitted age and condition survey and prevents removal of the trees and shrubs during bird nesting season.

Local labour agreement – The development has been accompanied with a statement setting out the mechanism for delivery employment opportunities for local people during the construction phase and in relation to the operation of the Class E components of the development. The provision local employment would potentially delivered through dialogue with Council’s Work and Skills Team and subject to the availability of suitably skilled workers in the local area. A condition has been recommended to ensure the delivery of the local labour agreement as part of the development.

TV Reception – A TV reception assessment have been submitted that concludes the proposed development would not cause disruption to the existing quality of television or radio reception. Furthermore, no interference is expected that would require mitigation measures to restore the reception of any broadcast service. A condition have been recommended that relates the development to the above findings and requires that: within one month of the practical completion of the development or at any time during the construction of the development (if request by the Council as local planning authority) an assessment of the development on television signal reception within identified survey area shall be undertaken. Following the survey and if required measures shall be identified and suitably implemented to ensure that at least the pre-existing level and quality of signal reception shall be maintained.

Broadband connectivity – A broadband connectivity assessment has been submitted that indicates that existing infrastructure and good connectivity is already available, including fibre installation along streets adjacent to the development site. The report maintains that existing service providers can furnish connections to locally installed fibre networks that provided ‘excellent download speed’. The development is therefore capable of delivery appropriate broadband connectivity and the related assessment in related to the development by condition.

Conclusion - The proposed development provides the opportunity to address a site of dereliction that adversely affect the appearance and vitality of a section of a major radial route to and from the city centre. In so doing the development would contribute positively to the regeneration within Longsight and Levenshulme district centres and its retail offer. The recommended conditions would ensure the appropriate future management of the proposed mix of uses and attain a satisfactory quality of residential accommodation. On this basis, it is considered that the development is acceptable and meets the requirements of and satisfactorily accords with Core

Strategy, Unitary Development Plan saved policies and the National Planning Policy Framework.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved 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: **Minded to Approve subject to a s.106 Agreement to secure a reconciliation re-appraisal to determine if the delivered development should be related to an affordable housing contribution.**

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. In this case, officers engaged in pre-application discussions with the applicant's agent and thereby established the parameters of the development and identified pertinent material considerations. These discussions informed the subsequently submitted planning application. Further discussions were undertaken during the consideration of the development in relation to the outcome of neighbour and statutory consultation. Consideration was given to the relationship of the development to neighbouring residential uses and Levenshulme District Centre. The viability of providing an affordable housing contribution was discussed alongside potential arrangements for a related legal agreement to facilitate a future reconciliation appraisal. These discussions resulted in the submission of further details that have enabled the full and appropriate consideration of the that the proposed development.

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 stamped as received by the City Council as local planning authority on 24 November 2020, 30 November 2020, 5 February 2021, 10 February 2021, 9 April 2021, 14 May 2021 and 21 May 2021:

Planning application forms

Proposed Ground Floor Plan Ref: 8048_L00_01 Rev. K
 Proposed First Floor Plan Ref: 8048_L00_02 Rev. G
 Proposed Second Floor Plan Ref: 8048_L00_03 Rev. G
 Proposed Third Floor Plan Ref: 8048_L00_04 Rev. G
 Proposed Fourth Floor Plan Ref: 8048_L00_05 Rev. F
 Coloured Ground Floor Ref: 8048_L00_07 Rev. F
 Coloured First Floor Ref: 8048_L00_08 Rev. F
 Coloured Second Floor Ref: 8048_L00_09 Rev. F
 Coloured Third Floor Ref: 8048_L00_10 Rev. F
 Coloured Fourth Floor Ref: 8048_L00_11 Rev. F
 CGI View 1 Ref: 8048_L00_15 Rev. B
 CGI View 2 Ref: 8048_L00_16 Rev. B
 CGI View 3 Ref: 8048_L00_17 Rev. B
 Building Elevations – Sheet 1 Ref: 8048_L00_18 Rev. D
 Building Elevations – Sheet 2 Ref: 8048_L00_19 Rev. D
 Coloured Building Elevation – Sheet 1 Ref: 8048_L00_20 Rev. C
 Coloured Building Elevation – Sheet 2 Ref: 8048_L00_21 Rev. C
 Proposed Roof Plan Ref: 8048_L00_23 Rev. C
 Coloured Roof Plan Ref: 8048_L00_24 Rev. C
 Site Location Plan Ref: 8048_L00_25 Rev. B
 CGI View 4 Ref: 8048_L00_26 Rev. A
 Boundary Treatment Plan Ref: 8048_L00_28 Rev. A
 Topographical Survey Ref: SSL: 20176:200:1:1

Supporting Planning Statement Avison Young November 2020
 Design and Access Statement Leach Rhodes Walker LRW_8048_L (00)22 Rev. A
 Viability Assessment Grasscroft September 2020
 Noise Impact Assessment Lighthouse Acoustics Ref: 0741/APR1 Rev 1
 Stockport Road Manchester Environmental Standards and Energy Statement
 Element Sustainability Ref: 2020.178
 Preliminary Risk Assessment (Land Contamination)
 Broadband Connectivity Assessment GTech Surveys Limited Issue 0.1
 Television Baseline Survey Report GTech Surveys Limited Issue 0.1
 Flood Risk Assessment and Drainage Strategy Curtins Ref:077340-CUR-00-XX-RP-C-92001 Rev. V02
 Air Quality Assessment BWB Ref: MCP2360
 Transport Statement Curtins Ref: 075364-CUR-00-XX-RP-TP-001-V01 Rev.01
 Interim Travel Plan Curtins Ref: 075364-CUR-00-XX-RP-TP-001-V01
 Crime Impact Statement GM Police Design for Security Ref:
 2020/0448/CIS/01Version A
 Local Labour Agreement Avison Young

Avison Young Letter Ref: NL/RM/04C001034 dated 6 April 2021 – Response to consultation
 Daylight, sunlight and overshadowing commentary letter from Avison Young Ref: NLK/04C001034/ajr dated 5 February 2021 and
 Avison Young Letter Ref: NLK/ajR/02C001034 dated 21 May 2021, including Transient Shadow Studies drawings
 Urban Green Ref: UG856 dated January 2021
 786 Stockport Road Preliminary Ecological Assessment Ref: BEK-20757-2 by BEK dated 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 for the City of Manchester.

3) Before the commencement of above ground construction works, samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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

4) The authorised development relates to the erection of a five storey building comprising eight ground floor Commercial, Business and Service units with maximum floorspace of 455 sq. metres (Class E) and 39 residential apartments (Class C3) above.

Reason - To safeguard the amenities of the occupiers of occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the ground floor of the premises shall be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (as amended), The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than for the operation of the authorised units as retail shops and / or the provision of financial and professional services.

Reason - To safeguard the amenities of the occupiers of occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the duplex apartments referenced as Apt.G/1.01 and Apt.G1.02 on drawings ref: Proposed Ground Floor Plan Ref: L(00)01 Rev K and Proposed First Floor Plan Ref: L(00)01 Rev G shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (as amended), The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

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

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

8) Notwithstanding the details of document referenced Supporting Planning Statement, Section 9 Construction Environmental Management Plan (CEMP) Framework and prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- i. Display of an emergency contact number;
- ii. Confirmation of construction working hours;
- iii. Details of wheel washing;
- iv. Compound locations where relevant;
- v. Location, removal and recycling of waste;
- vi. Routing strategy and swept path analysis;
- vii. Parking of construction vehicles and staff;
- viii. Sheeting over of construction vehicles.
- ix. Parking of construction vehicles and staff;

- x. Sheeting over of construction vehicles.

Development shall be carried out in accordance with the approved construction management plan upon commencement of authorised works.

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

9) The construction and operational phases of the development shall be fully implemented in accordance with document referenced. The details relating to the operational phases shall be commenced before the first occupation of the development and at all times thereafter.

Reason - In the interests of residential amenity and to contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

10) Before the occupation of the authorised apartments and notwithstanding the detail of document ref: Air Quality Assessment BWB Ref: MCP2360 and drawing ref: Proposed Ground Floor Plan Ref: 8048_L00_01 Rev. K, a drawing shall be submitted to and approved in writing by the City Council as local planning authority confirming the position of four electrical vehicle (EV) charging points as confirmed in Avison Young letter dated 6 April 2021. The EV charging points shall achieve a charging specification of 7kw/H, installed in accordance with the approved drawing before occupation of the apartments and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and to contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

11) The ground floor ground floor Commercial, Business and Service use (Class E) units shall not be open outside the following hours:

Monday to Sunday (including Bank Holidays) - 8.00 am and 10.00 pm.

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.

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

Monday to Saturday: 7.30 am to 8.00 pm

Sunday and Bank Holidays - No deliveries / waste collections.

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.

13) The authorised development shall be undertaken in accordance with the waste management strategy comprising document and drawing referenced:

Proposed Ground Floor Plan Ref: 8048_L00_01 Rev. K
 Design and Access Statement Leach Rhodes Walker LRW_8048_L (00)22 Rev. A –
 Section 13: Servicing and Refuse
 Avison Young Letter Ref: NL/RM/04C001034 dated 6 April 2021 – Response to
 consultation confirming dimensions of waste storage enclosures and collection
 arrangements.

The agreed arrangements shall be implemented in full prior to the first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

14) Before the first occupation of the retails / commercial units (Class E) details of the elevational appearance of the bin storage enclosure details as shown on drawing ref: Proposed Ground Floor Plan Ref: 8048_L00_01 Rev. K shall be submitted to and approved in writing by the City Council As local planning authority. The approved details shall be implemented in full prior to the first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

15) Before the first occupation of the development, a scheme for the management and servicing of the external areas of the site shall be submitted to and approved in writing by the City Council as local planning authority. This scheme shall include details of arrangements for: the use and operation of the car park for residential parking, presentation of bins to collection points and their return to the respective waste management enclosures and a strategy for undertaking of servicing and deliveries from Swallow Street, including times and frequency. The details of the approved scheme shall be implemented upon the first occupation of the authorised extension and shall remain in situ whilst the use or development is in operation

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1, C2, DM1, T1 and T2 of the Core Strategy for the City of Manchester.

16) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas

relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

17) a) Before the occupation of the development the details and specification of document ref: Noise Impact Assessment Lighthouse Acoustics Ref: 0741/APR1 Rev 1 shall be fully implemented.

b) Prior to first occupation of the residential units, a verification report shall be submitted to and approved in writing by the City Council as local planning authority in order to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post-completion testing to confirm that the internal noise criteria have been met.

Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

The development shall be undertaken in accordance with the agreed details at all times thereafter.

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

18) Before its installation any externally mounted equipment required to facilitate the ground floor operation of the Class E uses shall be related to a scheme to be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise from any such ancillary plant, equipment and servicing, including details of acoustic attenuation. Any externally mounted equipment installed as part of the authorised development shall be installed in accordance with the specifications of the agreed and subsequently maintained in situ.

Reason - To safeguard residential amenity by minimising the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester and saved Unitary Development Plan policy DC26.

19) a) Before the first occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing the design and installation of external lighting including measures to control glare and overspill onto nearby residential properties.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

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

20) Before the commencement of above ground construction of a drawing shall be submitted to and approved in writing by the City Council as local planning authority relating to the design and glazing specification to the upper floor apartment windows to the southern elevation adjacent to Pennington Street.

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 for the City of Manchester.

21) All windows identified as being obscurely glazed shall achieved a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, which shall be implemented prior to the first occupation of the development and maintained in situ thereafter.

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 for the City of Manchester.

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

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

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

24) Before the occupation of the building, the car parking area shall be surfaced and demarcated and cycle storage relating to the authorised Class E units shall be installed with the details of drawing referenced: Proposed Ground Floor Plan Ref: L(00)01 Rev K. Upon occupation of the building, the car parking area and cycle storage shall be made available for use in accordance with the authorised use only and maintained in situ thereafter.

Reason - In the interest of pedestrian and highways safety and to ensure the provision of appropriate car parking pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

25) Cycle storage related to authorised apartments (Class C3) and retail /commercial units Class E as shown on drawing referenced: Proposed Ground Floor Plan Ref: L(00)01 Rev K shall be made available for such purposes upon occupation of the building and maintained in situ thereafter.

Reason - To ensure that adequate provision is made for cycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

26) No development shall take place until details of highways works to Stockport Road, Pennington Street, Siddall Street and Swallow Street that are required as part of the implementation of the development have been approved in writing by the City Council as local planning authority. These details shall include details of the siting and specification of a delivery / servicing bay to Swallow Street. The development shall not be occupied until the works have been constructed in accordance with the approved details, which shall be maintained in situ at all times thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, EN19, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

27) The development hereby approved shall be implemented in full accordance with the measures as set out in document referenced: Stockport Road Manchester – Environmental Standards and Energy Statement dated November 2020 Ref: 2020.178, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance.

Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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 for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

28) Before the commencement of above ground construction work, a scheme shall be submitted to and approved in writing by the City council as local planning authority, detailing the design, specification and appearance of the ground floor shop frontages, including: the composition of display windows and doors; any provision of internal security shutters or grilles and arrangements for their opening in the day-time period (Monday to Sunday) and the alignment of shop advertisement displays to be incorporated into the shopfront. The development shall be implemented in accordance with the approved scheme prior to the occupation of the authorised Class E units and maintained in situ thereafter.

Reason - In the interests of residential and visual amenity of the area and in order to safeguard the character of the street scene pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester and saved policy E3.3 of the Unitary Development Plan.

29) The authorised development shall be designed and constructed in accordance with the recommendations contained within section 3.3 of document referenced: Crime Impact Statement: URN:2020/0448/CIS/1 Version A dated 14 August 2020 by GM Police Design for Security. The development shall only be carried out in accordance with these approved details and occupation or use shall not commence until the City Council as local planning authority has acknowledged, in writing, that it has received written confirmation of 'Secured by Design' accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

30) Before the first occupation of the authorised ground floor Class E units, a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i. The measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii. A commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii. Mechanisms for the implementation of the measures to reduce dependency on the private car
- iv. Measures for the delivery of specified travel plan services
- v. Measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and the Guide to Development in Manchester SPD (2007).

31) Before the first occupation of the authorised apartments (Class C3), a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i. The measures proposed to be taken to reduce dependency on the private car by those residing the development

- ii. A commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii. Mechanisms for the implementation of the measures to reduce dependency on the private car
- iv. Measures for the delivery of specified travel plan services
- v. Measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and the Guide to Development in Manchester SPD (2007).

32) The development shall be implemented in accordance with document referenced: Television and Radio Reception Impact Assessment - Land South of 786 Stockport Road Issue 0.1 dated 28 August 2020 dated by GTech Surveys Limited. An assessment of the impact of the development on television signal reception within the potential impact area identified in the above report shall be undertaken within one month of the practical completion of the development or before the development its first occupation (whichever is the sooner) or at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the submitted survey. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception. In the interest of residential amenity, as specified in policy DM1 of Core Strategy for the City of Manchester.

33) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

- i. The measures proposed to recruit local people including apprenticeships;

- ii. Mechanisms for the implementation and delivery of the Local Benefit Proposal;
- iii. Measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives.

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

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Core Strategy for the City of Manchester.

32) The development shall be fully implemented in accordance with document reference: Arboricultural Impact Assessment by Urban Green Ref: UG856 dated January 2021 and received 10 February 2021. The removal or other work to trees and or shrubs identified in the authorised document shall not be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person.

Reason - To safeguard local biodiversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

35) Before the occupation of any part of the development the details of document referenced: 786 Stockport Road Preliminary Ecological Assessment Ref: BEK-20757-2 by BEK dated September 2020 shall be supplemented by additional details relating to the provision of bat boxes, which shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be undertaken in accordance with the approved details, including the installation of bat and bird boxes, before the occupation of the apartments and maintained in situ thereafter.

Reason - In order to enhance local biodiversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

36) Before the occupation of the authorised development and notwithstanding the details of drawing referenced: Planting proposals plan Ref: UG_856_LAN_SL_DRW Rev. P01, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing the inclusion of native tree and shrub planting and arrangements for the future maintenance of hard and soft landscaping and external communal areas. The approved landscaping scheme shall be fully implemented during the first full planting scheme following the occupation of the development and maintained in situ thereafter in accordance with the approved landscape maintenance scheme. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree

or shrub of the same species and size as that originally planted shall be planted at the same place.

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

37) Before the first occupation of the development the details of document referenced: Broadband Connectivity Assessment Land South of 786 Stockport Road Issue 0.1 dated September 2020, shall be fully implemented and maintained in situ thereafter.

Reason – In the interests of residential and amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester and the guidance with the National Planning Policy Framework.

38) The development shall be implemented in accordance with the daylight, sunlight and overshadowing survey comprising: Daylight, sunlight and overshadowing commentary letter from Avison Young Ref: NLK/04C001034/ajr dated 05 February 2021 and Avison Young Letter Ref: NLK/ajr/02C001034 dated 21 May 2021, including Transient Shadow Studies drawings.

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

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 128698/FO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services
 Environmental Health
 MCC Flood Risk Management
 Greater Manchester Police
 Transport For Greater Manchester
 United Utilities Water PLC
 Greater Manchester Ecology Unit

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

Representations were received from the following third parties:

Relevant Contact Officer : Carl Glennon
Telephone number : 0161 234 4530
Email : carl.glennon@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
129251/FO/2021 129252/LO/2021	& 5th Feb 2021		Deansgate Ward

Proposal Change of use of upper floors and erection of three storey rooftop extension, including plant level, to Kendal Milne building to provide offices on floors 1-9 (Use Class E), together with change of use of ground, lower ground and basement levels of Kendal Milne building to flexible commercial spaces (Use Class E, F2 and /or Sui Generis (Drinking Establishments) and associated elevational alterations and works; Demolition of adjacent Fraser Building and link bridges and erection of 14 storey office building (Use Class E), including plant level, together with associated amenity space and ground and basement floor flexible commercial units (Use Class E, F2 and / or Sui Generis (Drinking Establishments)) and basement areas for cycle storage and plant; Highways landscaping and public realm works, engineering and infrastructure works and other associated works.

&

LISTED BUILDING CONSENT for internal and external alterations to Kendal Milne building as part of proposals for change of use and three storey rooftop extension to form 9 floors of offices and commercial uses at ground, lower ground and basement levels

Location 98-116 Deansgate And 35-47 King Street West, Manchester, M3 2GQ

Applicant Investec Bank Plc, C/o Agent

Agent Mr John Cooper, Deloitte LLP, PO Box 500, 2 Hardman Street, Manchester, M3 3HF

EXECUTIVE SUMMARY

The proposal is for the conversion, alteration and extension of the Grade II listed Kendals Building and the erection of a 14 storey building following the demolition of the Fraser Building and Multi Storey Car Park. Both buildings would have basement and ground floor commercial units and upper floor offices, plus roof terraces, 401 cycle parking spaces and roof top plant.

8 representations were received (5 objections and 3 neutral).

Key Issues

Height, scale, massing, design and visual impact of the proposal in the streetscene: The design, scale, architecture and appearance would create a high quality development that would make a positive contribution to the streetscene.

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

Public benefits: The construction phase would support 3,239 FTE jobs and the operational phase 3,491 jobs in the office space and up to 400 in the retail and flexible commercial space. Business rates would generate £3.2m a year, £31.8m over ten years of operation. The proposal would generate additional economic benefits to the local economy through indirect local expenditure. A local labour agreement would be included.

Residential amenity: The effects on the residents in nearby residential developments in terms of loss of privacy and overshadowing/loss of light have been considered in a City Centre context. It is acknowledged that there would be some impact on nearby residents, but it would not be so harmful so as to warrant refusal of the application.

Wind: The proposal would not have an adverse impact on wind effects.

Sustainability: Sustainable design and innovation has been a priority, from controlling solar gain through passive measures to incorporating low and zero carbon technologies to reduce day to day emissions.

A full report is attached below for Members consideration.

Description

The site comprises Kendal Milne (Kendals) and the Fraser Building and a public highway that runs between them. The site is bounded by St Mary's Street and Back South Parade, Deansgate, King Street West and Garden Lane and Smithy Lane and Dunlop Street and is 0.9 hectares in extent. The eastern half is occupied by the Grade II listed Kendals Building which is part seven, part nine storeys and occupied by House of Fraser on a short-term lease. It was built in 1939 as a department store and fronts Deansgate and backs onto Parsonage Gardens. The western half of the site is occupied by the Fraser Building which was constructed in 1975 and comprises a 548-space multi-storey car park (MSCP) from ground to 5th floors and an adjoining 4 storey building with vacant offices at floors 2 to 4 and six retail units at ground level fronting onto King Street West. The MSCP is connected to the Kendals building via three footbridges across Southgate and three underground service tunnels. The site is within the Parsonage Gardens Conservation Area and there are a number of listed buildings in close proximity, including the Haywards Buildings (Grade II), 3 St. Mary's Parsonage (Grade II), Arkwright House (Grade II), Century Buildings (Grade II) and 31 & 33 King Street West (Grade II). The site also lies within the St Mary's Parsonage Strategic Regeneration Framework area which has been earmarked as a priority regeneration area in the City Centre.



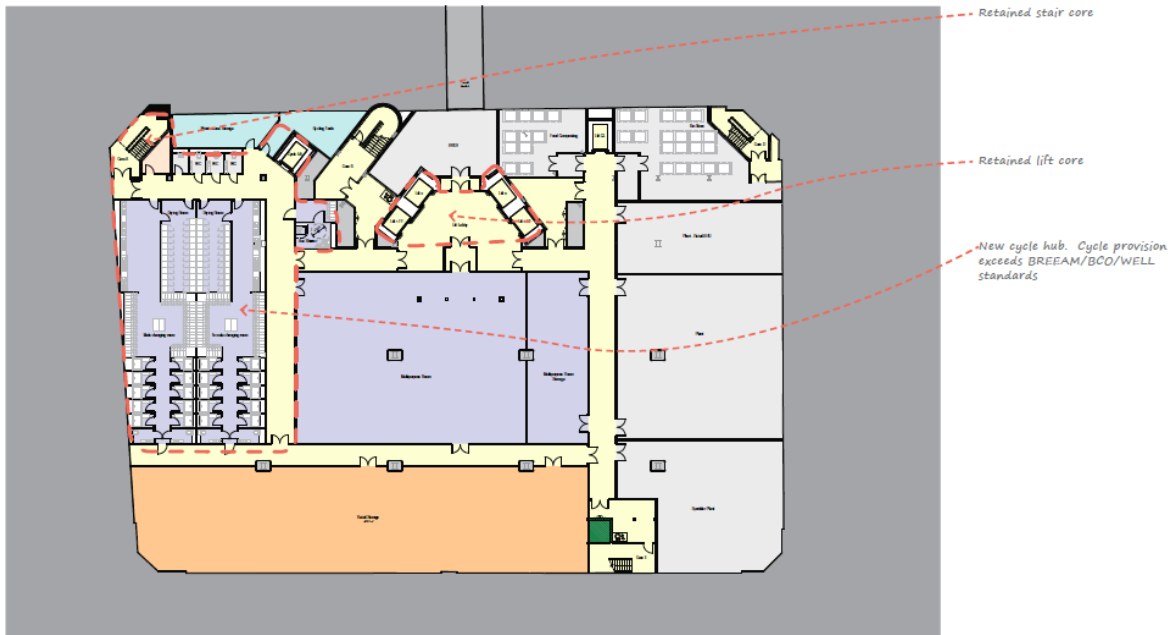
The application proposes the erection of a three storey roof top extension on Kendals, elevational alterations and the use of all upper floors of the listed building

as offices. The ground, lower ground and basement levels would be used as flexible commercial space (Class E, F2 and /or Sui Generis (Drinking Establishments)). The adjacent Fraser Building and link bridges would be demolished and replaced with a 14 storey office building with ground floor and basement flexible commercial units (Use Class E, F2 and / or Sui Generis (Drinking Establishments)). The proposal for the Kendals building includes demolition of the existing part two storey roof extension and delivery of the proposed modern two storey roof extension. A parallel listed building consent application proposes internal and external alterations at the Kendal Milne Building to facilitate the conversion and extension into offices.

23,112 sq. m of office space and 9397 sq. m of retail / leisure / flexible commercial use is proposed in the Kendals building. There would be 29,330 sq. m of office space and 5028 sq. m of retail / leisure / flexible commercial use in the new build. Both buildings would have an additional level of roof-top plant. The commercial space would be flexible, enabling it to be occupied by single or multiple tenants so that it can respond to the changing requirements. There would be 401 cycle parking spaces in the two buildings.

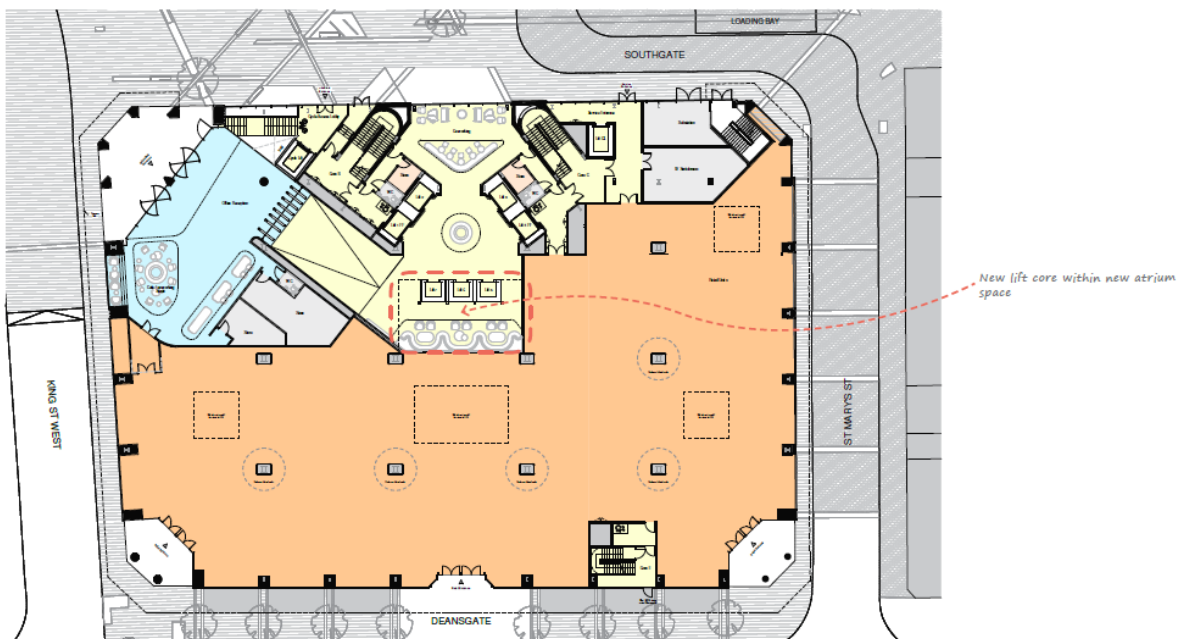
A detailed analysis has sought to establish the building's optimum viable use as there is no demand to retain the department store. The redevelopment of the Fraser Building is an integral part of the proposal. The car park is reaching the end of its design life and the existing use does not generate sufficient income to repair or adapt the existing building, nor restore or remove the connecting bridges that link the MSCP to the Kendals building. Two of the existing footbridges that connect the two buildings have been condemned due to their deterioration.

The basement of Kendals would comprise male and female changing rooms, cycling tools area, storage, food composting and plant areas and waste storage. The majority of lower ground floor would accommodate retail floorspace with some cycle storage. The ground floor would have the office reception and an office café and co-working space with a large amount of retail floorspace on the Deansgate side of the building. Two circulation cores would be retained and used for access to the upper floor offices with three new lifts, all accessed via and positioned within a new atrium space and lift lobbies. There would be a roof terrace on the 6th floor due to the proposed set back of the new roof-top extension. The servicing entrance to the Kendals building would be located on Southgate adjacent to the Southgate/Back South Parade intersection and this would include a dedicated goods lift at the service entrance that would give access to the lower ground and basement levels.



Basement Floor Level

The ground floor entrances into the Kendals building would remain in their current position to provide access to the retail uses. The Southgate/King Street West corner would be altered to accommodate a new entrance to the upper floor offices. This would require the removal of some glazing and part of the external wall to provide level and unobstructed access, as well as the removal of the stair core in the King Street West/Southgate corner. This would provide separate entrances for the offices and retail offers and create a more positive relationship between the building and the surrounding public realm. The original stair core in the north west corner would be retained in its entirety.



Ground Floor Level

The roof-top extension would be of a contemporary design and have a simple and uniform massing. The high materials would complement the existing building. Its glazing would have a copper colour tone which reflects daylight during the day but allows light out at night. The plant screen at roof level would be set back from the Deansgate elevation to minimise its visual impact.



The second significant change relates to the replacement of the majority of the glass blocks. The existing glass blocks are obscurely glazed which is acceptable as a department store tends to rely on artificial light with no need for views out. Office occupiers would need both natural light and views. The replacement of the obscured glass blocks is therefore a fundamental component of the building's repurposing and is necessary for its long-term viability. Some glass blocks would be retained next to retained stair cores on Deansgate. Where the glass blocks would be replaced, a combination of an applied frit to reflect the glass blocks and an expanded mesh glazing insert is proposed. The glazing would be curved to match the existing radius and appearance of the glass block panels and would provide modern light and heating benefits. The partial retention of glass blocks where practicable and the careful design of the replacement should reduce the extent of potential harm. The original design intent for the building would still be read in the modified building whilst making it fit for a new and modern office use.



Figure 28– An internal view of the glass blocks from a shop floor. (Source: SLHA)



Figure 29 – An external view of the glass block windows, illustrating the subtle reflection of light. (Source: SLHA)



The Southgate elevation has previously extensively changed. A number of notable windows have been replaced or bricked up and bridges connecting the Kendals and Fraser buildings have removed parts of original fabric. Nevertheless some high-quality elements remain, including the crittall style windows. Each of these windows

would be repaired in situ or removed and repaired before being reinstated. Where apertures have been bricked up, new critchall windows would be reinstated. Following removal of the existing link bridges the original window rhythm would be reinstated.

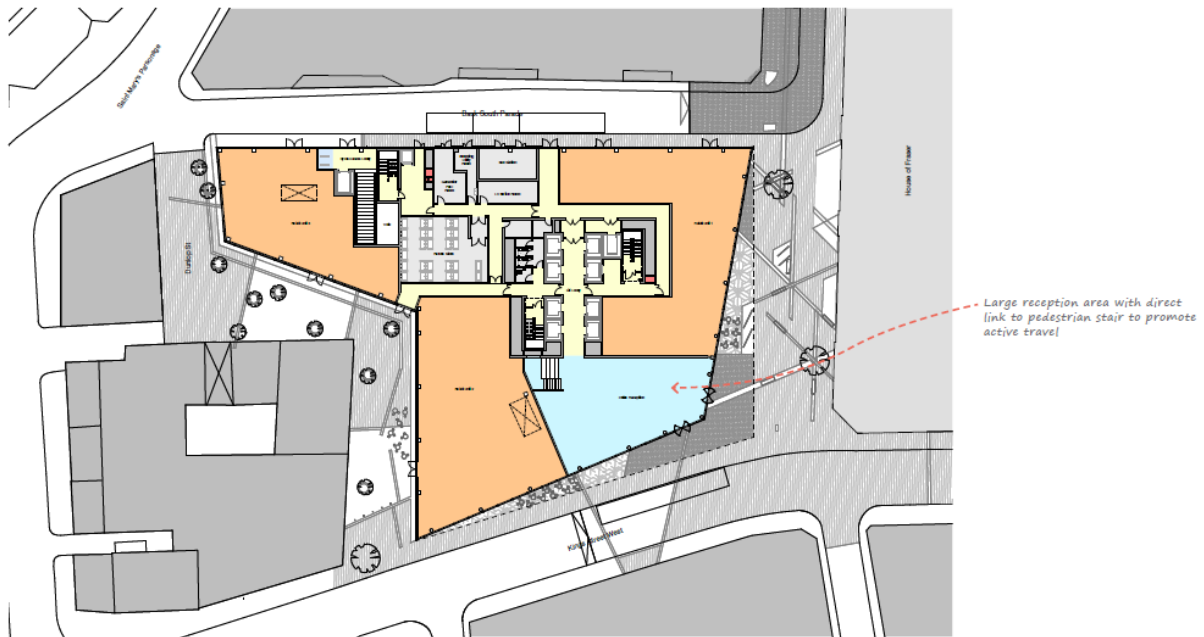
The window display areas on King Street West and St. Marys Street are modern additions and of a low significance value and would be removed to provide a new visual connection into the retail units. The ground floor canopy would be retained and refurbished in its entirety to restore this element of the building in a manner that respects the original design.

New external lighting is proposed and the elevations would be repaired and cleaned to restore the façade.

A central atrium would bring light into the deep plan form of the building where light penetration is limited. This deep plan form is typical of type of a department store and is a significant constraint. The atrium would require the removal of areas of floor and ceiling to each level, as well as the removal of two associated Art Deco column heads, which are a pastiche example of this style and are non-original. The removal of the column heads would enable fire protection measures to be installed to the perimeter of the atrium. The remaining eight Art Deco column heads would be retained on each floor.

The ceiling and downstand heights within the upper retail space are lower than would be acceptable to a commercial office tenant. The majority of these are non-original. As there is asbestos within the ceiling void, it would be necessary to remove sizable areas of the non-original ceilings and column heads to safely remove asbestos and contaminated materials. This presents an opportunity to re-construct the column heads, post asbestos removal, at a new higher level to better suit prospective office users. The new column heads would be modern in appearance rather than adopting an art-deco pastiche style as previous interventions have. The new ceilings are proposed as a flat soffit with exposed ventilation to meet all requirements.

The ground floor of the new build Fraser Building would have a large office reception, commercial floorspace and back of house functions, including refuse store. The entrance would be on the corner of Southgate and King Street West, opposite the new Kendals office entrance. Cyclists would have a dedicated entrance on Back South Parade and down to the basement cycle storage and changing facilities and staff facilities. The servicing entrances would be along Back South Parade. A dedicated back of house entrance would be at the corner of Garden Lane and Smithy Lane.



The scale and massing of the proposed building would relate to the Kendals Building with the 7th and 8th floors set back to form a roof terrace. The 9th to 11th floors would be set back further to form a second roof terrace. It would have a reflective façade of fritted glass that makes reference to the triangular façade features of the Art Deco Kendals building. It would have glazing and solid panels that form a vertical zig-zag façade. The stone and glazed panels, would be arranged in a saw tooth pattern. This would create light and shadow as the sunlight crosses over the facade during the day.





*Favoured approach
taken forward.*



The proposal would improve the public realm and pedestrian connections between the two buildings, transforming the environment around Southgate and the building and improving linkages into Parsonage Gardens. Southgate would be restricted to the majority of vehicular traffic to create a better pedestrian environment and the Fraser Building would be set back on Smithy Lane to create a wider pedestrianised space that could be used as additional space by future commercial occupiers. On-

street parking bays for disabled people are proposed. The existing set down/loading bay to Southgate adjacent to Arkwright House would continue to serve the Kendals Building, with a new set down/loading bay provided to Back South Parade to serve the new Fraser Building.

Consultations

The applications have been advertised in the Manchester Evening News as: a major development; affecting the setting of listed buildings/listed building consent; affecting a conservation area: accompanied by an Environmental Statement; affecting a right of way and in the public interest. Site notices have been displayed and the occupiers of nearby properties have been notified. 8 representations were received (5 objections and 3 neutral). The main issues raised are summarised below:

Employment impact and loss of retail space

Loss of jobs in retail. There are other buildings to use to convert to office spaces. House of Fraser has been there for many, many years. The lack of demand for a department store of this scale' is simply untrue. Many smaller cities than Manchester, have thriving large department stores. York and Newcastle upon Tyne both have a huge Fenwick's and John Lewis. Embarrassingly Manchester has neither and shoppers need to the Trafford Centre for John Lewis. The developers should provide evidence that big UK department stores like John Lewis, Fenwicks and Hoopers have been courted. Kendals is one of the oldest department stores in the world. This plan may force its closure of the Kendals and may work against the plan to encourage retail and visitors to Deansgate.

The assessment that retail and the high street are dead, is premature. We do not know what the economic environment will be like in 1-2 years. I cannot see a stunning retail building, in the centre of Manchester, being empty for long. Kendal's is a beacon of the high street and retail in the city centre. By turning this incredible building into offices will only fuel the downfall of the high street. There are many options available to maintain its retail heritage. This proposal would be like turning Harrod's into offices.

People who work in Kendals, many who are over 50, are quite worried about their prospects of obtaining alternative employment.

Need for office space

'Deansgate and Manchester do NOT need any more 'grade A offices'. There are thousands of square feet of grade A offices sitting empty in Spinningfields and the new developments on Brazenose street. The market for office space is already saturated, but the situation of empty offices is likely to worsen post Coronavirus as more and more organisations move to permanent home-based office working. There is no evidence for future demand for office space on this scale. More and more people are working from home. How do we know there will be a market for office space in the future. There are already numerous empty office blocks in Manchester. We could be left with another empty soulless office block instead of a truly timeless classic.

Height, scale and mass

The of both buildings is unacceptable in a Conservation Area. The height of the new build will effectively be twice the height of Arkwright House, and such scale and mass is too high and inappropriate for the area.

If permitted, the roof top extension should be set back 1/2 to 2/3 of the footprint from the Deansgate facade so that it is not visible from Deansgate (as the existing Plant-works/top floors are), and the materials used should be more in keeping with the original design of the building. Please do not sacrifice the integrity of this landmark 20th Century building just to add a little more to the profit margin of the developers.

Heritage impacts

A beautiful listed building like this should be protected.

The Kendal's building is a much loved and rare art deco gem that should be preserved in its current form. The rooftop extension looks like a carbuncle on top of the original 1930s design by Louis David Blanc. The sleek art deco lines are ruined by the hefty incongruous shape that appears to squat on top like a metal parasite. The integrity of the building's design is severely compromised.

Kendals is a stunning, landmark building and a rare and beautiful example of Art Deco architecture in Manchester. Its unique style and features are universally loved by the residents of Manchester. I am not against new buildings. Many of the newly approved buildings in Manchester are stylish and elegant. If this was a new building I would support its construction. However, to transform a timeless classic into a soulless new office block would be a historical mistake. The new facade is not ugly but the building's unique style and features are much diminished.

An important part of Manchester's cultural identity and heritage comes from its stunning historic buildings. These are often not appreciated enough. Unfortunately, some of these classics were demolished and turned into drab office spaces in the 1950s, 60s and 70s. Please don't let this happen to this cultural and timeless masterpiece.

Manchester has a shrinking pool of precious, remarkable, iconic buildings. It is so important that we work to protect and preserve what is left of the fabric of one of the most important cities in Europe. Making irreversible material changes can only ruin the Kendal's building. The glass bricks are an essential part of its unique identity. The proposed monstrosity perching on top is neither fitting with its surrounding or has the style to compete.

While it is unfortunate that the development would remove the glass brick - which is an important architectural feature, it is understandable that the only likely way to preserve this building is for that to be replaced - as sensitively as possible - with glass that mimics the look, but allows views from within the building. This makes sense and seems a reasonable compromise to ensure this beautiful building has a future in the city. But the proposed rooftop extension could not be architecturally or aesthetically less appropriate and should not be allowed on this listed building. It is

just a giant copper coloured box stuck on the top. It would be nothing less than a travesty for this to be allowed.

The loss of the multi-storey car park

Not everyone has access to public transport and the public transport we do have isn't connected to the north Deansgate area. As a parent of young children I find the car park in Fraser building extremely useful for families like mine coming into the city who don't have access to good public transport. There is a distinct lack of multi-storey parking near St Ann's Square, King Street and north Deansgate. This is particularly true during November and December when there is huge demand for parking when the Christmas markets take over the area. Also, if, as you propose 4,000 new workers are going to be working in the area, surely we need more parking spaces in the area, NOT less. The Fraser building is arguably the best car park in Manchester, its clean, the lifts work well for parents with pushchairs and its really accessible for disabled people visiting north Deansgate.

The car park is needed for families who struggle with buggies on public transport. Please don't further exclude young families from Deansgate.

Viability

The developers during the pre planning consultation said a Viability Report would be submitted as part of the planning application to justify the height of the two buildings, in response to specific questions raised by local residents, and there would be an independent assessment of this report. This has not been submitted as it is not visible on the MCC planning website.

It is disingenuous for the developers to claim that the project is only feasible with this extension to the roof - when the overall proposal includes an entire new build office block on the Fraser Building/Carpark site in addition to the almost 300,000 square feet of the Kendal-Milne building. Of course, the (hideous) rooftop extension would make the project more profitable, but it is hard to believe that the project could proceed if all the profit was tied up in such a relatively low percentage of the overall square footage.

Other consultees

Historic Buildings and Conservation Areas Panel - The Panel reiterated the heritage impacts set out in the heritage appraisal and agreed that they represent a high level of harm to the listed building. The degree of intervention was considered excessive and irreversible.

Of particular concern was the loss of glazed blocks and the lack of clear justification for their removal. The Panel stated that this is one of the defining characteristics of the building and mixing existing and new in the facades was a mistake. A clear glazed block throughout would give a more unified appearance.

More work needs to be done to integrate the contrasting copper colour of the rooftop extension into the design of the main building to recognise its Art Deco elegance.

The design of the new build element was felt to be a poor response to the surrounding context with too much emphasis and design cues being taken from the scale of the Kendals building on Deansgate rather than the buildings in the immediate context.

The form and scale of the building created an over dominant substantial development that would be highly visible from many viewpoints and the prism design jarred with the surrounding listed buildings and felt a little dated. It also felt out of place in the conservation area and would significantly impact on its character.

There is guidance on viability and heritage assets that should be looked at and a temporary use would be better as an interim measure that would avoid the harmful elements of the current scheme.

The Panel questioned the need to create public realm at what is effectively the rear of the building and would like the staff entrance to be retained.

Greater Manchester Archaeological Advisory Service - The archaeological desk-based assessment (DBA) is comprehensive and allows a clear understanding of archaeological interests and further mitigation. The site is within the area of the medieval town but most archaeological remains will have been removed during the construction of extensive basements associated with the existing buildings. The exception is an area along King Street West in the south-western part of the application site, where there is potential for archaeological remains of interest deriving from the period spanning the late medieval era to the 19th century to survive in-situ.

A comprehensive heritage statement provides a thorough account of the development of the listed building and the impact of the development upon its significance and the setting of the Parsonage Gardens Conservation Area. The proposal would result in beneficial and adverse impact. The heritage statement does not offer a strategy to offset this perceived harm to the designated heritage asset. It makes passing reference to the archaeological potential of the site, which it considers to be negligible, but overlooks the small area of archaeological interest highlighted in the DBA.

GMAAS recommend that an archaeological evaluation is undertaken to assess the nature and level of survival of archaeological deposits in the south-western part of the application site. If significant remains are encountered that will be destroyed by development ground works then a second phase of more detailed excavation and recording will follow. Dependent on the importance of the excavation results, dissemination could take the form of a published article or/and information board. Should planning consent be granted, the archaeological work should be secured through a suggested condition.

National Amenity Societies - Comments received from the Twentieth Century Society - No objections to the proposed demotion of the Fraser Building. Do not object to the principle of converting Kendal Milne for reuse, but concerned by some aspects of the current scheme, namely the proposals for the windows and rooftop extension. The Society is pleased the applicant will retain the existing glass blocks in

certain areas, but object to the removal of the majority of the glass blocks on the building's elevations and their replacement with curved Okolux glazing. It is appreciated that the blocks do not permit clear views out and that this presents issues when it comes to reuse. However, the Society strongly believes that these original glass blocks are central to the building's significance as a Grade II listed 1930s department store. Despite the applicant's efforts to select new glazing that will imitate the appearance of the original blocks, the new glazing will still fundamentally alter the appearance and character of the Grade II listed building. As well as harming the building's aesthetic, the removal of the blocks will also result in the loss of primary fixtures of historic value. The Society is also concerned about the proposed rooftop extension. In the Society's opinion, this extension is too substantial in scale and the upper copper verdigris and steel colour glass components are at odds with the character of the listed building. They believe the proposal would result in substantial harm to the listed building and positive contributor to the Parsonage Gardens Conservation Area. The Society therefore objects to the scheme.

Sustainable Travel - No representations received

Highway Services - The development is to become car free with supporting travel planning and cycle storage initiatives. Not anticipated that there will be a significant increase in the level of vehicular trips. The proposed cycle, storage capacity for cycles, number of lockers, changing and drying facilities are acceptable.

The creation of public realm/limiting is supported, but roads would need to be stopped up using S247. A public right of way for pedestrians would need to be maintained.

Should part of Southgate be closed then the existing one-way arrangement on Back South Parade would need to be revoked to allow two-way movements. The applicant has confirmed that the proposed vehicle routing will not restrict access to St Ann Street via crossing Deansgate should Deansgate be closed to traffic at some future date.

Conditions are recommended re Off-Site Highways, Travel Plan and Construction Management Plan.

Environmental Health - conditions relating to delivery and servicing hours, fume extraction, construction management, hours of operation, management and hours of the roof terraces, acoustic insulation of the offices, commercial units and external plant, air quality and contaminated land should be applied to any approval granted. Also stated that the submitted waste management strategy is acceptable.

Neighbourhood Team Leader (Arboriculture) - No representations received

Greater Manchester Ecology Unit - No objections. The surveys and assessments were carried out by suitably qualified ecologists and were to appropriate and proportionate standards. The buildings have been shown to have negligible potential to support bats and no areas of semi-natural habitat will be lost to the plans. Would support the recommendations for ecological enhancement put forward in the ecology report (e.g. green walls, green roofs) but understand the limitations and constraints

associated with this site so would advise that such enhancements would be useful, but not recommend that they be required.

Corporate Property - No representations received

MCC Flood Risk Management - 2 conditions are recommended relating to the submission of a surface water drainage scheme and its maintenance.

Strategic Development Team - No representations received

City Centre Regeneration - No representations received

Environment Agency - No objection in principle, provided conditions relating to the submission of a remediation strategy to deal with the risks associated with contamination of the site (including any unforeseen contamination) and a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation are attached to any approval granted. Also stated that piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority.

Greater Manchester Police - Recommend that a condition to reflect the physical security specifications set out in section four of the Crime Impact Statements should be added.

United Utilities Water PLC - No representations received

Historic England (North West) - Kendal Milne is an attractive twentieth century commercial building, which provides important evidence for the development of consumer culture in the twentieth century. No objection to the principle of developing the site, particularly the western section, where the built form currently makes a negative contribution to the character and appearance of the conservation area. There are also no concerns to the general scale of the new build. However, would raise a minor concern with the uppermost section of the overall design, but defer to local planning authority to assess the impact of the physical alterations to the former Kendal Milne building.

The Parsonage Gardens Conservation Area is centred on Parsonage Gardens, which was historically the site of the Church of St. Mary. The earlier street pattern is visible, albeit overlaid by nineteenth and twentieth century development. The ability to appreciate this evolution makes an important contribution to the character and appearance of the conservation area and provides evidence of the piecemeal development of the city centre of Manchester, the changing uses it accommodated, and the changing fashions in both architecture and patterns of economic consumption. The character and appearance of the conservation area is also defined by the comparatively tranquil nature of the central open space, the high architectural quality of the surrounding buildings, and the juxtaposition between the two. A number of these buildings are large in scale and are designed to be visually prominent, set piece structures. These are highly significant in their own right, and some are also listed at grade II, including the attractive modern movement building on Deansgate, which historically operated as the Kendal Milne Department Store.

This building is of high significance, which derives from its striking architectural interest, the evidence it provides of the evolution of consumer culture, and its communal value as a well-loved landmark in the city centre. Historic England has noted the wider concurrent applications, which will involve works to the interior and exterior of the building, and a rooftop extension. However, given the extent of these works, and the remit within which Historic England provides statutory advice, do not offer comments on those proposals.

The buildings to be demolished make a negative contribution to the character and appearance of the conservation area and there is no objection to their demolition and support for the principle of redeveloping the site with buildings of more appropriate character and design. The replacement building is proposed to be of considerable height and solid massing, and is distinctly modern in its design and material palette. Do not have in-principle concerns with either of these characteristics, as the character of the conservation area is already defined by large set piece buildings of a variety of ages, design and materials. Given the high quality of design which pervades the conservation area, would however expect the building to display a high quality of design and finishes.

The applicant was told pre-application that there were some minor concerns with the design and these have been acknowledged in the supporting documentation. In particular it was felt that the upper section lacks clear visual subdivision and that this made the building appear more visually monolithic within the supporting CGIs. Consequently it was concluded that this detracts from the otherwise interesting architectural response to the site. As the design has not altered since pre-application stage, would repeat these comments. The impact caused by the development will be more fundamentally determined by how its height is perceived, particularly in relation to the surrounding built form. This is most noticeable in the CGIs which show the proposed view of Arkwright House from Parsonage Gardens and the view looking along King Street West. The proposal would have a strong visual presence from the former viewpoint, particularly through the sense of enclosure that it would create. It is, however, noted that the character of the square is already defined by a sense of enclosure, and by the sense of separation from the wider city which this engenders. It is also concluded that it would not alter the positive contribution which Arkwright House makes to the conservation area. The building would also be a visually arresting addition in views looking along King Street West, meaning that it would make a considerable contribution to the character and appearance of the conservation area in its own right. This is not out of character with the rest of the conservation area, particular Deansgate and Kings Street West, which are characterised by large buildings on large sites, which have been intentionally designed to make strong architectural 'statements'. Would however reiterate our comments in relation to design set out above, which are particularly evident in the CGI looking east along King Street West. The development will also have an impact on a number of grade II listed buildings. Would again defer to the local planning authority to assess the acceptability of the impact on these assets.

Historic England would support the demolition on the 'Fraser' site, which allows a building which better responds to the character and appearance of the conservation area to be developed. The new building is considerable in scale and massing, and would be a prominent and striking addition. It would be highly visible in key views,

and does, to a certain extent compete with the existing built form. However, this is not considered to detract from the significance of the assets considered. It is concluded that a bold and strident approach is a more appropriate response to the conservation area than a building which is diminutive and unassuming. However, would raise some minor concerns with elements of the design, which create an area within the top section of the building which reads as overly unbroken. This could be improved by attempting to articulate this section of the building to a greater extent. While the applicant has noted these comments, they have concluded in their response that they do not agree, and have retained the design as it was previously.

Historic England has no objection to the principle of the application on heritage grounds, but would retain some minor concerns in relation to an element of the building's overall design.

Transport For Greater Manchester - No representations received

Greater Manchester Pedestrians Society - No representations received

Manchester Airport Safeguarding Officer - No objection

National Air Traffic Safety (NATS) - No representations received

Civil Aviation Authority - No representations received

Natural England - No objection - The proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Planning Casework Unit - No representations received

Sport England - No comments to make

Issues

Relevant National Policy

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

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

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

Local Planning Policy

Local Development Framework

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

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

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

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

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

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

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

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

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

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

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

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

Policy CC9 Design and Heritage – The design would be appropriate to its context. It would have an impact on the Kendal Milne listed building and on views from within and on the character and appearance of the Parsonage Gardens conservation, and the setting of a number of other listed buildings. The harm would be less than substantial and would be outweighed by the public benefits that would be delivered.

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

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

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

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

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

Policy EN3 Heritage – The proposal would have an impact on a number of heritage assets, including the listed building, but any negative impacts would be outweighed by public benefits.

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

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

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

Policy EN9 Green Infrastructure – The development could include rooftop planting.

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

EN15 Biodiversity and Geological Conservation – The development would provide ecological enhancements for different species.

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

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

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

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

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

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

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

- appropriate siting, layout, scale, form, massing, materials and detail; • design for health;
- adequacy of internal accommodation and amenity space.
- impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- that development should have regard to the character of the surrounding area;
- effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- accessibility to buildings, neighbourhoods and sustainable transport modes;
- impact on safety, crime prevention and health; adequacy of internal accommodation , external amenity space, refuse storage and collection, vehicular access and car parking; and
- impact on biodiversity, landscape, archaeological or built heritage, green infrastructure and flood risk and drainage. The application is considered in detail in relation to the above issues.

The proposal is considered to be consistent with the following Core Strategy Policies SP1, CC1, CC5, CC6, CC7, CC8, CC9, CC10, T1, T2, EN1, EN2, EN3, EN4, EN6,

EN8, EN9, EN14, EN15, EN16, EN17, EN18, EN19, EC1, EC8 and DM1 for the reasons set out below.

Saved UDP Policies

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

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

DC19.1 Listed Buildings – The removal of the glass blocks and the roof-top extension would harm the building but, the harm would be less than substantial and the proposal in its entirety is considered acceptable. Any negative impacts on heritage assets would be outweighed by the public benefits of the scheme. This is discussed in more detail later in the report.

Policy DC20 Archaeology – An archaeological desk-based assessment has been carried out for the site and concludes that some further investigative work is necessary which would be controlled via an appropriately worded condition.

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

Policy analysis

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

It would be highly sustainable and would maximise use of the City's transport infrastructure. It would enhance the built environment, create a well-designed place that would enhance and create character and reduce the need to travel. It would contribute to the local economy and support local facilities and services.

A high quality office development would improve the range of office accommodation options within the City Centre in an area in need of further regeneration. The City Centre is a key location for employment growth and the office space would help to optimise and activate the area and support economic growth. The offices would

appeal to key growth sectors which are critical to ensure the economy can compete at an international level. The proposal would improve the listed building which could become and remain vacant, enhance the ground level experience and sense of place with better permeability. Workers could use local facilities and services and support the local economy.

NPPF Section 7 (Ensuring the Vitality of Town Centres) and Core Strategy policies SP1 (Spatial Principles) and CC2 (Retail) - The City Centre is the focus of economic and commercial development, leisure and cultural activity and high quality city living. The proposal would attract and retain a diverse labour market. It would increase activity, support business and leisure functions and promote economic growth. The proposal would re-purpose a building that is not realising its full potential or fully contributing to the City's economy or the vibrancy of adjacent areas. It would help to create a neighbourhood which would attract and retain a diverse labour market. The proposal would maintain footfall and support the business and leisure functions of the city centre and promote sustained economic growth.

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

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

The impact of the proposal has been assessed from a number of key views. The site is within a conservation area and there are a number of listed buildings nearby that would be seen in its context. Any negative impacts on heritage assets would be outweighed by the public benefits of the scheme. This is considered in more detail later in the report.

The proposal would reuse and repurpose a listed building that could become vacant should a viable alternative use not be realised. It would introduce a good quality form of development that would make a positive contribution to the townscape and enhance the setting of adjacent heritage assets.

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

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

NPPF Section 15 (Conserving and enhancing the natural environment), Manchester Green and Blue Infrastructure Strategy 2015, Core Strategy policies EN9 (Green Infrastructure), EN15 (Biodiversity and Geological Conservation), EN16 (Air Quality), Policy EN17 (Water Quality), EN18 (Contaminated Land and Ground Stability) and EN19 (Waste) - There would be no adverse impacts from risk of pollution from ground conditions, air and water quality, noise, vibration, waste and biodiversity. Surface water run-off and ground water contamination would be minimised.

There is no conclusive evidence about the presence of any protected species on the site or nearby that would be affected. There would be no adverse effect on any statutory or non-statutory designated sites in the wider area. Ecological enhancements are proposed.

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

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

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

Saved UDP Policy DC20 (Archaeology) – Adequate archaeological investigation has taken place for the site but further work is needed which would be controlled via a condition.

Other Relevant City Council Documents

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

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

Development and regeneration in a progressive and equitable means creating and enabling jobs and growth in a smart and thoughtful manner. This should ensure that residents living in nearby areas and circumstances of disadvantage are connected to employment, skills and training opportunities, and given the support and empowerment necessary to make the most of them.

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

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

The Zero Carbon Framework - outlines the approach to be taken to reduce carbon emissions between 2020-2038. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus the development of a ‘circular economy’, in which sustainable and renewable materials are reused and recycled as much as possible.

Climate Change and Low Emissions Implementation Plan (2016-2020) -

This Implementation Plan is Greater Manchester’s Whole Place Low Carbon Plan. It sets out the steps to be taken to become energy-efficient, and investment in our natural environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester’s air

quality. These have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposal would be consistent with these principles and standards.

Powering Recovery: Manchester's Recovery and Investment Plan – This sets out Manchester's response to the COVID-19 pandemic to reinvigorate its economy, with plans to protect and create jobs, and support new business opportunities. It sets out how Manchester can play a leading role in the levelling-up agenda, with ambitious plans to build on recent investment in economic assets and infrastructure and accelerate the growth in high-productivity sectors including the Digital, Creative, Technology and Health Innovation Sectors alongside the well established financial and professional services sectors. This includes support for major job-generating investment with high-growth sectors, new-starts and scale-up. The office space within the repurposed and extended Kendals Building and the new build Fraser Building, would create workspace aimed at these start-ups, small SMEs working within a managed workspace environment and also large corporate occupiers (both established local and inward investors). This would support the aim to secure a highly skilled and knowledge intensive workforce in the City. The reuse of the building would intensify the levels of economic activity at the site and reusing the building would be inherently sustainable and align with the Plan's ambitions for zero carbon and climate resilient growth.

The Greater Manchester Strategy (2017) ("Our People, Our Place") – This was produced by the Greater Manchester Combined Authority (GMCA) and replaces the former "Stronger Together: Greater Manchester Strategy" published in 2009. It sets out a very clear vision for the City-Region, stating that Manchester will be: "A place where all children are given the best start in life and young people grow up inspired to exceed expectations. A place where people are proud to live, with a decent home, a fulfilling job, and stress-free journeys the norm. But if you need a helping hand you'll get it. A place of ideas and invention, with a modern and productive economy that draws in investment, visitors and talent. A place where people live healthy lives and older people are valued. A place at the forefront of action on climate change with clean air and a flourishing natural environment. A place where all voices are heard and where, working together, we can shape our future."

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

Manchester City Centre Strategic Plan - The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over the period of the plan, updates the vision for the City Centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the City Centre neighbourhoods, and describes the partnerships in place to deliver those priorities. The site sits at a key location on Deansgate and there are several heritage assets that would be impacted by the proposal. MCC have recognised the regeneration opportunities of the site and have developed the St. Marys Parsonage Strategic Regeneration Framework (SRF) area, of which the site forms part of.

Stronger Together: Greater Manchester Strategy 2016-2025 - This is the sustainable community strategy for the Greater Manchester City Region. The Manchester Strategy 2016-25 also identifies a clear vision for Manchester's future, where all residents can access and benefit from the opportunities created by economic growth. Over a thirty year programme of transformation, Manchester has become recognised as one of Europe's most exciting and dynamic cities. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region and a high quality of life. All its residents are able to contribute to and benefit from sustained prosperity. The proposed office accommodation would support and align with the overarching programmes being promoted by the City Region via the GM Strategy.

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

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

St. Mary's Parsonage Strategic Regeneration Framework (SRF)

The investment at the site would secure its long-term viable use and deliver wider benefits to the local area as identified in the St Mary's Parsonage SRF. The SRF sets out a clear vision to enhance and regenerate the area by developing key sites that would be a catalyst for further investment and drive positive change. A critical component of the SRF is to safeguard the ongoing future use of Kendals as one of the area's most prominent buildings. The SRF recognises that the existing use is no longer viable having been impacted by long term changes in retailing and consumer

behaviour. The SRF notes there is no evidence of existing or forecast future demand from department store operators to take retail space of this scale and states that future options would need to consider a consolidated retail offer and options to re-purpose it for alternative uses. The size and depth of the floorplates and the floor to floor heights are considered in the SRF to lend themselves best to office conversion, alongside an opportunity to rationalise and extend the rooftop accommodation to deliver additional accommodation.

The SRF notes that the redevelopment of the Fraser Building would transform the conservation area. The existing MSCP creates a poor quality and uninviting street level experience. It recognises the role of the MSCP but recognises that alternative car parks in the surrounding area serve a similar strategic function and all have available capacity. The MSCP does not align the Council's objective to reduce congestion, improve air quality and work towards a zero-carbon future. The SRF identifies the Fraser Building as an opportunity to deliver offices support future supply for new business, and deliver a ground floor retail offer to activate street frontages, particularly along King Street West. Redevelopment of the Fraser Building presents an opportunity to increase the density of active economic development in the area, thereby supporting ambitions for growth in the regional centre.

Conservation Area Declarations

Parsonage Gardens Conservation Area

The Parsonage Gardens Conservation Area contains several Grade II listed buildings, including Blackfriars Bridge, Century Buildings, Arkwright House and the Kendal Milne Building, but also a number of more recent buildings such as Alexandra House. At the centre of the Conservation Area is Parsonage Gardens which is bordered by large and impressive buildings. Most are in orange-red brick or terracotta, with one modern-style steel and glass structure. Parsonage Gardens is surrounded by a rich mixture of buildings of various ages and styles. The Grade II listed Arkwright House, is a significant 7 storey office block. Parsonage Gardens Conservation Area embraces a length of river frontage to the Irwell and this also includes part of the Grade II listed bridge on Blackfriars Street, half of which is in Salford. This heavy stone bridge was built around 1820. One of the three semi-circular arches is partly embedded in the river bank on the Manchester side. The architectural emphasis of corners is a characteristic of Manchester buildings which contributes to the urban design character of the city centre. It is evident in the Parsonage Gardens area and its use in new developments will therefore be encouraged.

St Ann's Square Conservation Area

St. Ann's Square is in the commercial heart of the City, where almost every building accommodates shops on the ground floor. It comprises an important part of the city centre around St. Ann's Square, extending to John Dalton Street. Many buildings within the Area are listed for their special architectural or historic interest.

St. Ann's Square was laid out in the Georgian period, early in the 18th century, and is one of the main public spaces in the city centre. The church, dominates the

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

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

Legislative requirements

Section 66 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

S72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

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

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

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

- Daylight, Sunlight and Overshadowing
- Built Heritage
- Townscape and Visual Impact
- Socio-Economic

The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. 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, the ES covers the following information:

- A description of the proposal comprising information about its nature, size and scale;
- An introduction providing context to the EIA completed;
- A summary of legislation and of national and local policies relevant to the environmental discipline and its purpose;
- The method or approach employed in the assessment of impacts, the criteria against which the significance of effects has been evaluated, the sources of information used and any technical difficulties encountered;
- An evaluation of the baseline environmental conditions i.e. the current situation and anticipated changes over time assuming the site remains unchanged;
- The likely significant effects on the environment resulting from the proposed development;
- The measures which would be implemented to mitigate potential adverse effects, and where possible enhancement measures;
- The cumulative effects of the proposed development identified within the vicinity of the site;
- The residual effects, i.e. the remaining effects of the proposed development assuming implementation of the proposed mitigation measures; and
- A 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 proposal and any required mitigation. It has been prepared by a competent party with significant experience and expertise in managing the EIA process who hold the IEMA EIA Quality Mark. The preparation of the Statement has included technical input from a range of suitably qualified and experienced technical consultees.

It is concluded that there would be no unduly harmful cumulative impacts as a result of this development.

The impacts relating to the construction phase are temporary and predictable.

The interaction between the various elements is likely to be complex and varied and will depend on a number of factors. Various mitigation measures are outlined elsewhere within this report to mitigate against any harm that would arise and these measures are capable of being secured by planning conditions attached to any consent granted.

Principle of the Proposed Uses and the Scheme's Contribution to Regeneration

Regeneration is an important planning consideration. The City Centre is the primary economic driver of the City Region and is crucial to its longer term economic success. There is an important link between economic growth and regeneration and further office space is required to deliver essential growth. The proposal would develop a strategic site in a key regeneration area.

The Parsonage Gardens SRF seeks to retain the Kendals Building and identifies the potential to redevelop the Fraser Building for offices. The proposal would deliver Grade A office floorspace and support economic recovery. The buildings would create 52,442 sq.m of high quality office floorspace. There is no demand to use Kendals as a department store so an alternative use is required. The challenges faced at the site puts its near future use into question. The likelihood that another major retailer would want to occupy the space is exceptionally low, with other similar store franchises facing serious challenges. The growth in online retailing and more cautious spending, exacerbated by Covid-19, have seen high street retailers go into administration or announce job losses. The Fraser Building has reached the end of its economic life and represents a poor quality feature within the Parsonage Gardens Conservation Area.

The construction phase would support 3,239 FTE jobs and generate GVA of £350m. During the operational phase the commercial space would support 3,491 jobs, and up to 400 in the retail and flexible ground floor commercial space. Business rates from the offices and retail space will generate £3.2m a year, £31.8m over ten years of operation. The development would accommodate a range of sectors and skill levels, providing a range of options for Manchester residents and contribute to the City's inclusive growth ambitions.

The development would deliver regeneration benefits by refurbishing, repairing and re-activating key street-frontages. The improvements to the appearance of the site would enhance its contribution to the surrounding streetscape and the sense of place at a prominent location.

A detailed analysis has established that offices would be the optimum viable use for the listed building and would require significantly less heritage interventions compared to a hotel, residential or 'black box' use.

In view of the above, the development would be in keeping with the objectives of the City Centre Strategic Plan, the Greater Manchester Strategy, and would complement and build upon Manchester City Council's current and planned regeneration initiatives, including those encouraged in the St. Marys Parsonage SRF. As such, it would be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies SP1, EC1, CC1, CC7, CC8, CC10, EN1 and DM1.



The proposed use of the site as offices and alternative uses considered

Para 14 of the NPPG provides guidance on the optimum viable use of heritage assets. In this case, the building could be used for a number of uses including offices, hotel, residential or a black box use. Its layout and constraints mean that these uses would require alterations and a loss of heritage to varying degrees to deliver a viable use. An office use would be the most sustainable long term use, consistent with maximising retention of heritage values and significance, whilst facilitating a conservation-led approach to its wider refurbishment.

The significant internal and external alterations required to convert the building to hotel use would potentially lead to significant harm and make justification and balancing harm with significant regeneration benefits a challenge. The demolition required to create a financially viable hotel would be too destructive and the cost of the work would not be financially viable. The size of the hotel created would be the largest in Manchester.

The site is in the commercial core and is a prime opportunity for offices. Opportunities for commercial space are finite and limited in the core. Conversion to residential use presented the same issues as with the hotel. The depth of the floor plates would require a large atrium. Escape distances and occupancy levels mean that the existing cores would not be adequate for the occupancy levels and facade retention and new cores would be the only viable option. Views out of residential are even more important than hotels so full removal and replacement of the glazing would be required. Retention of the cores for a residential layout would be possible, but would not be viable. Facade retention could make residential viable but would not be acceptable in a heritage context.

A cinema or conference facility that requires no views out was considered. The location, public transport links and size of the building could be suitable but in order

to create the size of venues required, facade retention would be the only viable option. Even if the cores were retained, the structural intervention required to create the spaces would be excessive. There would likely need to be external bracing required due to the number of floors required to be removed. Major transfer structure would be required to create column free spaces in the auditorium. Facade retention would have a major adverse impact on the significance of the building, but would preserve the opaque glazing. A complicated scheme with challenging structural design would be highly expensive. Numerous viability assessments would need to be undertaken to see if the City could support another large venue. This option was therefore discounted.

Consumer behaviour has impacted on department stores. The growth in online retail sales, exacerbated by the health crisis, has reduced city centre footfall. These trends were placing pressure on the sector prior to the crisis. The financial difficulties of the current occupier are well known. A long-term decline of footfall has affected investment in the building which is deteriorating and floors have been vacated. There is no evidence of existing or future demand from other department store operators to take retail space of this scale (circa 400,000 sq ft) and there is a need to arrest the building's decline through significant investment that can only be delivered through an alternative viable and sustainable reuse of the building.

There is continued demand for Grade A office floorspace within the City Centre. The delivery of premium office space in the city centre would contribute to the economic success of the Greater Manchester Region and the sustainability credentials of the building would be of significant appeal. The proposal would be deliverable and viable and contribute to the identified market demand for offices. The increased demand for premium office floor space and the limited availability of new build has created demand for refurbished space. This refurbishment could attract office occupier interest and secure the long-term use and maintenance of the building.

The buildings would include 5,000-15,000 sq. m. of retail or leisure floorspace. The importance of delivering active frontages on the site is identified within the SRF, to animate surrounding streets and drive footfall within the central retail core.

An office use would be the most appropriate to secure the long-term use of the Kendals Building and provide the opportunity to restore, reveal and enhance areas of high heritage significance whilst minimising architectural interventions. However, a roof-top extension is required to make the development viable. Office use would require a central atrium but less acoustic, fire and M&E interventions than for other uses. An office use would secure a long-term viable use supported by smaller independent retail units at the ground floor. It is considered that the proposed office use with ground floor retail space is the optimum viable use.

It is unlikely that the current tenant will occupy the Building in the longer term.

Height, scale, mass and density

The scale, massing and height of development in the City Centre will significantly exceed what is appropriate elsewhere in the City. Overall, the refurbished and extended Kendals building would be 10 storeys in total, with recessed facades on

floor 7 and a further recess on floors 8 and 9 which would reduce the massing of the roof extension. There would be a recessed roof plant deck at level 10. The scale and massing of the 14 storey Fraser Building shifts in line with the retained Kendals Building on levels 7 and 9 before reducing further above to slim the massing. The new build would be taller than other buildings in the immediate area but its high quality design and appearance would be acceptable in this location. The proposal for the Kendals Building includes for demolition of an existing part two storey roof extension. A range of options have been explored to test the most appropriate form, materiality and scale of the rooftop extension and how it could conceal and consolidate the rooftop plant deck.

Design and appearance and Architectural Quality

The key factors to evaluate are the development's scale, form, massing, proportion and silhouette, facing materials and relationship to other structures. The proposal would result in 2 high quality buildings. The public realm would encourage pedestrian movement and improve the street level environment.

The design and materials would relate to the surrounding context and be sustainable, cost effective and durable. The proposal would be a contemporary addition to the skyline and create modern office floorspace within a conservation area. The architecture aims to strengthen the heritage setting and its surroundings. The composition of both buildings respects sensitive views of the site and contribute to the architectural variety expressed in older and more modern buildings. The new build would complement the adjacent and restored Kendals building using a reflective façade of fritted glass that makes reference to the triangular façade features of the Art Deco Kendals building.

The refurbishment of Kendals and restoring areas of its façade would keep the project rooted in its historical development. The modern rooftop extension would remove the poor-quality roofscape and replace it with a concise and clean addition that would allow the new use to come forward and preserve the building in the long term.

The appearance of the main body of Kendals would be retained although new materials would be introduced. This primarily relates to the replacement of the glass blocks with a new glazing treatment that would reflect the 'block' pattern. The new glazing would provide modern light and heating. New external lighting would enhance the cleaned, restored and repaired façade. The design of the roof top extension was informed by the strong vertical form of Kendals and the desire to create a distinct extension. The plant screen has been set back from the Deansgate elevation to minimise its visual impact.

The complementary form of the roof extension would have a copper colour tone. The glazing would reflect daylight and allow light out at night. It would provide a significant amount of premium floorspace to make the development viable.



Kendals is primarily stone and glass and the obscured glazing suits a department store. However, office occupiers would need views and therefore the glazing needs to be modified. The options appraisal considered alternative 'black box' type uses to be unviable and would involve a significant level of harm. Glass blocks would be retained next to retained stair cores on Deansgate, which are the most visible of each of the facades. As the glass blocks do not let in sufficient daylight, do not provide the necessary fire protections, nor are they thermally efficient, they would otherwise be replaced. A frit would be applied to the glazing and an expanded mesh inserted to reflect the existing glass blocks.

The removal of the majority of this glass blocks would 'harm' the listed building, but is necessary and proportionate in addressing the fundamental need to re-purpose it with the optimum viable re-use. The partial retention of some glass blocks and the design of the replacement should reduce the extent of potential harm. The original design intent for the building would still be read whilst making it fit for a new and modern office use. The building's deep plan form, with limited light penetration, is typical of a department store of this age and type and is a significant constraint. An atrium is therefore considered necessary in the majority of options tested for new use.

The two-block angular design of the new building maximises the shape of the plot. Its glazing and solid panels form a vertical zig-zag façade to respond to the windows on Kendals, whilst creating something original. This modern approach would create a unique appearance to this part of the site. The solid and void in the stone and glazed panels would be arranged in a saw tooth facade configuration creating variance of light and shadow as the sun crosses the facade. The proposed materials seek to respond to surrounding heritage assets in a modern contemporary way. A condition relating to the submission of full specifications and samples of all materials to be used for the external envelope of the buildings is included on the approval.

Relationship to Context and Impacts on Heritage Assets and Historic Context

The effect of the proposal on key views, listed buildings, conservation areas, scheduled Ancient Monuments, archaeology and open spaces has been considered. Section 16 of the NPPF establishes the criteria by which planning applications involving heritage assets should be assessed and determined. It identifies that Local Planning Authorities should require applications to describe the significance of any heritage assets in a level of detail that is proportionate to the asset's importance, sufficient to understand the potential impact of the proposals on their significance. In determining applications, the following considerations should be taken into account:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

The focus of the Government's planning policy guidance is to ensure that the desirability of sustaining and enhancing the significance of heritage assets is taken into account and that they are put to viable use, consistent with their conservation (NPPF paragraph 185). Development within or adjacent to heritage assets could have some impact on their fabric or setting, and this could be either beneficial or harmful. The fundamental design objective is to ensure that the impact on heritage assets is demonstrably beneficial, minimising any negative impact on significance. Consequently, development must be justified by clear and convincing evidence of the impact. Paragraph 193 of the NPPF advises local planning authorities that 'When considering the impact of a 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'. Where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

A Heritage Statement and a Townscape and Visual Impact Assessment (TVIA) have assessed the historic environment and the visual impact of the proposal on identified heritage assets. The Heritage Statement has also assessed the direct physical impacts on the Grade II listed Kendals Building. The site is within the Parsonage Gardens Conservation Area and opposite the St. Ann's Square Conservation Area. The following listed buildings are nearby: Haywards Buildings (Grade II), 3 St. Mary's Parsonage (Grade II), Arkwright House (Grade II), Century Buildings (Grade II) and 31 & 33 King Street West (Grade II), 4-14 Ling Street (Grade II) and the Grade I listed St. Ann's Church.

The TVIA assesses the visual impact of the proposal from 19 views whereas the Heritage Statement assesses the visual impact from 10 of these views (Views 1-7, 10, 17 and 18), and the results from both assessments have been combined. Due to

the number and height of existing buildings, as well as the compact urban grain within the immediate vicinity to the site, views are predominantly contained to the immediate context. Viewpoints 1–7 and 18 have clear visibility to part or the entire site. Middle distance views such as viewpoints 8, 11 and 17 have limited visibility. These glimpsed views are contained within the background. Building heights around the site range from 4 to 10 storeys but there are 11-15 storey buildings on the River Irwell. Buildings of a similar height to the proposed Fraser and Kendals Buildings are characteristic of the local townscape and this variety means the area has a low susceptibility to change.



View 1 looks south-east across Parsonage Gardens towards the north-west corner of the Grade II Kendals store. To the middle of the view is the Grade II listed Arkwright House with the foreground dominated by Parsonage Gardens. To the extreme left is the rear elevation of the unlisted Church House and the front elevation of the Grade II Arkwright House is the main focus of the view to the right, whose setting and character is enhanced by the open, green Parsonage Gardens. Terminating the view between Church House and Arkwright House is the rear elevation of Kendals. This view represents the character and appearance of the

Parsonage Gardens Conservation Area and the contribution of the settings of Kendals and Arkwright House.

In the proposed View the Kendals extension and the upper storeys of the new Fraser Building rise above the roofline of Arkwright House. The view epitomises the character and appearance of the Parsonage Gardens Conservation Area and the modern new build elements impacts on these established qualities and reduce the dominance of Arkwright House. The alterations and extensions to the Grade II Kendals Building to a lesser degree impact on the character and appearance of the Conservation Area, but do impact on the setting, character and understanding of the Kendals Building and its group value with Arkwright House. The roof extension is at odds with the Art Deco vertical emphasis of the building, and removes its stepped roof structure, which although simpler in design and materials, provides extra emphasis to the roovescape. The heritage assets' settings and significance would be adversely affected to a moderate degree, as the roof extension diminishes the understanding and appreciation of those heritage values and the character and appearance of the Parsonage Gardens Conservation Area as a whole.



View 2 looks towards the rear elevation of Kendals and the north and north-west corner of the Fraser Building. It is an incidental view glimpsed to part of the rear aspect of the site while traveling north towards Parsonage Gardens and illustrates the “back of house” areas relating to Arkwright House; Kendals and the 1970s Fraser Building and car park, and combines three distinct architectural periods from the 19th century, through 1920s/30s to the 1970s. Although the view includes three listed buildings and is located within the Parsonage Gardens Conservation Area, it does not best represent the heritage interest of the heritage assets.

In the proposed View the new building and roof extension to Kendals is visible. It clearly shows the replacement of the 1970s Fraser Building with the coloured glass elevation of the new build. This replaces a negative visual component from the conservation area with a high quality which allows the settings of the Grade II listed buildings either side to be enhanced to a minor degree.



View 3 is from Motor Square, looking east into King Street West from St Mary's Parsonage. It is to the southern side of the Parsonage Gardens Conservation Area and includes oblique views of Grade II listed buildings at 31 & 33 King Street West and Kendals, although neither building is well understood or appreciated. The heritage interest and character of the conservation area is in part understood and appreciated but is diminished by the large amount of street furniture and signage at Motor Square and the unlisted 1960s office building to the immediate left.

The proposed view shows the southern aspects of the new building and roof top extension at Kendals. The introduction of the new build in this part of the conservation area does impact on its character and appearance and the established building types, building heights and materiality to the northern side of King Street West. It would be a dominant and modern component that can be seen to dwarf the listed and non-listed buildings. The roof extension to Kendals is less discernible partly due to the new Building. The replacement of the original glass blocks with modern clear glass panels changes the appreciation and character of the building to a minor degree and introduces a much more modern character to the exterior of the store. The proposed changes diminish the settings and the ability to understand and appreciate the significance of the identified heritage assets and diminishes the character and appearance of the Parsonage Gardens Conservation Area to a minor degree.



View 4 is from Deansgate, looking towards the main elevations of Kendals. It includes 3 listed buildings: the Grade I Rylands Library, the Grade II Sawyers Arms and the Grade II Kendals Building. The view is from the boundary between the Deansgate/Peter Street Conservation Area and the Albert Square Conservation Area. It demonstrates the typical character of Deansgate combining historic and modern buildings of medium to large plots. Although there are examples of mid-rise buildings on Deansgate, the typical height of buildings is between 4-6 stories. Kendals is seen as part of this multi-phase, urban streetscape. The view represents the character, appearance and heritage interest of the Deansgate/Peter Street Conservation Area, which forms a varied mix of commercial buildings of low to medium height and varying in age and materials.

The proposed view is an oblique one of Kendals from Deansgate, illustrating the outline of the roof extension to the listed building. The Fraser Building is concealed by foreground buildings. This view illustrates the increase in height of the listed Kendals Building, which can be seen to appear disproportionate and contrary to the simple architectural treatment and vertical emphasis of the Art Deco building. The increase in height of the Grade II building does impact on the established building height to the western side of Deansgate, and to a lesser degree does impact on the setting and domestic character of the Grade II Sawyers Arms. However, the impact on the setting of the Grade I Rylands Library is neutral. Consequently, the roof extension to the Grade II Kendals building is considered to adversely impact the setting and character of the Grade II listed Sawyers Arms and the character and appearance of the Parsonage Gardens Conservation Area to a minor degree.





View 5 is from further along Deansgate towards Kendals and includes 2 listed buildings; the Grade II 105-113 Deansgate and Kendals. The view is at the boundary of the Parsonage Gardens Conservation Area and the St Ann's Square Conservation Area. The view represents well the character and appearance of the Parsonage Gardens Conservation Area, with a varied mix of low to medium height commercial buildings of varying age and materials. The demonstrates the typical character of Deansgate, with historic and modern office buildings of medium to large plots. The 1980s Sainsbury's store is a neutral component of the Parsonage Gardens Conservation Area and maintains the established height to this side of the street. The Grade II Kendals Building is more prominent from this location, and its Art Deco vertical emphasis contrasts well with the earlier, decorated gables of the adjacent properties. The character and appearance of the Parsonage Gardens Conservation Area, and the heritage values of the Grade II Kendals Building are well represented in this view.

The proposed view shows the principal elevation of Kendals from Deansgate, illustrating the roof extension. it is experienced further along Deansgate and illustrates the roof extension and windows from a closer distance. The roof extension at Kendals can be seen to impact upon the simple architectural treatment, vertical emphasis, and character of the Art Deco building. The orange/rust colour reflects the brick/ terracotta materials on buildings in the foreground, which distract from the pale Portland stone colour of Kendals creating a visual disconnect and making the roof extension appear more visually dominant. The replacement of the original glass block windows with clear glass adversely affects the ability to appreciate the architectural interest of the listed building. The new build is concealed by the buildings in the foreground. The alterations to Kendals adversely impact the special interest of the Grade II listed building to a moderate degree, however there would be no impact on the character and appearance of the Parsonage Gardens Conservation Area.



View 6 looks west from King Street and shows the site from within the St Ann's Square Conservation Area, looking west into the Parsonage Gardens Conservation Area. Kendals and the Grade II listed 4-14 King Street can be seen. The vertical emphasis and Art Deco design of the corner of the Kendals Building can be appreciated from this location, which comes into full view when reaching the junction of the three streets. The narrow width and low-rise nature of King Street emphasises the dramatic 'revealing' of Kendals and wider Deansgate setting. The view includes the Fraser Building which is not an obviously negative component to the Parsonage Gardens Conservation Area from here. This view represents the heritage interest of the two listed buildings and the character of the St Ann's Square Conservation Area well.

The proposed view shows the corner of Kendals and the new build, the taller part of which is almost entirely concealed behind Kendals. The low-rise element that forms the entrance to the new build can be seen and understood as a continuation of the streetscape of King Street West. This part of the scheme maintains the existing height and form that exists and replaces the 1970s building with a high quality development which is subservient to Kendals. The replacement of the original glass blocks with clear glass panels with fritted design partially retains the original Art Deco

aesthetic of the original glazing, however the increased reflection and now visible horizontal joints between glass panels removes the strong vertical emphasis from the elevation and has a minor-to-moderate adverse visual impact on the character and significance of Kendals. The impact on the Grade II listed 1-14 King Street and on the character and appearance of the Parsonage Gardens Conservation Area is neutral.



View 7 is from the southern end of St Ann's Square within the St Ann's Square Conservation Area looking towards Kendals from the front of the Grade I listed St Ann's Church with Kendals terminating the view. St Ann's Church and St Ann's Square are the focus of the St Ann's Square Conservation Area and although the buildings to the right and middle-left are not listed, they are positive contributors to the character and appearance of the conservation area. This view demonstrates the established building height within the area, with the taller Kendals Building signalling the change in character to the Parsonage Gardens Conservation Area along Deansgate. The open nature of the southern end of St Ann's Square enhances the ability to appreciate the heritage interest of all buildings, terminated by the clearly Art Deco vertical emphasis of Kendals. This view is considered important as it represents the character and appearance of the St Ann's Square Conservation Area and the settings of Kendals and Grade I St Ann's Church well.

The proposed view shows the north-east corner of Kendals with the roof extension. This is seen to be an incongruous addition to the Grade II listed Kendals Building in terms of height, mass and colour and impacts on the character, scale and design of Kendals, with the proposed colour creating a visual disconnect. The replacement of the original glass blocks with clear glass panels increases the reflectivity and highlights the horizontal joints between glass panels, which removes the strong vertical emphasis from the elevation and impacts on the character and significance of Kendals. The alterations do not impact on the setting or significance of the Grade I St Ann's Church, which forms the central focus of the St Ann's Square Conservation Area. The change to the roofline would result in some adverse visual impact when looking towards the site from the conservation area. The roof extension diminishes the character and significance of the building and the understanding and appreciation of its heritage values by removing the original vertical emphasis and introducing a large new roof extension of a contrasting colour. The overall visual impact from this viewpoint is considered to be moderate adverse.



View 8 is experienced from the A56 Deansgate adjacent to No. 1 Deansgate. The foreground of the view comprises the junction between the A56 Deansgate and Blackfriars Street. The view predominantly comprises the built form along the A56 Deansgate. The Grade II Listed Kendal Milne Building is visible in the background of the view. The majority of the site boundary is screened from visibility by the existing built form along the A56 Deansgate.

In the proposed View 8 the proposed development would be visible in the background of the view, though predominantly screened from visibility by existing built form. It is considered that the proposal would have a neutral impact from this viewpoint.



View 9 is from the Grade I Listed Manchester Cathedral in the pedestrianised area on Deansgate in the Cathedral Conservation Area. The focal point of the view is of

the built form along the junction of Deansgate and Victoria Bridge Street. Kendals is barely perceptible in the background.

In the proposed view the proposal would be visible in the background but predominantly screened from visibility and it would have a neutral impact.



View 10 is from Hunts Bank from the Cathedral Conservation Area. Although the Grade I listed Cathedral and Grade I listed Chetham's Hospital can be seen to the left of the view, a number of modern office and residential/hotel towers dominate the view creating an ad hoc contemporary backdrop. The view illustrates that the setting of the Cathedral is understood but compromised by its urban environment, including the rendered side elevation of a neighbouring building which blocks views to it. Both the Cathedral and Chetham's Hospital are surrounded by road, street furniture and signage providing a low quality setting to the heritage assets. This view does not best represent the character and appearance of the Cathedral Conservation Area, nor the heritage interest of the heritage assets within the view, which are better understood and appreciated from other locations.

In the proposed view the development site is largely obscured by buildings on Deansgate. This view demonstrates the substantial demolition and redevelopment to the northern end of Deansgate which allows the new Fraser Building to be read as a contemporary development in keeping with the urban skyline in the distance. The proposal would not have any impact on the Cathedral Conservation Area or any heritage assets within the view and the visual impact is neutral.



View 11 is from Trinity Bridge above Dearmans Place. The red brick Alberton House is clearly visible, which screens visibility of the site.

In the proposed view the proposal is screened and would have a neutral impact.



View 12 is from Deansgate Castlefield Metrolink Station, adjacent to the Grade II Listed Castlefield Railway Viaduct. It represents the experience of commuters arriving from the tram stop. The Grade II Listed Castlefield Railway Viaduct is in the foreground. The background comprises buildings on Deansgate including the Grade II Listed 235-291 Deansgate, Castlefield Information Centre and the Former Market Hall and the taller No1 Spinningfields Square and 125 Deansgate. There is limited visibility of Kendals.

In the proposed view the proposal would be barely visible and would have a neutral impact.



View 14 is from Piccadilly Gardens and the site is not visible.

In the proposed view 14 proposal is not visible and would have a neutral impact.



View 15 is from the Grade II Listed Roman Catholic Church of St. Chads and presbytery St. Chads Presbytery, the A665 Cheetham Hill Road and the site is not visible.

In the proposed view the proposal is not visible from this location and would have a neutral impact.



View 16 is from the Public Footpath Salford FP5 along the River Irwell and the site is not visible.

In the proposed view the proposal is not visible and would have a neutral impact.



View 17 is from the upper part of King Street looking to its junction with Cross Street. It is in the Upper King Street Conservation Area with listed buildings on both sides of the street; to the left the Grade I listed former Bank of England, the Grade II former Prudential Assurance Office and Grade II No. 74 King Street which all form the southern side of King Street, and the large Grade II listed former Lloyds Bank. The upper part of King Street becomes narrower as King Street continues over Cross Street. Here, the highly decorated buff stone of the Grade II Eagle House holds the corner and junction to the left, whilst the domestic scale of the much earlier properties and shops to the north side of King Street continue towards Deansgate and the Site. This view illustrates the clear heritage interest of both the former banking district and the former commercial district and the subsequent reduction in height of buildings as you travel east. The view is terminated by the tall 1950s Albert Bridge House which partially conceals the domestic scale of buildings to the western end of King Street. Although this is a 20th century building, its colour and materials help it to blend in with the surrounding townscape. This view is considered to represent the character and appearance of the Upper King Street Conservation Area and the settings of the visible listed buildings well.

The proposed view is long-range from the Upper King Street Conservation Area, looking into the St Ann's Square Conservation Area. The new build and Kendals roof extension would be highly visible. The addition of two new built forms demonstrably changes the established height of King Street in this key view. The elevated position of the view emphasises the additions to the horizon, which envelop and dominate the low-rise, graduated termination of the St Ann's Square Conservation Area. Consequently, the overall impact is considered to be minor-to-moderate adverse.



View 18 is from the northern end of Deansgate, looking towards Kendals on the boundary of the Parsonage Gardens Conservation Area and the St Ann's Square Conservation Area. It is an integral point to understand and appreciate the heritage interest of Kendals. The street walls provide a defined viewing corridor along Deansgate, with Kendals being the dominant and most striking building. The setting and architectural character of Kendals can be fully appreciated. The uninterrupted roofscape and silhouette against the sky enhances the architectural simplicity and "modernity" of the building. The close view of Kendals also emphasizes the use of

mottled glass which produce subtle glints of movement as you travel further towards the building. Consequently, it is considered that this view represents well the architectural interest of the Grade II listed Kendals building, and the character of the Parsonage Gardens Conservation Area.

The proposed view shows the roof extension and elevational changes to Kendals from Deansgate. The replacement of the original glass block greatly affects the character of the listed building. The clear glass panels heighten the level of reflection, depth and highlights the horizontal joint lines, all of which impact on the original external design of the building and its intended vertical emphasis. The roof extension can be seen to impact on the intended simple architectural treatment, vertical emphasis and character of the Art Deco building. Although partially concealed along the Deansgate elevation, the fully visible aspect of the extension to the corner of Deansgate and St Mary Street allows for the full height of the extension to be seen from this location, introducing an incongruous element to the simple design and scale of the building. Consequently, although it is considered that there is negligible impact on the character and appearance of the Parsonage Gardens Conservation Area and the settings of surrounding listed buildings, the alterations to Kendals adversely impact the setting, understanding, appreciation and character of the Grade II listed building. Consequently, the overall impact is considered to be moderate adverse.





View 19 is experienced from the B5461 E Ordsall Lane and represents the view from the Charcoal building, Middlewood Locks, Salford. The site boundary is screened from view from this location by the existing built form.

In the proposed view the proposal is not visible and would have a neutral impact from this viewpoint.

These views have shown that the proposal would erode to a demonstrable extent the settings and heritage interest of heritage assets. The replacement of the glass blocks with modern, plain glass with fritted geometric block design removes the largest area and most significant element of Kendal and erodes the character, appearance and heritage values/interest of the building. The roof extension further alters the original design, simple Art Deco modernist vertical emphasis, roofscape and scale. The new build Fraser Building however would replace the 1970s Fraser Building that is currently considered to be a negative component of the Parsonage Gardens Conservation Area. The alignment and stepping of the Fraser Building would lessen its visual impact, which results in it not being visible in many views. However it would result in adverse visual impacts from certain viewpoints, principally in Views 1, 3 and 17, where the scale and external design dominates the streetscape, settings of heritage assets and the character and appearance of conservation areas. Overall, the Heritage Assessment concludes that the proposal would result in a harmful change to the settings, character and appearance of the designated heritage assets within the agreed views, and as a result the proposal is considered to have a moderate adverse visual impact overall.

As well as assessing the impact of the proposal on the setting and views of relevant heritage assets and on the external appearance of the Kendals Building, it is necessary to assess the impact of the internal alterations at Kendals. Architecturally, office use would require the least intervention / adaptation of the current fabric to make a viable and workable space. Significant M&E work would be required to bring the systems up to standard but limited subdivision of the space would maintain the legibility of the historic plan form.

Many department stores of the same age as Kendals have atriums within them as part of the original layout. The creation of a new atrium would improve the long-term occupation and practical use of the space. The British Council for Offices (BCO) recommend that a person's primary working space should be no more than 6 metres away from a window and natural light. The floorplate is exceptionally deep, so a significant amount of each floor would be designated as tertiary space in its current form. The atrium has been located to marry with the existing lift and stair cores and these original features would be retained. The atrium would result in the removal of isolated areas of floor and ceiling to each level, as well as the removal of two associated Art Deco column heads, which are a pastiche example of this style and are non-original. The removal of the two Art Deco column heads, per floor, is considered necessary, to allow for appropriate fire protection measures to be installed to the perimeter of the atrium. The remaining eight Art Deco column heads would be retained within each floor plate.

In addition to the proposed atrium, a number of key interventions would need to be made in order to facilitate the conversion of Kendals to offices. These would include:

- Creation of new, distinct office and retail entrances to allow separation of user groups. To create the physical entrance for the office, the canopy, jambs and heads of the existing structure would be retained, with the proposals maintaining the design ethos and rhythm of the corner. This new entrance would necessitate the core in this corner being removed at the ground floor level as a minimum intervention to facilitate the agreed entrance strategy.
- The raising of ceiling heights as the current ceiling heights are not at an acceptable level for office occupiers. Due to the presence of asbestos within the ceiling void, it would be necessary to remove sizable areas of the ceilings and column heads in order to safely access and remove asbestos and contaminated materials. This presents the design team with the option of reconstructing the column heads post asbestos removal at a new higher level to better suit prospective office tenants.

The internal works proposed at the Kendals Building are necessary to secure a long term, sustainable and viable use for the building and in this instance are considered to be acceptable. As discussed above, alternative use options were considered for the building and office use remains the option that would result in the least harmful interventions at the listed building.

Careful consideration must be given to the direct and indirect impact of a proposal on heritage assets. Any potential negative impact must be demonstrably outweighed by public benefits, as defined by the NPPF (Para 196).

Public benefits

Despite the moderate adverse impact of the development overall in terms of visual impact, in mitigation the development would deliver substantial public benefits, including:

- The applicant would enter into an agreement with Manchester's Work and Skills team to maximise social value by ensuring contractors draw on the local labour pool
- The construction phase is anticipated to support 3,239 FTE jobs and generate GVA of £350m. The construction activity generated by the proposal would provide a significant boost to the regional economy, whilst utilising the strength and resilience of the construction industry to further the process of economic recovery required as a direct response to economic recession caused by the COVID-19 health crisis.
- The proposal would deliver retail floorspace and increase the amount of active frontage across both buildings when compared to the existing situation, thereby making a positive contribution to public realm in surrounding streets.
- The retail space would support an estimated 315-400 jobs. Local retail expenditure is anticipated to increase due to spending by employees and visitors due to income generated by money spent at the retail units and expenditure generated by the development's employees.
- There would be pathways for young adults to encourage and develop skills, internships and apprenticeships among the varied and specialised employment roles in any medium to large scale businesses and organisations that are targeted by the proposals.
- During the operational phase the scale of commercial space would support 3,491 jobs, and up to 400 in the retail and flexible ground floor commercial space. This scale of employment would be a 2.5% uplift on the 2018 local employment levels. The proposal would also provide a range of opportunities for local residents across a variety of skills levels and occupations, contributing to the inclusive growth ambitions in the Our Manchester Industrial Strategy, as well as potentially reducing the average distance travelled to work.
- A typical occupier in the office space by a tech, media and telecoms and / or financial and professional service would generate a direct GVA impact of almost £300m per annum, while the retail employment would support £15m of GVA per annum.
- The proposal would deliver major public realm improvements along Southgate and surrounding streets. The renewed and increased quantum of high-quality public realm would provide a new landmark entrance into to the St. Mary's Parsonage area at the southern end. This would deliver the first stage of the SRF's objective to deliver a more pedestrian friendly environment that enhances connections with other regeneration areas.
- The scale of the investment would also serve to provide wider investor confidence in the area, incentivising other investment initiatives to come forward that will seek to capitalise and build upon the benefits associated with this major project in the SRF area.
- The number and range of new jobs that would be accommodated by the proposals during operation is in excess of 4,000 across a range of skill levels and job grades, and would therefore contribute to both economic growth and inclusive growth ambitions of the City.
- The creation of high quality and numerous employment opportunities at the site would complement the on-going delivery of large numbers of new homes within the city centre, thereby attracting people to live and work in the city centre and make a positive contribution to the creation of a sustainable city.

- Business rates from the offices and retail space would generate £3.2m a year, £31.8m over ten years of operation. Furthermore, the associated increase in city centre living by future employees would also drive Council Tax receipts.
- Currently, the pedestrian and city centre user experience of the existing MSCP/ Fraser Building and to the rear of Kendals is relatively poor. The proposal would improve this experience and create a unique place identity, embracing the site's potential as a key regeneration site. This would help to develop a better sense of place and raise the standards of the quality of development across the city centre.
- The public realm and landscaping enhancements would provide opportunities for greater natural surveillance, thereby improving local safety and security.
- The demolition of the multi-storey car park and replacement with a new high-quality office building would positively transform the western part of the site and surrounding streets.
- The proposal would seek to become an exemplar in sustainable design and construction. In doing so, the proposal would directly support the Council's 2038 Net Zero Carbon target. It seeks to achieve this by sustainable reuse of the existing Kendals Building and ensuring the highest quality of design for the new build Fraser Building that would create an adaptable, sustainable and innovative office development.

Any harm to the significance of heritage assets must be weighed against the potential public benefits. In summary, the proposal would deliver an exceptional range of short and long-term economic, environmental and social benefits that are significant at the local and regional scale, in terms of the positive contribution to surrounding streets, enhancements to the City's built environment and the strategic contribution to the objectives of the City Council, the Greater Manchester Region and the Northern Powerhouse agenda. The development would therefore be in accordance with the requirements of paragraph 192 (NPPF, 2019).

On balance there is policy support for the proposals. There would be a degree of less than substantial harm but the proposal represents sustainable development that would deliver many public benefits. It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the Kendals Building itself, the setting of the adjacent listed buildings and the character of the conservation area as required by virtue of S66 and S72 of the Listed Buildings Act within the context of the above, the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 196 and 197 of the NPPF and that the harm is outweighed by the benefits of the development.

Viability

The applicant has submitted a viability appraisal that justifies the need for the roof-top extension on the Kendals Building and the height of the proposed Fraser Building. 2 options were looked at for both buildings. For Kendals this was the option of repurposing the existing building with no extra floors versus the 2 extra floors of office accommodation. For the Fraser Building this detailed the viability of 10 floors of offices versus 12 floors (which is what is proposed). This appraisal has been independently assessed and concludes that for the Kendals Building to be viably redeveloped the extra floors would be required, otherwise the residual land value

would be under that of the existing use value of the building and it is unlikely that the developer would proceed. For the Fraser Building there remains question marks over the scheme's overall viability but it is clear that the lower 10 office floors option would not be viable. The two additional floors are required.

Archaeology

There has been extensive development on the site since the eighteenth century, especially during the twentieth century, which means that there is very low potential for Roman and Medieval Periods to survive on the site. There is, however, some potential for the presence of archaeological remains dating to the Industrial Period within the site, particularly in areas devoid of modern basements, which merits further investigation.

Sustainable Design and Construction

Various sustainable facilities have been incorporated into the design, including:

- Solar shading to the glazed panels on both buildings via applied frits
- Integrated wire mesh to glazing on Kendals providing additional solar shading
- Both buildings have solar panel arrays on their respective roofs
- The Fraser Building has significant areas of blue roof for rain water retention reducing run off
- Rain gardens and attenuation within the landscape
- Materials have been selected to assist with the sustainability aspirations of the project.

The BREEAM targets for both buildings are:

Kendals - Very Good

Fraser Building - Excellent

The interventions within the listed building required to achieve Excellent in Kendals are invasive and not considered appropriate.

Careful consideration has been given to the incorporation of Low and Zero Carbon Technologies to the proposals in line with the energy hierarchy, alongside the reuse of the existing listed building. The proposed approach to emissions reduction at this site would be through a fabric led energy strategy and efficient servicing.

The development has no parking provision but would provide enhanced cycle parking and associated facilities.

The site is highly sustainable and accessible via a range of transport modes including walking, cycling, bus, Metrolink and train.

The proposal would accord with the energy efficiency requirements and carbon dioxide emission reduction targets within the Core Strategy policies EN4 and EN6 and the Manchester Guide to Development Supplementary Planning Document. The development would be designed and specified in accordance with

the principles of the energy hierarchy in line with Policy EN4 of the Core Strategy and would achieve high levels of insulation in the building fabric and high specification energy efficiency measures. Given the above, it is considered therefore that the design and construction would be sustainable.

Contribution to Public Spaces and Facilities and Public Realm improvements

Southgate would be partially pedestrianised with new pedestrian and cycle routes and cycle parking in the public realm and in the two buildings. By freeing up space and placing the office entrance to both buildings on King Street West, it would improve surrounding public spaces. The proposal would provide significant areas of public realm and active retail frontages to King Street West, Southgate and St. Mary's Parsonage and provide connected linkages, routes and places that reinforce the key objectives of the SRF.

Seating would be provided with semi-mature trees of varying character, species, form and height. There would be signage totems, lighting columns, bollards and perforated art-work screens with colonising planting. Areas around entrance lobbies would be uncluttered, with changes in surface materials to promote spill out space for retail units.

Credibility of the Design

The design team has recognised the high profile nature of the site and the requirement for design quality and architectural excellence. A significant amount of time has been spent developing the proposal to ensure that it can be delivered.

The materials are appropriate and the proposals are achievable and deliverable. The final proposals have been costed and tested for viability.

Effect on the Local Environment

This examines, amongst other things, the impact the scheme would have on nearby and adjoining residents and includes the consideration of issues such as impact on privacy, daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements, air quality and the environment and amenity of those in the vicinity of the building.

a) Privacy and overlooking

There are no prescribed separation distances between buildings in the City Centre where developments are, by their very nature, more dense and closer together than in suburban locations. The nearest residential properties are the Manera Apartments which are opposite the Kendals Building on the other side of King Street West which is 3-4 storeys and has 15 apartments. Century Buildings on the western side of St. Mary's Parsonage is separated from the Fraser Building by Arkwright House. The distance between Kendals and the Manera Apartments is around 11m. In the interests of bringing an under-used listed building into a viable and sustainable new use, it is considered that the separation distance in this instance is acceptable.

The Fraser Building would be higher than the existing building and its upper floors could be seen from Century Buildings. However the buildings are some distance apart. Arkwright House is much closer to the apartments than Century Buildings. The closest distance between the Fraser Building and Century Buildings is approximately 47m. Kendals is approximately 83m away from Century Buildings.

b) Sunlight, Daylight and Overshadowing

The application is supported by a Daylight and Sunlight Assessment using the methodologies set out within the Building Research Establishment (BRE) Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'.

The BRE Guide provides different methodologies for daylight assessment, including Vertical Sky Component (VSC) and No Sky Line (NSL). There is one methodology for sunlight assessment, Annual Probable Sunlight Hours (APSH) and one for overshadowing, Sun Hours on Ground (SHOG).

The BRE Guidelines suggest that homes have the highest requirement for daylight and sunlight. The following properties have therefore been considered due to their proximity to the site:

- Century Buildings
- Manera Apartments, 46 King Street West
- 8 King Street

Parsonage Gardens has been assessed for overshadowing.

The following scenarios have been assessed

- Baseline;
- Scenario One - Without Fraser Building development but with Kendals refurbishment (partial development); and
- Scenario Two - With both developments complete (full build out)

The overshadowing assessment of Parsonage Gardens has been undertaken with both developments complete, as this represents a worst-case scenario.

373 windows to 150 rooms within these buildings were assessed for Vertical Sky Component ('VSC') and No Sky Line ('NSL') and 54 rooms were assessed for Annual Probable Sunlight Hours ('APSH') for sunlight in two buildings.

For the baseline measurements, 96 windows (26%) meet the BRE guidelines for VSC. For NSL, 110 (73%) rooms meet the BRE criteria. For sunlight, 44 (82%) rooms meet the BRE criteria for both Winter and Annual APSH. For overshadowing, Parsonage Gardens does not meet the BRE criteria for Sun Hours. Overall, the baseline is considered a moderate level of compliance In a city centre context. The Manera Apartments has a low compliance as 17% of the windows achieve the VSC target and 24% of the rooms achieve the NSL target. The other two buildings have very high (Century Buildings) and full (8 King Street) compliance .

During Scenario 1, the assessment revealed the following results for daylight measurements:

Within Century Buildings, 233 windows to 103 rooms were assessed for daylight. For VSC, 230 (99%) would meet the BRE criteria. Two of the affected windows would experience an alteration between 20-30%, and the remaining one window would experience alterations in excess of 40% from the baseline value. For NSL, all rooms would meet the BRE criteria. The effect on daylight of the Scenario 1 would be negligible in significance.

Within the Manera Apartments, 82 windows to 29 rooms were assessed for daylight. For VSC, 53 windows would meet the BRE criteria, 16 windows would experience an alteration between 20-30% from the baseline value, 10 windows would experience an alteration between 30-40%, and the remaining three windows would experience alterations in excess of 40%. For NSL 20 (69%) rooms would meet the BRE criteria. Two of the affected rooms would experience an alteration between 20-30%, seven of the affected windows would experience an alteration between 30-40%, and the remaining six would experience alterations in excess of 40% from the baseline value. As stated above, the property has a low level of retained daylight in the baseline. The reductions in VSC and NSL are therefore relatively minor, however proportionally they are large due to the very low existing baseline figures. Overall, considering the city centre location, the minor reduction in actual daylight, and the medium sensitivity of the property, the effect on daylight from Scenario 1 is considered to be minor adverse.

For 8 King Street, 60 windows to 18 rooms were assessed for daylight. For VSC, 58 (100%) windows would meet the BRE criteria. For NSL, all rooms would meet the BRE criteria. The effect on daylight from the proposal is therefore considered to be negligible for Scenario 1.

For sunlight 54 living rooms were assessed within two buildings. Windows that are not with 90 degrees of due south, or do not serve living rooms, were excluded from the assessment. The Manera Apartments were therefore excluded from this assessment.

Within Century Buildings, 50 (98%) rooms would meet the BRE criteria for both Winter and Annual PSH. One room would experience an alteration in Annual PSH of between 20-30%. Overall, considering the city centre location, the fact that only a small number of rooms are affected and the medium sensitivity of the property, the effect to sunlight on this building is considered to be negligible in significance.

At 8 King Street, three rooms were assessed for sunlight as the building predominantly faces due north and only a limited number of windows face with 90 degrees of due south. All rooms would meet the BRE criteria for both Winter and Annual PSH. Overall, considering the city centre location, and the medium sensitivity of the property, the effect to sunlight on this building is considered to be negligible in significance.

Scenario 2, had the following results for daylight:

373 windows to 150 rooms were assessed for daylight at the three buildings.

At Century Buildings, 233 windows to 103 rooms were assessed for daylight. The impact to Century Buildings is limited to the rooms and windows on the north west elevation. For VSC, 229 (98%) windows would meet the BRE criteria. Three would experience an alteration between 20-30%, and the remaining window would experience alterations in excess of 40%. For NSL, all rooms would meet the BRE criteria. The isolated impacts and the medium sensitivity, mean the effect on daylight is negligible.

At the Manera Apartments, 82 windows to 29 rooms were assessed for daylight. For VSC, 40 (49%) windows would meet the BRE criteria. 20 would experience an alteration between 20-30%, 11 an alteration between 30-40%, and the remaining 11 windows alterations in excess of 40% from the baseline value. For NSL, 20 (69%) rooms would meet the criteria. Two would experience an alteration between 20-30%, and the remaining seven rooms alterations in excess of 40%. This property has a low level of retained daylight with only 17% of the windows achieving the VSC target and 24% of the rooms achieving the NSL target. The reductions in VSC and NSL are therefore relatively minor, however proportionally they are large due to the low baseline figures. In a city centre context, the minor reduction in actual figures, and the medium sensitivity of the property, mean the effect on daylight would be minor adverse.

At 8 King Street, 58 windows to 18 rooms were assessed for daylight. For VSC, all windows meet the criteria. For NSL, all rooms would meet the criteria. The effect on daylight is considered to be negligible in significance.

With regard to Sunlight, 54 living rooms were assessed at two buildings. The Manera Apartments were again excluded from the assessment.

At Century Buildings, 51 rooms were assessed for sunlight. The assessment covers living rooms which have a window facing within 90 degrees of due south. 50 rooms would meet the BRE criteria for both Winter and Annual PSH. One room would experience an alteration of between 20-30%. Overall, the effect to sunlight on this building is considered to be negligible in significance.

For 8 King Street, three rooms were assessed for sunlight and all meet the BRE criteria for both Winter and Annual PSH.

With regard to overshadowing to Parsonage Gardens, the area of the Gardens that would receive two hours of direct sunlight on 21st March would not be reduced by more than 20%. Therefore, it would meet the BRE criteria for Sun Hours on Ground (SHOG) and the effect on overshadowing to this amenity would be negligible. An analysis of the shadows cast by the proposal using Scenario Two have been undertaken, as this represents a worst-case scenario.

Overall, the impact on daylight impacts to the surrounding properties is considered negligible to minor adverse and the impact on sunlight is also considered negligible to all properties. Given the small scale of these effects and the context of the site, no

further mitigation is considered necessary. Given the high density, central urban location of the site, the proposal is considered to be acceptable.

(c) Wind

A Pedestrian Wind Comfort Assessment has been undertaken. The wind flow profile evaluated 12 major wind directions, with an emphasis on the airflow pattern around the development and in spaces between buildings. The assessment methodology is based on the Lawson's pedestrian wind comfort criteria. The results indicate that the proposal should not significantly change the wind micro-climate in the surrounding area. The average wind conditions would provide reasonable comfort for pedestrians between the buildings or in their vicinity. Most of the areas were classified as suitable for pedestrian standing and walking and would be suitable for café tables etc, especially adjacent to Southgate and Back South Parade. The roof terrace at the top of the Fraser Building was classified as suitable for sitting and standing.

(d) Air Quality

The site is in the Greater Manchester Air Quality Management Area which is designated for the potential exceedance of the annual mean nitrogen dioxide (NO₂) air quality objective. Two separate air quality assessments have been undertaken - in relation to Kendals and the Fraser Building. Both consider the potential for impacts to occur during the construction and operational phases and the exposure of future occupants to air pollution.

A construction dust impact assessment was undertaken in accordance with IAQM construction assessment guidance. It was concluded that the construction effects of the proposal would not be significant with the following mitigation measures implemented and the correct implementation of best practice methods:

- Stakeholder communication plan
- Site Management Initiatives
- Monitoring Methodology
- Methods for Preparation and Maintenance of Site
- Management and Operation of Vehicles
- Measures for reducing operational impacts
- Waste Management guidelines

The exposure of occupants in operation was assessed. The level of pollutants found exceeded some good practice design recommendations passed on the World Health Organisations (WHO) threshold values. The ventilation strategy includes mechanical ventilation for all office space and with filtration and air intakes at the higher levels of Kendals and the Fraser Building, the proposal would provide indoor air quality that meets WHO recommendations. As a result no mitigation measures are required.

Overall, the proposal would be acceptable in air quality terms and would comply with Core Strategy policy EN16 and the relevant provisions of national guidance.

(e) Noise and vibration impact

Whilst the principle of the proposed uses is acceptable, the use of the commercial units could impact upon amenity within the area through noise generation from within the premises and there could be noise generated from plant and equipment. A number of roof terraces are also proposed but conditions could deal with acoustic insulation, fume extraction and hours of use for the roof terraces. The office use would not generate noise. An acoustic report outlines how the premises and any external plant would be acoustically insulated to prevent unacceptable levels of noise breakout within the building. The offices would operate 24 hours a day but the commercial units would have to agree their hours prior to first operation. Conditions relating to delivery and servicing hours and hours for the use and management of the roof terraces are recommended.

(f) TV reception

A survey has determined the potential effects on television and radio broadcast service and suggests that the proposal may cause minor short-term interference to digital satellite television reception in localised areas but mitigation would quickly restore the reception of affected television services, leaving no long-term adverse effects. A condition requiring a post-construction survey would check for any adverse impact from the development and ensure that any mitigation is completed.

Provision of a well-designed inclusive environment

The proposal incorporates inclusive design principles to create a safe and secure environment which respond to the needs of all users. The main entrance to both buildings would be level. The cycle hub at Kendals would have level access to a lift to the cycle storage and showers. The cycle hub within the Fraser Building would be accessible and a lift and steps/ramp with bike guide rail would take users down to the lower ground cycle and showers. All retail units would have level access and additional on-street parking bays for disabled people are included in the public realm.

Contribution to permeability

The development would improve the pedestrian experience with the stopping up of Southgate and public realm improvements. The proposal would significantly enhance the application site and create a sense of place.

Relationship to Transport Infrastructure and the loss of the existing Multi Storey Car Park

Sustainable transport is an important thread to achieving net zero carbon by 2028. Newer car parking delivered or in the pipeline has generally been directed to locations with immediate access to the inner ring road in order to reduce city centre through traffic. The site is close to a network of cycling routes that connect across Greater Manchester. Removing the existing car park would significantly reduce the number of vehicles in the area.

Separate cycle hubs would be provided with over 50 showers including 2 accessible showers. The Kendals cycle hub would have 174 bicycles (including 18 E-bikes) and

227 in the Fraser Building cycle hub. There would not be any car parking provision on site. The site is highly sustainable with public transport hubs nearby. Additional on-street parking bays are proposed for disabled people.

The existing set down/loading bay to Southgate adjacent to Arkwright House would continue to serve Kendals, with a new set down/loading bay provided to Back South Parade to serve the new Fraser Building.

Flood Risk

The site is in Flood Zone 1 so is at very low risk of flooding and therefore the flood risk implications are not considered as part of the Drainage Strategy. The Drainage Strategy states that the blue roof within the Fraser Building and below ground attenuation would be used before connecting into a surface water drainage outfall. Flows would be restricted through this below ground attenuation to reduce surface water runoff. Due to the constrained nature of the site, it is difficult to implement rainwater harvesting or any other SUDS attenuation technique. There would be no residual flood related risks remaining after the development has been completed. Overall, the proposal would fully accord with Core Strategy Policy EN14 and provisions of the NPPF.

Waste management and servicing

A Waste Management Strategy confirms that the provision complies with MCC's waste standards, in terms of storage, recycling and management. The Kendals and Fraser Buildings would have their own separate basement waste storage areas. At Kendals, there would be 44 x 1100l, 6 x 660l and 1 x 240l bins with 31 x 1100l, 9 x 660l and 1 x 240l bins at Fraser.

The existing set down/loading bay to Southgate adjacent to Arkwright House would continue to serve the Kendals building. Refuse would be taken out via the goods lift to the loading bay for collection. A new set down/loading bay would be provided to Back South Parade to serve the new Fraser Building. Direct access for refuse and goods into the new build site via a dedicated service entrance and goods lift to serve the whole building.

Crime and Security

A Crime Impact Statement has been produced by Greater Manchester Police Design for Security. Several recommendations were made which have been incorporated into the design. A condition has been imposed on the approval requiring the development to achieve full Secured by Design accreditation.

Biodiversity, ecological enhancements and blue and green infrastructure

An Ecological Assessment presents the results of a desktop study, an updated Phase 1 Habitat Survey and a Bat Survey. The Ecological Assessment findings are:

- The proposal would have no adverse effect on statutory or non-statutory designated sites for nature conservation.

- The site contains only common and widespread plant species.
- None of the habitats within the site are of significant interest or representative of semi-natural habitat.
- No Priority Habitats are present.
- Both Kendals and the Fraser Building/MSCP are considered to be of 'negligible' suitability for use by roosting bats.
- Both Kendals and the Fraser Building provide suitable nesting habitat for bird species
- The proposal would secure an opportunity to implement beneficial measures such as habitat creation through ecological enhancement that would safeguard habitats for wildlife such as birds and bats, with the aim of providing a net gain in biodiversity in accordance with the principles of the NPPF.
- The proposal would improve the quality of the streetscape and connections to the green and blue infrastructure network.

Local Labour

The applicant is committed to working with the Work and Skills Team at MCC to ensure that employment opportunities are made available to Manchester residents during the construction phase through to operational stage to allow hard to reach groups equal opportunity to be successful in applying.

Construction Management

Measures would be put in place to minimise the impact of the development on local residents such as dust suppression, minimising stock piling and use of screenings to cover materials. Provided appropriate management measures are put in place, the impacts of construction management on surrounding residents and the highway network could be mitigated to be minimal. A condition regarding submission of a construction management plan prior to development commencing has been attached to the approval.

Contaminated Land and Ground Conditions

A Desktop Geo-environmental and Geotechnical Preliminary Risk Assessment identifies that the site has been used for industry since the earliest available mapping (1850) when it was occupied by warehouses and a distillery, and more recently as a garage and a car park. The surrounding area has also been dominated by industrial land use. There is potential for contamination originating on and off-site. The Desktop report assessment makes the following recommendations:

- Investigation to confirm presence of Made Ground below areas of proposed foundations, comprising site investigation, monitoring and site conceptual model;
- Assessment of risks and potential contamination of both below site soils and groundwater as well as any risks associated with ground gas generation and vapour accumulation;
- Site specific UXO risk assessment, and monitoring as required; and
- Preparation of a remediation strategy.

It is expected that further site Investigations will be required once the Fraser Building has been demolished and therefore any proposed condition trigger would need to be brought in line with the phasing of work.

Impact of Covid-19

The City Centre is the region's economic hub and a strategic employment location, with a significant residential population. There is an undersupply of Grade A floor space and residential accommodation and it is critical to ensure a strong pipeline of residential and commercial development. The impacts of COVID-19 are being closely monitored at a national, regional and local level to understand any impacts on the city's population, key sectors and wider economic growth. At the same time, growth of the city centre will be important to the economic recovery of the city following the pandemic. Although there may be a short-term slowdown in demand and delivery, it is expected that growth will resume in the medium long term. It is not yet possible to predict the full impact of COVID-19 on the Greater Manchester economy. However, Government and local authorities have already taken steps to help employers cope with the initial lockdown periods. While in the short term it is likely to slow the growth in Manchester, in the medium term the city is well placed to recover and to return to employment and economic growth, coinciding with the delivery of this important Grade A office scheme. The timing of construction works will also play an important role in supporting the construction sector to return to pre-lockdown levels of activity.



CONCLUSION

The proposal would have a positive impact on the regeneration of this part of the City Centre, contribute to the supply of Grade A office accommodation, provide significant investment in the City Centre supporting the economy, and create both direct and

indirect employment. The proposal is in accordance with relevant National and Local Planning Policies. In addition, a convincing, well considered approach to the conversion, repurposing and extension of the Grade II listed Kendals Building and the design, scale, architecture and appearance of the new Fraser Building has resulted in a high quality development that would make a positive contribution to the streetscene. Any harm to heritage assets would be less than substantial and would be outweighed by the public benefits of the scheme, in accordance with the provisions of Section 66 and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Accordingly, this application is recommended for approval, subject to conditions.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved 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.

Application 129251/FO/2021

Recommendation APPROVE

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions to be attached to the decision

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

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

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

Kendals drawings

- o 6273-SRA-KE-00-DR-A-00810 Ground Floor Plan - Existing P01
- o 6273-SRA-KE-00-DR-A-01810 Ground Floor Plan - Demolition P01
- o 6273-SRA-KE-00-DR-A-20810 General Arrangement Ground Floor Plan - Proposed P01
- o 6273-SRA-KE-00-DR-A-21840 King Street West / Southgate Reception Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21841 Deansgate / St Mary's Street Corner Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21842 Deansgate / King Street West Street Corner Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21843 St Mary's Street / Southgate Corner Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21844 Southgate Elevation Study P01
- o 6273-SRA-KE-00-DR-A-22810 Ground Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-00-DR-A-35810 Ground Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-00-DR-A-35830 Ground Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-00-DR-A-35850 Ground Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-00-DR-A-42810 Ground Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-00-DR-A-43810 Ground Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-01-DR-A-00811 First Floor Plan - Existing P01
- o 6273-SRA-KE-01-DR-A-01811 First Floor Plan - Demolition P01
- o 6273-SRA-KE-01-DR-A-20811 General Arrangement First Floor Plan - Proposed P01
- o 6273-SRA-KE-01-DR-A-22811 First Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-01-DR-A-33801 Raised Access Floors - First Floor Plan P01
- o 6273-SRA-KE-01-DR-A-35811 First Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-01-DR-A-35831 First Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-01-DR-A-35851 First Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-01-DR-A-42811 First Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-01-DR-A-43811 First Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-02-DR-A-00812 Second Floor Plan - Existing P01
- o 6273-SRA-KE-02-DR-A-01812 Second Floor Plan - Demolition P01
- o 6273-SRA-KE-02-DR-A-20812 General Arrangement Second Floor Plan - Proposed P01

- o 6273-SRA-KE-02-DR-A-22812 Second Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-02-DR-A-33802 Raised Access Floors - Second Floor Plan P01
- o 6273-SRA-KE-02-DR-A-35812 Second Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-02-DR-A-35832 Second Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-02-DR-A-35852 Second Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-02-DR-A-42812 Second Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-02-DR-A-43812 Second Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-03-DR-A-00813 Third Floor Plan - Existing P01
- o 6273-SRA-KE-03-DR-A-01813 Third Floor Plan - Demolition P01
- o 6273-SRA-KE-03-DR-A-20813 General Arrangement Third Floor Plan - Proposed P01
- o 6273-SRA-KE-03-DR-A-22813 Third Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-03-DR-A-33803 Raised Access Floors - Third Floor Plan P01
- o 6273-SRA-KE-03-DR-A-35813 Third Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-03-DR-A-35833 Third Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-03-DR-A-35853 Third Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-03-DR-A-42813 Third Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-03-DR-A-43813 Third Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-04-DR-A-00814 Fourth Floor Plan - Existing P01
- o 6273-SRA-KE-04-DR-A-01814 Fourth Floor Plan - Demolition P01
- o 6273-SRA-KE-04-DR-A-20814 General Arrangement Fourth Floor Plan - Proposed P01
- o 6273-SRA-KE-04-DR-A-22814 Fourth Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-04-DR-A-33804 Raised Access Floors - Fourth Floor Plan P01
- o 6273-SRA-KE-04-DR-A-35814 Fourth Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-04-DR-A-35834 Fourth Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-04-DR-A-35854 Fourth Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-04-DR-A-42814 Fourth Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-04-DR-A-43814 Fourth Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-05-DR-A-00815 Fifth Floor Plan - Existing P01
- o 6273-SRA-KE-05-DR-A-01815 Fifth Floor Plan - Demolition P01 S2 - Planning

- o 6273-SRA-KE-05-DR-A-20815 General Arrangement Fifth Floor Plan - Proposed P01
- o 6273-SRA-KE-05-DR-A-22815 Fifth Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-05-DR-A-33805 Raised Access Floors - Fifth Floor Plan P01
- o 6273-SRA-KE-05-DR-A-35815 Fifth Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-05-DR-A-35835 Fifth Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-05-DR-A-35855 Fifth Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-05-DR-A-42815 Fifth Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-05-DR-A-43815 Fifth Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-06-DR-A-00816 Sixth Floor Plan - Existing P01
- o 6273-SRA-KE-06-DR-A-01816 Sixth Floor Plan - Demolition P01
- o 6273-SRA-KE-06-DR-A-20816 General Arrangement Sixth Floor Plan - Proposed P01
- o 6273-SRA-KE-06-DR-A-22816 Sixth Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-06-DR-A-33806 Raised Access Floors - Sixth Floor Plan P01
- o 6273-SRA-KE-06-DR-A-35816 Sixth Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-06-DR-A-35836 Sixth Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-06-DR-A-35856 Sixth Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-06-DR-A-42816 Sixth Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-06-DR-A-43816 Sixth Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-07-DR-A-00817 Seventh Floor Plan - Existing P01
- o 6273-SRA-KE-07-DR-A-01817 Seventh Floor Plan - Demolition P01
- o 6273-SRA-KE-07-DR-A-20817 General Arrangement Seventh Floor Plan - Proposed P01
- o 6273-SRA-KE-07-DR-A-22817 Seventh Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-07-DR-A-33807 Raised Access Floors - Seventh Floor Plan P01
- o 6273-SRA-KE-07-DR-A-35817 Seventh Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-07-DR-A-35837 Seventh Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-07-DR-A-35857 Seventh Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-07-DR-A-42817 Seventh Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-07-DR-A-43817 Seventh Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-08-DR-A-00818 Eighth Floor Plan - Existing P01
- o 6273-SRA-KE-08-DR-A-01818 Eighth Floor Plan - Demolition P01

- o 6273-SRA-KE-08-DR-A-20818 General Arrangement Eighth Floor Plan - Proposed P01
- o 6273-SRA-KE-08-DR-A-22818 Eighth Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-08-DR-A-33808 Raised Access Floors - Eighth Floor Plan P01
- o 6273-SRA-KE-08-DR-A-35818 Eighth Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-08-DR-A-35838 Eighth Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-08-DR-A-35858 Eighth Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-08-DR-A-42818 Eighth Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-08-DR-A-43818 Eighth Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-09-DR-A-00819 Plant Deck Floor Plan - Existing P01
- o 6273-SRA-KE-09-DR-A-01819 Plant Deck Floor Plan - Demolition P01
- o 6273-SRA-KE-09-DR-A-20819 General Arrangement Plant Deck Floor Plan - Proposed P01
- o 6273-SRA-KE-09-DR-A-22819 Ninth Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-09-DR-A-42819 Ninth Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-09-DR-A-43819 Ninth Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-B1-DR-A-00808 Basement Plan - Existing P01
- o 6273-SRA-KE-B1-DR-A-01808 Basement Plan - Demolition P01
- o 6273-SRA-KE-B1-DR-A-20808 General Arrangement Basement Plan - Proposed P01
- o 6273-SRA-KE-B1-DR-A-22808 Basement Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-B1-DR-A-35808 Basement Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-B1-DR-A-35828 Basement Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-B1-DR-A-35848 Basement Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-B1-DR-A-42808 Basement Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-B1-DR-A-43808 Basement Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-LG-DR-A-00809 Lower Ground Floor Plan - Existing P01
- o 6273-SRA-KE-LG-DR-A-01809 Lower Ground Floor Plan - Demolition P01
- o 6273-SRA-KE-LG-DR-A-20809 General Arrangement Lower Ground Floor Plan - Proposed P01
- o 6273-SRA-KE-LG-DR-A-22809 Lower Ground Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-LG-DR-A-35809 Lower Ground Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-LG-DR-A-35829 Lower Ground Floor Reflected Ceiling Plan - Proposed P01

- o 6273-SRA-KE-LG-DR-A-35849 Lower Ground Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-LG-DR-A-42809 Lower Ground Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-LG-DR-A-43809 Lower Ground Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-RF-DR-A-20820 General Arrangement Roof Plan - Proposed P01
- o 6273-SRA-KE-XX-DR-A-00850 East Elevation, Deansgate - Existing P01
- o 6273-SRA-KE-XX-DR-A-00851 South Elevation, King Street West - Existing P01
- o 6273-SRA-KE-XX-DR-A-00852 West Elevation, Southgate - Existing P01
- o 6273-SRA-KE-XX-DR-A-00853 North Elevation, St Mary's Street - Existing P01
- o 6273-SRA-KE-XX-DR-A-01850 East Elevation, Deansgate - Demolition P01
- o 6273-SRA-KE-XX-DR-A-01851 South Elevation, King Street West - Demolition P01
- o 6273-SRA-KE-XX-DR-A-01852 West Elevation, Southgate - Demolition P01
- o 6273-SRA-KE-XX-DR-A-01853 North Elevation, St Mary's Street - Demolition P01
- o 6273-SRA-KE-XX-DR-A-20850 General Arrangement East Elevation, Deansgate - Proposed P01
- o 6273-SRA-KE-XX-DR-A-20851 General Arrangement South Elevation, King Street West - Proposed P01
- o 6273-SRA-KE-XX-DR-A-20852 General Arrangement West Elevation, Southgate - Proposed P01
- o 6273-SRA-KE-XX-DR-A-20853 General Arrangement North Elevation, St Mary's Street - Proposed P01
- o 6273-SRA-KE-XX-DR-A-20860 General Arrangement Proposed Sectional Elevations A-A P01
- o 6273-SRA-KE-XX-DR-A-20861 General Arrangement Proposed Sectional Elevations B-B P01
- o 6273-SRA-KE-XX-DR-A-21800 East Elevation, Deansgate - Fabric Analysis - Existing P01
- o 6273-SRA-KE-XX-DR-A-21801 South Elevation, King Street West - Fabric Analysis - Existing P01
- o 6273-SRA-KE-XX-DR-A-21802 West Elevation, Southgate - Fabric Analysis - Existing P01
- o 6273-SRA-KE-XX-DR-A-21803 North Elevation, St Mary's Street - Fabric Analysis - Existing P01
- o 6273-SRA-KE-XX-DR-A-21810 East Elevation, Deansgate - Fabric Analysis Proposed P01
- o 6273-SRA-KE-XX-DR-A-21811 South Elevation, King Street West - Fabric Analysis - Proposed P01
- o 6273-SRA-KE-XX-DR-A-21812 West Elevation, Southgate - Fabric Analysis - Proposed P01
- o 6273-SRA-KE-XX-DR-A-21813 North Elevation, St Mary's Street - Fabric Analysis - Proposed P01
- o 6273-SRA-KE-XX-DR-A-24800 Core B - Deansgate Stair East - Existing General Arrangement P01

- o 6273-SRA-KE-XX-DR-A-24801 Core B - Deansgate Stair East - Existing General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24805 Core C - Southgate Stair South - Existing General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24808 Core E - Deansgate Stair East - Existing General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24820 Core B - Deansgate Stair East - Proposed General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24821 Core B - Deansgate Stair East - Proposed General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24824 Core C - Southgate Stair South - Proposed General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24825 Core C - Southgate Stair South - Proposed General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24828 Core E - Deansgate Stair East - Proposed General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24829 Core E - Deansgate Stair East - Proposed General Arrangement P01
- o 6273-SRA-KE-XX-DR-A-24842 Second Floor - Core B Decorative Cladding Study - Existing P01
- o 6273-SRA-KE-XX-DR-A-24843 Second Floor - Core C Decorative Cladding Study - Existing P01
- o 6273-SRA-KE-XX-DR-A-24844 Second Floor - Lift Lobby Decorative Cladding Study - Existing P01
- o 6273-SRA-KE-XX-DR-A-24847 Second Floor - Core B Decorative Cladding Study - Proposed P01
- o 6273-SRA-KE-XX-DR-A-24848 Second Floor - Core C Decorative Cladding Study - Proposed P01
- o 6273-SRA-KE-XX-DR-A-24849 Second Floor - Lift Lobby Decorative Cladding Study - Proposed P01
- o 6273-SRA-KE-XX-DR-A-27860 Sixth Floor Terrace - Typical Detail P01
- o 6273-SRA-KE-XX-DR-A-27861 Seventh Floor Terrace - Typical Detail P01
- o 6273-SRA-KE-XX-DR-A-27862 Roof Top Extension / Existing Roof Interface Detail P01
- o 6273-SRA-KE-XX-DR-A-27863 Roof Top Extension / Retailed Rear Elevation Interface Detail P01

Fraser Building / New Build drawings

- o 6273-SRA-NX-00-DR-A-00810 Existing Carpark Ground Floor Plan P01
- o 6273-SRA-NX-00-DR-A-01810 Demolition Plan P01
- o 6273-SRA-NX-00-DR-A-20810 Proposed Ground Floor Plan P01
- o 6273-SRA-NX-01-DR-A-00811 Existing Carpark First Floor Plan P01
- o 6273-SRA-NX-01-DR-A-20811 Proposed Level 1 Floor Plan P01
- o 6273-SRA-NX-02-DR-A-00812 Existing Carpark Second Floor Plan P01
- o 6273-SRA-NX-03-DR-A-00813 Existing Carpark Third Floor Plan P01
- o 6273-SRA-NX-04-DR-A-00814 Existing Carpark Fourth Floor Plan P01
- o 6273-SRA-NX-07-DR-A-20817 Proposed Level 7 Floor Plan P01
- o 6273-SRA-NX-08-DR-A-20818 Proposed Level 8 Floor Plan P01
- o 6273-SRA-NX-09-DR-A-20819 Proposed Level 9 Floor Plan P01

- o 6273-SRA-NX-10-DR-A-20820 Proposed Level 10 Floor Plan P01
- o 6273-SRA-NX-B1-DR-A-00809 Existing Carpark Basement Plan P01
- o 6273-SRA-NX-B1-DR-A-20809 Proposed Basement Plan P01
- o 6273-SRA-NX-RF-DR-A-00815 Existing Carpark Roof Plan P01
- o 6273-SRA-NX-RF-DR-A-20824 Proposed Roof Plan P01
- o 6273-SRA-NX-XX-DR-A-20850 Proposed Elevation - East P01
- o 6273-SRA-NX-XX-DR-A-20851 Proposed Elevation - South P01
- o 6273-SRA-NX-XX-DR-A-20852 Proposed Elevation - West P01
- o 6273-SRA-NX-XX-DR-A-20853 Proposed Elevation - North P01
- o 6273-SRA-NX-XX-DR-A-20860 Proposed Section A-A P01
- o 6273-SRA-NX-XX-DR-A-20862 Proposed Section B-B P01
- o 6273-SRA-NX-XX-DR-A-20871 Proposed Bay Study One P01
- o 6273-SRA-NX-XX-DR-A-20872 Proposed Bay Study One P01
- o 6273-SRA-NX-XX-DR-A-20873 Proposed Bay Study One P01

Site-wide drawings

- o 6273-SRA-SI-00-DR-A-00803 Proposed Site Plan P01
- o 6273-SRA-SI-XX-DR-A-00800 Site Location Plan P01
- o 6273-SRA-SI-XX-DR-A-00801 Existing Block Location P01
- o 6273-SRA-SI-XX-DR-A-00802 Proposed Block Location P01
- o 6273-SRA-SI-XX-DR-A-00850 Existing Site Elevation East P01
- o 6273-SRA-SI-XX-DR-A-00851 Existing Site Elevation North & East P01
- o 6273-SRA-SI-XX-DR-A-00852 Existing Site Elevation South & West P01
- o 6273-SRA-SI-XX-DR-A-00860 Existing Site Section A-A & B-B P01 S2 - Planning
- o 6273-SRA-SI-XX-DR-A-00861 Existing Site Section C-C & D-D P01 S2 - Planning
- o 6273-SRA-SI-XX-DR-A-00862 Existing Site Section E-E P01 S2 - Planning
- o 6273-SRA-SI-XX-DR-A-20840 Proposed Site Elevation East P01 S2 - Planning
- o 6273-SRA-SI-XX-DR-A-20841 Proposed Site Elevation North & East P01
- o 6273-SRA-SI-XX-DR-A-20842 Proposed Site Elevation South & West P01
- o 6273-SRA-SI-XX-DR-A-20845 Proposed Site Section A-A & BB P01
- o 6273-SRA-SI-XX-DR-A-20846 Proposed Site Section C-C & DD P01
- o 6273-SRA-SI-XX-DR-A-20847 Proposed Site Sections E-E P01

Reports

Planning and Regeneration Statement prepared by Deloitte Real Estate;
 Design and Access Statement (including Landscaping Strategy) 6273-SRA-XX-XX-RP-A-00801 prepared Sheppard Robson and Layer, including a schedule of accommodation;
 Statement of Consultation prepared by Deloitte Real Estate;
 Public Benefits Statement prepared by Deloitte Real Estate;
 Market Commentary prepared by OBI;
 Energy Statement prepared by Cundall and Environmental Standards Statement prepared by Cundall;
 Whole Life Carbon Assessment prepared by Cundall;
 Ecology Survey (including Bat Survey) prepared by ERAP;

Crime Impact Statement prepared by Greater Manchester Police;
 Interim Travel Plan prepared by Curtins and Transport Assessment prepared by Curtins;
 Phase 1 Desktop Geo-environmental Assessment prepared by Fairhurst;
 Waste Management and Servicing Strategy prepared by Curtins;
 Archaeological Desk-Based Assessment prepared by Salford Archaeology;
 Television and Radio Reception Impact Assessment prepared by GTech Surveys Ltd;
 Broadband Connectivity Assessment prepared by GTech Survey Ltd;
 MEP Statement (including Ventilation and Extraction) prepared by Cundall;
 Local Labour Agreement prepared by MHBC Cumming;
 Noise Assessment prepared by Cundall;
 Outline Management Strategy prepared by AllPlus Management;
 Air Quality Assessment (Construction) prepared by Cundall and Air Quality Assessment (Operation) prepared by Cundall;
 Wind Microclimate Assessment prepared by Cundall;
 Structural Report prepared by Fairhurst;
 Environmental Statement: Volume 1 prepared by Deloitte Real Estate with reports from technical consultants including: Daylight, Sunlight and Overshadowing prepared by GIA; Built Heritage prepared by Stephen Levrant Heritage Architecture; Townscape and Visual Impact prepared by Layer; and Socio-Economic prepared by ekosgen; Environmental Statement Volume 2 - Technical appendices; and Environmental Statement - Non Technical Summary.

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

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development (on both the Kendal and Fraser Buildings), including the roof terraces, and drawings to illustrate details of the full sized sample panels that will be produced. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining, details of the glazing and a strategy for quality control management.

(b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition.

The development shall be carried out in accordance with the approved materials.

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

4) (a) Prior to the commencement of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for both the construction and operational elements of the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases of the development.

(b) Within six months of the first occupation of the development, details of the results of the scheme shall be submitted to the Local Planning Authority for consideration.

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

5) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for;

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Phasing and quantification/classification of vehicular activity, to include expected number and type of vehicles accessing the site for: Deliveries; Waste removal; Cranes; Equipment, Plant; Works; and Visitors;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction), such as programming, construction methodology, shared deliveries, car sharing, travel planning, parking facilities for staff and visitors, on-site facilities to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway (wheel washing);
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses and Community consultation strategy,

including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure

- Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions during the enabling and build phases;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (site waste management plan);
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;
- Construction and demolition methods to be used, including the use of cranes (and their location);
- The erection and maintenance of security hoardings;
- Details on the timing of construction of scaffolding.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

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

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Core Strategy.

6) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

7) a) Prior to the commencement of development, a programme for the submission of final details of the landscaping, lighting, ecological enhancements, public realm works and planting of street trees shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details:

- (i) The proposed hard landscape materials, including the materials to be used for the footpaths surrounding the site and for the areas between the pavement and the line of the proposed building, and within the public realm works area;
- (ii) Any external lighting;
- (iii) The ecological enhancements to be installed at the buildings to enhance and create new biodiversity within the development;
- (iv) The landscaping proposed for the roof terraces;
- (v) A strategy for the planting of street trees within the pavements/public realm adjacent to/within the site, and/or a mechanism for funding the provision of off-site street trees, including details of overall numbers, size, species and planting specification, constraints to further planting and details of ongoing maintenance.

The approved scheme for part (v) shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

b) The above details shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition. The development shall be carried out in accordance with the approved details.

Reason - To ensure that a satisfactory landscaping scheme and ecological enhancements for the development are carried out, in accordance with saved policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

8) External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the City Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the City 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.

9) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an evaluation through trial trenching
 - dependant on the above, more detailed excavation (subject to a separate WSI)
2. A programme for post investigation assessment to include:
 - production of a final report on the investigation results.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

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

10) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, the hierarchy of drainage options in the National Planning Practice Guidance, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the City Council as Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for

Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

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

- A verification report providing photographic evidence of construction as per design drawings. This must include flow controls and attenuation storage;
- As built construction drawings (if different from design construction drawings).
- Management and maintenance plan for the lifetime of the development to secure the operation of the sustainable drainage scheme throughout its lifetime. The party responsible for management and maintenance of the drainage system shall be clearly identified. A schedule of tasks and frequencies shall be devised. This shall include all components in the drainage system and shall be aligned with manufacturer's instructions and best practice.

Reason - To manage flooding and pollution, to ensure that a managing body is in place for the sustainable drainage system and to ensure there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Core Strategy.

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

07:30 to 20:00, Monday to Saturday
10.00 to 18.00 on Sundays and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

13) Before any unit within the development requiring fume extraction is first brought into use, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. An odour impact assessment is required together with suitable mitigation measures, information regarding the proposed cleaning/maintenance regime for the fume extraction equipment, and details in relation to replacement air. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eaves

level and/or any openable windows/ventilation intakes of nearby properties. Any scheme should make reference to risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems', dated September 2018. The scheme shall be implemented in accordance with the approved details prior to first occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

14) No commercial unit within either the Kendals or Fraser Buildings shall become operational until the opening hours for each unit have been submitted to and approved in writing by the City Council as Local Planning Authority. Each commercial unit shall operate in accordance with the approved hours thereafter.

Reason - In order that the local planning authority can achieve the objectives both of protecting the amenity of local residents and ensuring a variety of uses at street level in the redeveloped area in accordance with saved policy DC26 in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

15) The external roof terrace areas within the Kendals and Fraser Buildings shall not be used until the hours of use for each terrace and details of their management and how they would be used have been submitted to and approved in writing by the City Council as Local Planning Authority. The roof terraces shall be used in accordance with the approved hours and details thereafter.

Reason - In order that the local planning authority can achieve the objective of protecting the amenity of local residents in accordance with saved policy DC26 in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at any structurally adjoined residential properties (if applicable) in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Where any Class E (restaurant, cafe or gym) or sui generis drinking establishment use is proposed, before development commences on this use, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been

submitted to and approved in writing by the City Council as Local Planning Authority. The scheme proposed shall normally include measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels. Any scheme approved in discharge of this condition shall be implemented in full before the use commences.

b) Upon completion of the development and before the new use becomes operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the above criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the new use becomes operational.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policy DM1 of the Core Strategy.

17) a) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Before development commences on any external plant, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

b) Upon completion of the development and before any of the external plant is first operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the plant and any mitigation measures have been installed. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the plant is first brought into use.

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

18) Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the proposed Piling does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

19) Full detailed designs (including the introduction of traffic regulation orders and other potential traffic measures if required) of all on and off-site highways works, including the provision of new on-street disabled parking spaces, shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to any works to the highway commencing. The highway works shall be implemented in accordance with the approved details prior to any part of the development being first occupied.

Reason - In the interests of highway safety, and to ensure that the junction operates satisfactorily pursuant to policies T1 and DM1 of the Core Strategy for Manchester.

20) a) Before development commences, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the City Council as Local Planning Authority.

b) When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.

Reason - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

21) The development shall be carried out in accordance with the submitted waste management strategy, 74729-CUR-00-XX-RP-TP-003, Rev V04, received by the Local Planning Authority on 5 February 2021.

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

22) In terms of air quality, the development shall be carried out in accordance with the following reports:

- Air Quality Assessment by Cundall, ref. 1024866-RPT-AQ-003, Revision C, dated 17 November 2020
- Air Quality Assessment by Cundall, ref. 1024866-RPT-AQ-004, Revision C, dated 17 November 2020

The operational assessment recommends that clean air intakes are positioned at a high level of the Fraser Building and ISO PM10 / PM2.5 filters are to be installed. Confirmation is required as to where these would be installed and a maintenance and replacement plan shall be submitted to include frequency of cleaning and replacement of filters. This information shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the fit out works relating to the air quality measures.

Appendix E includes construction mitigation measures to control fugitive dust emissions from site during enabling and construction works. These measures shall be implemented into the contractors Construction Management Plan under the 'Control of dust' section.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

23) a) Before first occupation of any part of the development, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective.

b) Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered under part a) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be kept in operation at all times thereafter.

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

24) The different cycle parking areas shown on the approved plans shall be made available at all times whilst the site is occupied.

Reason - To ensure that there is adequate cycle parking for the residential and commercial aspects of the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

25) Within 3 months of first occupation of each building, written evidence shall be provided to the City Council as local planning authority that the development has been built in accordance with the recommendations contained within the submitted Crime Impact Statement, ref. 2020/0366/CIS/02, Version A, dated 17/08/20, and that a secured by design accreditation has been awarded for the development.

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

26) The development hereby approved shall achieve a post-conversion/extension/construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'Very Good' at the Kendals Building and 'Excellent' at the Fraser Building. A post conversion/extension/construction review certificate shall be submitted to and approved in writing by the City Council as local

planning authority within 6 months of Practical Completion of the development/buildings hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy.

27) No externally mounted telecommunications equipment, except that relating to the servicing of the buildings hereby approved, shall be mounted on any part of the building, including the roof.

Reason - In the interests of visual amenity, pursuant to Core Strategy Policies DM1 and SP1.

28) Within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area, a new television signal survey shall be submitted to the City Council as Local Planning Authority that shall identify any measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the Television and Radio Reception Impact Assessment by GTech Surveys Limited, dated 20/22/2020, received by the Local Planning Authority on 5 February 2021. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To assess the extent to which the development during construction and once built will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception, in the interests of residential amenity, as specified in policy DM1 of Core Strategy.

Application 129252/LO/2021

Recommendation APPROVE

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions to be attached to the decision

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

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Kendals drawings

- o 6273-SRA-KE-00-DR-A-00810 Ground Floor Plan - Existing P01
- o 6273-SRA-KE-00-DR-A-01810 Ground Floor Plan - Demolition P01
- o 6273-SRA-KE-00-DR-A-20810 General Arrangement Ground Floor Plan - Proposed P01
- o 6273-SRA-KE-00-DR-A-21840 King Street West / Southgate Reception Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21841 Deansgate / St Mary's Street Corner Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21842 Deansgate / King Street West Street Corner Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21843 St Mary's Street / Southgate Corner Entrance Study P01
- o 6273-SRA-KE-00-DR-A-21844 Southgate Elevation Study P01
- o 6273-SRA-KE-00-DR-A-22810 Ground Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-00-DR-A-35810 Ground Floor Reflected Ceiling Plan - Existing P01
- o 6273-SRA-KE-00-DR-A-35830 Ground Floor Reflected Ceiling Plan - Proposed P01
- o 6273-SRA-KE-00-DR-A-35850 Ground Floor Reflected Ceiling Plan - Demolition P01
- o 6273-SRA-KE-00-DR-A-42810 Ground Floor Internal Wall Finishes Plan - Proposed P01
- o 6273-SRA-KE-00-DR-A-43810 Ground Floor Floor Finishes Plan - Proposed P01
- o 6273-SRA-KE-01-DR-A-00811 First Floor Plan - Existing P01
- o 6273-SRA-KE-01-DR-A-01811 First Floor Plan - Demolition P01
- o 6273-SRA-KE-01-DR-A-20811 General Arrangement First Floor Plan - Proposed P01
- o 6273-SRA-KE-01-DR-A-22811 First Floor Plan Internal Walls - Proposed P01
- o 6273-SRA-KE-01-DR-A-33801 Raised Access Floors - First Floor Plan P01
- o 6273-SRA-KE-01-DR-A-35811 First Floor Reflected Ceiling Plan - Existing P01
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Reports

Planning and Regeneration Statement prepared by Deloitte Real Estate;
 Design and Access Statement (including Landscaping Strategy) 6273-SRA-XX-XX-RP-A-00801 prepared Sheppard Robson and Layer, including a schedule of accommodation;
 Statement of Consultation prepared by Deloitte Real Estate;
 Public Benefits Statement prepared by Deloitte Real Estate;
 Market Commentary prepared by OBI;
 Energy Statement prepared by Cundall and Environmental Standards Statement prepared by Cundall;
 Whole Life Carbon Assessment prepared by Cundall;
 Ecology Survey (including Bat Survey) prepared by ERAP;

Crime Impact Statement prepared by Greater Manchester Police;
 Interim Travel Plan prepared by Curtins and Transport Assessment prepared by Curtins;
 Phase 1 Desktop Geo-environmental Assessment prepared by Fairhurst;
 Waste Management and Servicing Strategy prepared by Curtins;
 Archaeological Desk-Based Assessment prepared by Salford Archaeology;
 Television and Radio Reception Impact Assessment prepared by GTech Surveys Ltd;
 Broadband Connectivity Assessment prepared by GTech Survey Ltd;
 MEP Statement (including Ventilation and Extraction) prepared by Cundall;
 Local Labour Agreement prepared by MHBC Cumming;
 Noise Assessment prepared by Cundall;
 Outline Management Strategy prepared by AllPlus Management;
 Air Quality Assessment (Construction) prepared by Cundall and Air Quality Assessment (Operation) prepared by Cundall;
 Wind Microclimate Assessment prepared by Cundall;
 Structural Report prepared by Fairhurst;
 Environmental Statement: Volume 1 prepared by Deloitte Real Estate with reports from technical consultants including: Daylight, Sunlight and Overshadowing prepared by GIA; Built Heritage prepared by Stephen Levrant Heritage Architecture; Townscape and Visual Impact prepared by Layer; and Socio-Economic prepared by ekosgen; Environmental Statement Volume 2 - Technical appendices; and Environmental Statement - Non Technical Summary.

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

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development (on both the Kendal and Fraser Buildings), including the roof terraces, and drawings to illustrate details of the full sized sample panels that will be produced. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining, details of the glazing and a strategy for quality control management.

(b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition.

The development shall be carried out in accordance with the approved materials.

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

4) a) Prior to the commencement of development, a programme for the submission of final details of the landscaping, lighting, ecological enhancements, public realm works and planting of street trees shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details:

- (i) The proposed hard landscape materials, including the materials to be used for the footpaths surrounding the site and for the areas between the pavement and the line of the proposed building, and within the public realm works area;
- (ii) Any external lighting;
- (iii) The ecological enhancements to be installed at the buildings to enhance and create new biodiversity within the development;
- (iv) The landscaping proposed for the roof terraces;
- (v) A strategy for the planting of street trees within the pavements/public realm adjacent to/within the site, and/or a mechanism for funding the provision of off-site street trees, including details of overall numbers, size, species and planting specification, constraints to further planting and details of ongoing maintenance.

The approved scheme for part (v) shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

b) The above details shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition. The development shall be carried out in accordance with the approved details.

Reason - To ensure that a satisfactory landscaping scheme and ecological enhancements for the development are carried out, in accordance with saved policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to applications ref: 129251/FO/2021 and 129252/LO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Greater Manchester Archaeological Advisory Service
National Amenity Societies**

Oliver West (Sustainable Travel)
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Corporate Property
MCC Flood Risk Management
Strategic Development Team
City Centre Regeneration
Urban Design & Conservation
Environment Agency
Greater Manchester Police
United Utilities Water PLC
Historic England (North West)
Transport For Greater Manchester
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society
Manchester Airport Safeguarding Officer
National Air Traffic Safety (NATS)
Civil Aviation Authority
Natural England
Planning Casework Unit
Sport England

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

Representations were received from the following third parties:

Greater Manchester Archaeological Advisory Service
 National Amenity Societies
 Highway Services
 Environmental Health
 MCC Flood Risk Management
 Environment Agency
 Greater Manchester Police
 United Utilities Water PLC
 Historic England (North West)
 Manchester Airport Safeguarding Officer
 Natural England
 Sport England

Relevant Contact Officer : Carolyn Parry
Telephone number : 0161 234 4022
Email : carolyn.parry@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
129406/FO/2021	15th Feb 2021	3rd Jun 2021	Deansgate Ward

Proposal Full planning permission for a 28-storey purpose built student accommodation building (Sui Generis)

Location Land At Deansgate South, Manchester

Applicant Fusion Manchester DevCo Ltd, Fusion House, The Green, Letchmore Heath, WD25 8ER,

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

EXECUTIVE SUMMARY

The proposal is for a 28 storey purpose built student accommodation (PBSA) building providing 534 student bed spaces. There have been 28 objections from neighbours and 12 representations from members of the public supporting the proposal. Councillors Marcus Johns and William Jeavons have objected.

Key Issues

Principle of use and contribution to regeneration - The development would not meet the tests of Core Strategy Policy H12, in that it is not in close proximity to the University campuses or to a high frequency public transport route which passes this area, the applicant has failed to demonstrate robustly that there is unmet need for the proposed student accommodation, or that they have entered into an agreement with an education provider for the provision of student accommodation, nor has the applicant demonstrated that their proposal for PBSA is deliverable. The proposal does not demonstrate a positive regeneration impact in its own right and would be contrary to the Great Jackson Street Development Framework (SRF) and would undermine the objective to create a high quality residential area that has a focus for families. The proposal should therefore be refused on those grounds.

Height, Scale, Massing and Design - The site is in a highly prominent location adjacent to domestic scale developments within Castlefield and Knott Mill. The tower would be clad with "Corten Steel look" polyester powder coated (PPC) aluminium panels. The height, scale and massing of the building would form an over-obtrusive feature within the street scene, which, along with the poor quality cladding material, would have a detrimental impact on visual amenity. The building would have a poor relationship with Deansgate Quay, creating a feeling of overcrowdedness and being overbearing for residents. The proposal should therefore be refused on those grounds.

Heritage – The site is adjacent to Castlefield Conservation Area and close to a number of Grade II listed buildings. Due to its height, scale, massing and design, the building would fail to preserve or enhance the character and appearance of the

conservation area and would have a detrimental impact on the settings of the Grade II listed Artingstall's Chapel and the former Bridgewater Canal Offices. The proposal would result in less than substantial harm to the heritage assets and it is considered that there are no public benefits to the scheme that would outweigh the harm caused to the heritage assets. The proposal should therefore be refused on those grounds.

Residential Amenity - The development would have an impact on the amenities of existing residents in terms of loss daylight, sunlight and privacy. However, the impacts are considered to be acceptable in a City Centre context and not so harmful as to warrant refusal of the application on those grounds.

Wind - A wind study concludes that the proposal would require mitigation measures in the form of street tree planting to ensure that wind conditions around the site following the development would be suitable for pedestrians and cyclists. However, it is not always possible to plant trees in the pavements due to underground services and the width of the pavement. The applicant has not demonstrated that it is possible to plant trees in the location suggested and no alternative measures are proposed. It is considered therefore that the proposal could have a detrimental impact on the safety and comfort of pedestrians and cyclists due to the wind environment created. The proposal should therefore be refused on those grounds.

Climate change & Sustainability - This would be a low-carbon car-free building that would include measures to mitigate against climate change. The proposal would comply with policies relating to CO2 reductions and biodiversity enhancement set out in the Core Strategy, the Zero Carbon Framework, the Climate Change and Low Emissions Plan and the Green and Blue Infrastructure Strategy.

A full report is attached below for Members' consideration.

Description

The application site measures 0.06 ha, is irregular in shape and occupies a prominent location on a key gateway route into the city centre. It has been vacant for some time and comprises hardstanding and scrub vegetation. It was last used as a garage and is now secured by a hoarding, with temporary use as a works area for the adjacent Deansgate Square development. There are two vehicular access points - one off Deansgate and one off Chester Road. The site slopes down from Chester Road along the southern edge to Deansgate. Due to the level difference, the boundary wall along Deansgate is in part a retaining wall.

The site is situated at the junction of Chester Road/Bridgewater Viaduct and Deansgate. To the north east is Deansgate Quay, a seven storey residential building with associated car parking. The site immediately to the west and north on the opposite side of Bridgewater Viaduct is under construction with two residential buildings, referred to as Castle Wharf. To the north east of the site are a variety of low-rise buildings that form the area of Knott Mill. To the south east is West Tower, which forms part of the Deansgate Square development, and to the south is a cleared site.

The site lies within the Great Jackson Street Development Framework area (SRF), the majority of which lies to the east and south of the site. The framework identifies that area will be subject to significant regeneration and investment in low, medium and high rise residential development.

The site is adjacent to Castlefield Conservation Area, which lies to the west on the opposite side of Bridgewater Viaduct and is characterised by a variety of historic buildings and new developments. There are a number of listed buildings (all Grade II) within the immediate vicinity including: Bridgewater Canal offices; Artingstalls Auctioneers; Merchants Warehouse; Flood gate on east side of Knott Mill Bridge; Middle Warehouse; Boundary stone on Knott Mill Bridge; and G-Mex.

The site has benefitted from the following planning permissions:

060909/FO/CITY3/00 - Mixed use development comprising (Class A3) at ground floor level with 30 residential units on upper floors (10 storeys), approved 20.09.2001.

065560/FO/CITY3/02 - Mixed use development comprising food and drink use (class A3) at ground floor level with 45 residential units (class C3) on the upper floors and basement car parking (11 storeys), approved 22.08.2002

075170/FO/2005/C3 - Mixed use development comprising ground floor food and drink use (Class A3/A4), 54 residential units and internal parking (14 storeys), approved 27.03.2007.

110730/FO/2015/C1 - Erection of a 13-storey building (plus basement level) comprising 53no. one and two bedroom apartments (Use Class C3), a commercial unit (Use Classes A1/ A2/ A3/ A4/ B1/D1), associated car parking, landscaping and vehicular and pedestrian access, approved 04.03.2016.

115591/FO/2017 - Erection of a 13-storey building comprising 53 residential apartments (Use Class C3a) together with ground floor commercial unit (135 sqm) (Use Classes A1 / A2 / A3 / A4 / B1a or D1), landscaping, loading bay and pedestrian access, approved 02.06.2017.



Existing view from junction of Deansgate and Chester Road looking north east

Proposal

The proposed development is for a 28 storey purpose built student accommodation (PBSA) building, providing a total of 534 student bed spaces arranged across a mix of studios and cluster apartments. The proposal includes the following:

- 133 x studio apartments
- 30 x 1-bed apartments
- 40 x 2-bed apartments ('twodios') (80 beds)
- 27 x 3-bed apartments (81 beds)
- 21 4-bed apartments (84 beds)
- 21 x 6-bed apartments (126 beds)
- 639 sqm private amenity space, accessible to all residents
- 193 sqm external private amenity space across 3 terraces, accessible to all residents
- Reception area on the ground floor
- 92 secure cycle parking spaces on the lower ground floor;
- Bin store on the lower ground floor, to accommodate 20 no. 1100 litre Eurobins and 7 no. 240L bins, collected twice a week
- Rooftop solar photovoltaic panels
- Green roof.

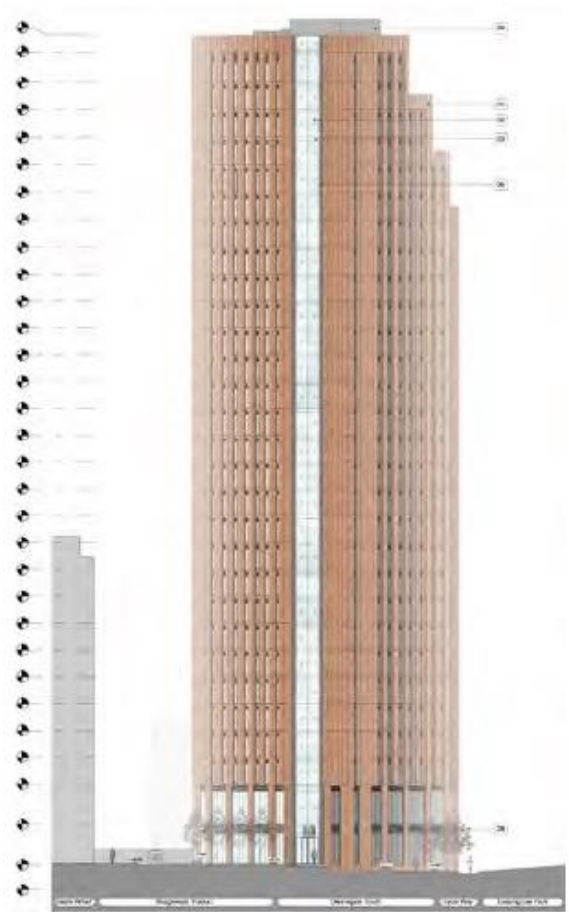
All units would comply with Part M requirements, with 5% (27 bedrooms) designated as fully accessible. Servicing and refuse collections would take place from the lay-by on Deansgate.



The building would fill the site, except for a small corner on Deansgate that would accommodate a ramp for access to the bin and cycle stores. The building would have a 'flat iron' form and would step back at the 22nd, 24th and 26th floors from the most easterly corner of the site on the Deansgate elevation to form three roof terraces. The building would be clad in polyester powder coated (PPC) aluminium panels described as having a "Corten Steel look", with vertical columns of dark grey PPC aluminium curtain wall glazing on the upper floors. The ground and mezzanine floors would have double height window bays along the two main elevations, with the main entrance to the building at the junction of Chester Road and Deansgate leading to a double height reception and amenity spaces. A vertical column of glazing would link the two main elevations at the main entrance point. Similarly, on the east elevation there would be a vertical column of glazing looking towards the City Centre.



View from South-Western approach along Chester Road



Western Elevation



View from North-Eastern approach along Bridgewater Viaduct

Eastern Elevation

Consultations

Publicity

The proposal has been advertised in the local press, site notices have been displayed and occupiers of neighbouring properties have been notified. Twenty eight neighbours have objected to the proposal and 12 members of the public support the application, as follows:

Support

Would like to see site developed as it is currently unsightly;
 The development will blend in with the surrounding area and make it more attractive;
 Support additional student accommodation in the city centre due to difficulties of finding affordable student accommodation in the city centre and Deansgate area;
 Job creation from construction is welcomed.

Objections

Principle of use – PBSA is contrary to Policy H12 of the Core Strategy: it is not in close proximity to any universities or to a high frequency public transport route to the universities; it is incompatible with existing developments and the principles of the Great Jackson Street Framework; the local retail facilities are inadequate for 500+ students; and there is no car parking provided. There is no need for student accommodation in this area and there is no other student accommodation nearby.

The proposals seek to significantly change the demographic of this new residential neighbourhood, which is predominantly occupied by professionals.

Contrary to the Great Jackson Street Regeneration Framework – Use for PBSA is not within the vision of the framework, which stipulates that the area is to be a new residential neighbourhood, and the proposal fails to: fit in with the sequence of distinctive buildings along Chester Road, which are low rise: consider the height of the adjacent building; maximise separation distances (c.20m separation should be achieved for high density developments and a minimum of 15m for lower density – the proposal achieves 12m) and uses up most of the ground space of the site; enhance sunlight and daylight penetration into the site.

Height, Scale & Massing – The proposed building is too tall and close to the neighbouring Deansgate Quay, which it would tower over. Other nearby high-rise buildings are all a good distance away from the lower neighbouring buildings. Scale and mass are inappropriate in this location and would prevent longer views into and out of the City creating a visual barrier. It is out of scale with the developments in Knott Mill and Castlefield.

Design – Very imposing design that is out of keeping with the area. The form and materiality are in conflict with the approach and range of high-quality materials that have been used on the nearby residential developments.

Impact on Castlefield Conservation Area – The height, design and materials are out of keeping with the low-rise mainly red brick developments of Castlefield and would significantly harm the area. It would appear more as a foreground building rather than the reflective background towers located within the Great Jackson Street area.

Wind – The existing tall buildings have already created a wind tunnel in the rear car park area of Deansgate Quay, which will only get worse with another tall building, creating unbearable conditions for sitting on balconies or walking through the area, and increasing the danger of flying objects.

Loss of Daylight and Sunlight, and Overshadowing – The height and proximity of the building would result in the loss of a substantial amount of daylight and sunlight to the adjacent Deansgate Quay building. It would cast large shadows down Deansgate and Bridgewater Viaduct, restricting daylight on the streets and onto apartment balconies and windows. The Daylight and Sunlight models at Appendix 11.1 omit the development at Castle Wharf.

Loss of Rights to Light

Loss of privacy – Proximity to Deansgate Quay residential building and windows and roof terraces high up would lead to overlooking of existing flats.

Loss of outlook for adjacent apartments.

Noise and Disturbance – The access next to Deansgate Quay means that 500 students would be traipsing backwards and forwards at all hours of the day and night close to Deansgate Quay, where many residents work from home and need a good

night's rest. Students using the three outdoor roof terraces at night would cause unacceptable noise and disturbance. Students have a different work/life balance to working professionals and are more likely to party throughout the week. Residents of Deansgate Quay would be faced in part by a mid-level plant room with associated noise.

Anti-social Behaviour – Students are uninvested in their surroundings and would cause littering and general anti-social behaviour.

Increased Crime – the addition of student halls would attract and add to existing crime in the area.

Highways – Deansgate adjacent to Deansgate Square is already congested and narrow. The student accommodation would exacerbate the problem with increased traffic, deliveries and bin collections, particularly with so many students moving in and out at the same time at the beginning and end of each semester.

Contrary to the Manchester Residential Guidance – due to the impact on the adjacent residential properties in terms of privacy, light and noise and disturbance.

Impact on Local Amenities – Existing local residential amenities are already under pressure.

Previous Proposals – The previous proposals for this site were more appropriate with regard to the size, scale and use.

Ground Contamination – The applicant incorrectly says there is no contamination in their application form when the Phase 1 SI Report states that there is.

Flood Risk – The construction of a lower ground floor would bring the development within Flood Zone2, which would need to be addressed.

Construction disruption – Site is small so the construction compound would need to be off-site leading to increased construction traffic, road closures and increased noise and disruption.

Structural Damage – Piling is likely to exacerbate the existing cracks in the Deansgate Quay building, which have been caused by existing developments in the area. This may also compromise the integrity of the ground supporting the Bridgewater Viaduct.

House Prices – The proposal would significantly and adversely affect the property prices of Deansgate Quay.

Councillor Objections

The following objections have been received from Councillor Marcus Johns and Councillor William Jeavons:

Principle of use

The proposal is contrary to Policy H12 of the Core Strategy as follows:

Point 1 - It is not in close proximity to any universities or to a high frequency public transport route to the universities.

Point 3 - It is incompatible with existing developments. The area is highly residential and has a longstanding and settled residential community in Castlefield, Deansgate Quay and Knott Mill. It is not student in character and the applicant is misleading comparing it to the M15 postcode, which is a different pattern of development and land use, closer to the universities and along high frequency transport routes that connect to the universities. The Great Jackson Street Regeneration Framework (SRF) does not include PBSA as an acceptable use.

Point 4 - The proposal cannot demonstrate a positive regeneration impact in its own right and does not accord with the SRF, which looks to create a high-quality residential-led neighbourhood and a vibrant, safe, secure and sustainable community. It doesn't meet the SRF requirements of maximising separation distances (provides 12.2m rather than c.20m), increasing the quantum and variety of public spaces (the applicant is misleading to characterise the external terraces as public realm) , or enhancing sunlight and daylight penetration into the site. The SRF specifies this plot (Plot H) could provide 13% of the site area as public realm – none is provided with the proposed building filling the site. The SRF specifies a maximum of 13 storeys for this site.

Point 6 - The proposal fails the test of no unacceptable effect on residential amenity – its scale, massing and utilisation of the site would be hugely overbearing on Deansgate Quay.

Point 9 – The applicant fails to demonstrate that there is a need for PBSA in this location, far from University campuses, and has failed to attract the support of and enter into a formal agreement with a University or another provider of higher education for the proposed development. The applicant's needs assessment makes sweeping assumptions and actually shows that the marginal increase in the total growth (3,810 students) is well within the 5,513 bedspaces developed in Manchester within the same timeframe.

The proposal is contrary to the Executive report of 9 December 2020 where it states that the aim of Policy H12 is “to ensure the right mix of student house is delivered, in the right parts of the city” and the “location of accommodation close to University facilities is a critical issue in ensuring the safety and wellbeing of students”. The report states that PBSA “should be located in the areas immediately adjacent to the core university area, principally the Oxford Road Corridor Area” and “the only exemption to this ... would be within the Eastlands Strategic Regeneration Framework area”. The proposal falls considerably outside the Oxford Road Corridor Area, cannot be considered ‘immediately adjacent’ to the core university areas, and does not fall within the only exemption to this definition as outlined in the policy.

Height, Scale and Massing

The proposal is too tall for its location and fails to respond to the low-rise nature of Deansgate Quay, the stepping down effect towards Bridgewater Viaduct, the requirements of the SRF, and the extant planning permission (which is less than half the number of storeys). Its scale and massing are unacceptable, filling the site,

failing to provide public or private space in line with the SRF and leaving just 12.2m separation distance to Deansgate Quay. The stepping down to 22 storeys adjacent to Deansgate Quay is laughable given the extreme difference in heights. Rather than mediating the relationship between the Castle Wharf development by stepping down to Deansgate Quay, it instead steps up from the Castle Wharf development before stepping down.

The applicant proposes a window-less façade adjacent to Deansgate Quay to mitigate privacy/overlooking – this is a miserable proposal that would reduce the already questionable aesthetic and architectural quality of the proposal and is attempting to mitigate out harm caused by the overdevelopment of the site adjacent to a residential building.

It fails to meet Policy DM1, which requires “appropriate siting, layout, scale, form, massing, materials, and detail” and developments to “have regard to the character of the surrounding area”.

It fails to meet Policy EN2 (Tall Buildings), which requires tall buildings to be of excellent design quality, appropriately located and contribute positively to placemaking, eg as a landmark, by terminating a view, or by signposting a facility of significance.

Residential Amenity (of Deansgate Quay and West Tower)

Noise – from the egress of 534 students; from the twice weekly waste collections of 27 bins immediately outside residential properties; location of waste storage adjacent to residential property and proposed significant collection patterns; three roof terraces at significant height would allow noise to carry and impact on a wide residential area.

Odours - from bins close to residential property.

Loss of Privacy – overlooking of living spaces and surrounding residential amenity areas from within the development and the proposed roof terraces.

Loss of Light – the height, scale and massing of the development would lead to an unsatisfactory noticeable reduction in skylight and ‘more gloomy’ homes for a significant number of residents in Deansgate Quay (and also in West Tower).

The proposal would therefore be contrary to Policies DM1 and H12.

Consultees

Sport England - Provides advice on the provision of sports facilities and promoting healthy lifestyles and communities.

Environmental Health - EH does not support the proposals as they do not comply with the City Council's bin storage requirements for once a week collection. If this matter is resolved, EH would recommend the following conditions be attached to any

approval: construction management plan (CMP); lighting; acoustics; air quality; and contaminated land.

City Centre Growth and Infrastructure Team - Object to the proposal for the following reasons:

- The proposal is at odds with the site's designation within the SRF, which considers a low- to mid-rise building is best supported at the site, and the scheme would adversely impact on the existing residential community in the Great Jackson Street and Castlefield areas.
- Distance from the Universities. The report to the Council's Executive on 9 December 2020 made clear that Core Strategy Policy H12 retains relevance in how PBSA is developed in Manchester, with location close to University facilities being a key factor. The site would be approximately a 20 to 30 minute walk to the Metropolitan University of Manchester (MMU) and the University of Manchester main libraries respectively. A recent appraisal by Cushman and Wakefield on Student Accommodation in Manchester (which was previously presented to the Council's Executive) reported that accommodation is considered to be less sustainable where it is a greater than 20 minute walk to campus.

MCC Flood Risk Management - Recommends conditions regarding Sustainable Drainage Systems (SuDS).

Highway Services - Recommends accessible parking provision, a car club bay, 100% cycle parking (the 17% proposed is inadequate), details of the proposed cycle hire scheme, resident management plan, Travel Plan, pavement reinstatement, traffic regulation orders (TROs), servicing management plan and construction management plan.

Greater Manchester Ecology Unit - Recommends a condition regarding the protection of nesting birds and for the proposed landscape scheme.

Manchester Water Safety Partnership - Request that the building operators fully engage with MWSP due to the significant number of deaths over the years due to drowning some of which have been students. Recommend focussed student events and information provided to students during Starters' Week.

Greater Manchester Archaeological Advisory Service - GMAAS are satisfied that the application has no archaeological implications.

Greater Manchester Police - Recommends the layout issues in Section 3.3 are addressed and the physical security measures in Section 4 of the Crime Impact Statement are conditioned.

Historic England (North West) - Recommends the LPA seeks the views of their specialist conservation and archaeological advisers as relevant.

Manchester Airport Safeguarding Officer - No objections.

Natural England - No objection.

United Utilities Water PLC - Recommends conditions regarding surface and foul water drainage, and SuDS.

Environment Agency - Previous uses of the site present a high risk of contamination that could be mobilised during construction to pollute controlled waters. Therefore, there is no objection to the application providing conditions relating to ground contamination and piling methodology are attached to any permission.

Issues

Relevant National Policy

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

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

The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) – High-density student housing would not be appropriate within Great Jackson Street and would have a negative impact on the land available for delivering a sufficient supply of homes for the general population.

Section 6 - Building a strong and competitive economy - The proposal would create jobs during construction.

Section 8 (Promoting healthy and safe communities) – The development would create natural surveillance, but the introduction of 534 students to this area may cause issues of noise and disturbance to the wider established residential community.

Section 9 (Promoting Sustainable Transport) – Whilst the proposal is in a highly sustainable location, the proposed student accommodation is some distance from the Universities and the site is not on direct public transport routes to the University corridor.

Section 11 (Making Effective Use of Land) – The proposal would not make effective use of land as it would use land that is better suited for general housing and it does not provide student accommodation close to the universities.

Section 12 (Achieving Well-Designed Places) - The proposed building, due to its height and the materials proposed would not achieve a well-designed place.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposal would seek to achieve an ‘Excellent’ BREEAM rating for the commercial element.

An Environmental Standards Statement demonstrates that the development would accord with a wide range of principles intended to promote energy efficient buildings integrating sustainable technologies from conception, through feasibility, design and build stages and in operation.

The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology and demonstrate that the proposal would have no significant adverse impacts in respect of the natural environment.

Section 16 Conserving and Enhancing the Historic Environment - The proposal, due to its height and the materials proposed, would have an adverse impact on the character or appearance of Castlefield Conservation Area and on the settings of nearby listed buildings.

Core Strategy

The Core Strategy Development Plan Document 2012-2027 was adopted on 11 July 2012 and is the key document in Manchester's Local Development Framework. It sets out the long term strategic planning policies for Manchester. 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 proposal has been assessed against the adopted Core Strategy as follows:

Policy SP 1 Spatial Principles – The proposal would be contrary to policy SP1 as it would not contribute towards the creation of a balanced neighbourhood of choice and would not create a high quality neighbourhood for residents to live in.

Policy CC3 Housing – It is expected that a minimum of 16,500 new homes will be provided in the City Centre up to 2027. The development would be located within an area identified for residential development but is not a site considered appropriate for PBSA. The proposal would use land that would be better suited to other housing and would not provide PBSA in areas where it is needed most.

Policy CC5 Transport – The proposal is not close to direct transport routes to the universities and is therefore considered to be inappropriate in this location.

Policy CC6 City Centre High Density Development – The height of the proposal is considered to be inappropriate on this site and it would not meet the requirements of Policy EN2 'Tall Buildings'.

Policy CC8 Change and Renewal – The proposal would not be in accordance with the Great Jackson Street Development Framework and would thereby be contrary to Policy CC8, which expects redevelopment proposals to be prepared within an approved development framework.

Policy CC9 Design and Heritage – The building would not be of the highest standard in terms of appearance and it would fail to preserve or enhance the nearby heritage assets.

Policy CC10 A Place for Everyone – This is not considered to be an appropriate location for PBSA and it would not contribute to an increase in family orientated activity.

Policy H1 Overall Housing Provision – This site within the City Centre is not considered appropriate for PBSA as it would not meet the requirements of Policy H12, in that it is not in close proximity to the universities or to a high frequency public transport route that passes the university areas.

Policy H12 Purpose Built Student Accommodation - the provision of new PBSA 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 bedspaces.
10. Applicants/developers must demonstrate to the Council that their proposals for PBSA are deliverable.

The development is considered to be contrary to policy H12 for the reasons set out in depth in the Issues section.

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

Policy T2 Accessible Areas of Opportunity and Need – The proposed development is not in a location considered appropriate for PBSA as it is not on a route with good access to the university campuses.

Policy EN1 Design Principles and Strategic Character Areas - The proposal is considered to be too tall and would have a detrimental impact on Castlefield Conservation Area and the nearby listed buildings.

EN2 Tall Buildings – Proposals for tall buildings will be supported where it can be demonstrated that they

- Are of excellent design quality,
- Are appropriately located,

- Contribute positively to sustainability,
- Contribute positively to place making, for example as a landmark, by terminating a view, or by signposting a facility of significance, and
- Will bring significant regeneration benefits.

A fundamental design objective will be to ensure that tall buildings complement the City's key existing building assets and make a positive contribution to the evolution of a unique, attractive and distinctive Manchester, including to its skyline and approach views.

Suitable locations will include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes.

It will be necessary for the applicant/developer to demonstrate that proposals for tall buildings are viable and deliverable.

The development is considered to be contrary to policy EN2 for the reasons set out in depth in the Issues section.

Policy EN3 Heritage – It is considered that the building would have a detrimental impact on the character and appearance of Castlefield Conservation Area and the settings of the nearby listed buildings. This is discussed in more detail below.

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

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

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

Policy EN9 Green Infrastructure – The development incorporates of rooftop gardens.

Policy EN14 Flood Risk – The site falls within Flood Zone 1 and is at low risk of flooding. A Flood Risk Assessment has been prepared.

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

Policy EN 16 Air Quality - The proposal would not be reliant on cars and would therefore minimise emissions from any traffic generated by the development.

Policy EN 17 Water Quality - The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN 18 Contaminated Land and Ground Stability - A site investigation, which identifies possible risks arising from ground contamination has been prepared.

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

Policy DM 1 Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:

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

The application is considered in detail in relation to the above issues within the Issues section below.

Policy DM2 Aerodrome Safeguarding – The development would not have an impact on the operational integrity or safety of Manchester Airport or Manchester Radar.

Saved Unitary Development Plan Policies

DC18.1 Conservation Areas – It is considered that the proposal would have a detrimental impact on the character and appearance of the nearby Castlefield Conservation Area and this is discussed in more detail later in the report.

DC19.1 Listed Buildings – It is considered that the proposal would have a detrimental impact on the settings of the nearby listed buildings. This is discussed in more detail later in the report.

Policy DC20 Archaeology – The site has little archaeological interest.

DC26.1 and DC26.5 Development and Noise – An acoustic assessment has been prepared. The noise impacts of the proposal are discussed in more detail below.

Issues

Relevant National Policy

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

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

The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) – The scheme would provide high-density student housing on a site where such accommodation is not needed or appropriate. It would have a negative impact on the land available for delivering a sufficient supply of homes for the general population.

Section 6 - Building a strong and competitive economy - The proposal would create jobs during construction and new residents would support the local economy through the use of facilities and services.

Section 8 (Promoting healthy and safe communities) – The development would create natural surveillance, but the introduction of 534 students to this area may cause issues of noise and disturbance to the wider established residential community.

Section 9 (Promoting Sustainable Transport) – Whilst the proposal is in a highly sustainable location, the proposed student accommodation is some distance from the Universities and the site is not on direct public transport routes to the University corridor.

Section 11 (Making Effective Use of Land) – The proposal would not make effective use of land as it would use land that is better suited for general housing and it does not provide student accommodation close to the universities.

Section 12 (Achieving Well-Designed Places) - The proposed building, due to its height and the materials proposed would not achieve a well-designed place.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposal would seek to achieve an ‘Excellent’ BREEAM rating for the commercial element.

An Environmental Standards Statement demonstrates that the development would accord with a wide range of principles intended to promote energy efficient buildings integrating sustainable technologies from conception, through feasibility, design and build stages and in operation.

The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology and demonstrate that the proposal would have no significant adverse impacts in respect of the natural environment.

Section 16 Conserving and Enhancing the Historic Environment - The proposal, due to its height and the materials proposed, would have an adverse impact on the character or appearance of Castlefield Conservation Area and on the settings of nearby listed buildings.

Core Strategy

The Core Strategy Development Plan Document 2012-2027 was adopted on 11 July 2012 and is the key document in Manchester's Local Development Framework. It sets out the long term strategic planning policies for Manchester. A number of Unitary Development Plan (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 proposal has been assessed against the adopted Core Strategy as follows:

Policy SP 1 Spatial Principles – The proposed development is considered to be contrary to policy SP1 in that it would not contribute towards the creation of a balanced neighbourhood of choice and would not create a high quality neighbourhood for residents to live in.

Policy CC3 Housing – It is expected that a minimum of 16,500 new homes will be provided in the City Centre up to 2027. The development would be located within an area identified for residential development but is not a site considered appropriate for PBSA. The proposal would use land that would be better suited to other housing and would not provide PBSA in areas where it is needed most.

Policy CC5 Transport – The proposal is not close to direct transport routes to the universities and is therefore considered to be inappropriate in this location.

Policy CC6 City Centre High Density Development – The height of the proposal is considered to be inappropriate on this site and it would not meet the requirements of Policy EN2 ‘Tall Buildings’.

Policy CC8 Change and Renewal – The proposal would not be in accordance with the Great Jackson Street Development Framework and would thereby be contrary to Policy CC8, which expects redevelopment proposals to be prepared within an approved development framework.

Policy CC9 Design and Heritage – It is considered that the new building would not be of the highest standard in terms of appearance and it would fail to preserve or enhance the nearby heritage assets.

Policy CC10 A Place for Everyone – This is not considered to be an appropriate location for PBSA and it would not contribute to an increase in family orientated activity.

Policy H1 Overall Housing Provision – This site within the City Centre is not considered appropriate for PBSA as it would not meet the requirements of Policy H12, in that it is not in close proximity to the universities or to a high frequency public transport route that passes the university areas.

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 bedspaces.

10. Applicants/developers must demonstrate to the Council that their proposals for PBSA are deliverable.

The development is considered to be contrary to policy H12 for the reasons set out in depth in the Issues section.

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

Policy T2 Accessible Areas of Opportunity and Need – The proposed development is not in a location considered appropriate for PBSA as it is not on a route with good access to the university campuses.

Policy EN1 Design Principles and Strategic Character Areas - The proposal is considered to be too tall and would have a detrimental impact on Castlefield Conservation Area and the nearby listed buildings.

EN2 Tall Buildings – Proposals for tall buildings will be supported where it can be demonstrated that they

- Are of excellent design quality,
- Are appropriately located,
- Contribute positively to sustainability,

- Contribute positively to place making, for example as a landmark, by terminating a view, or by signposting a facility of significance, and
- Will bring significant regeneration benefits.

A fundamental design objective will be to ensure that tall buildings complement the City's key existing building assets and make a positive contribution to the evolution of a unique, attractive and distinctive Manchester, including to its skyline and approach views.

Suitable locations will include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes.

It will be necessary for the applicant/developer to demonstrate that proposals for tall buildings are viable and deliverable.

The development is considered to be contrary to policy EN2 for the reasons set out in depth in the Issues section.

Policy EN3 Heritage – It is considered that the building would have a detrimental impact on the character and appearance of Castlefield Conservation Area and the settings of the nearby listed buildings. This is discussed in more detail below.

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

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

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

Policy EN9 Green Infrastructure – The development incorporates rooftop gardens.

Policy EN14 Flood Risk – The site falls within Flood Zone 1 and is at low risk of flooding. A Flood Risk Assessment has been prepared.

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

Policy EN 16 Air Quality - The proposal would not be reliant on cars and would therefore minimise emissions from any traffic generated by the development.

Policy EN 17 Water Quality - The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN 18 Contaminated Land and Ground Stability - A site investigation, which identifies possible risks arising from ground contamination has been prepared.

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

Policy DM 1 Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:

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

The application is considered in detail in relation to the above issues within the Issues section below.

Policy DM2 Aerodrome Safeguarding – The development would not have an impact on the operational integrity or safety of Manchester Airport or Manchester Radar.

Saved Unitary Development Plan (UDP) Policies

DC18.1 Conservation Areas – It is considered that the proposal would have a detrimental impact on the character and appearance of the nearby Castlefield Conservation Area and this is discussed in more detail later in the report.

DC19.1 Listed Buildings – It is considered that the proposal would have a detrimental impact on the settings of the nearby listed buildings. This is discussed in more detail later in the report.

Policy DC20 Archaeology – The site has little archaeological interest.

DC26.1 and DC26.5 Development and Noise – An acoustic assessment has been prepared. The noise impacts of the proposal are discussed in more detail below.

Report to the City Council's Executive on PBSA

The Council's Executive endorsed a report regarding PBSA on 9 December 2020 following the outcome of a public consultation exercise with key stakeholders, on PBSA in Manchester. The report was endorsed by the Executive to help guide the decision-making process in advance of a review of the Local Plan. It was requested by the Council's Executive that the report on PBSA in Manchester be considered as a material planning consideration until the Local Plan has been reviewed.

The report is clear that Core Strategy Policy H12 retains relevance in how PBSA is developed in Manchester. It sets out that the location of new PBSA should be close to University facilities, notwithstanding limited exceptions that do not apply to this specific site. The report also highlights how location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits in the provision of accommodation. The report confirms that accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area.

The PBSA report sets out numerous reasons why location is a significant consideration in determining the acceptability of new PBSA developments, such as how:

- New stock in appropriate locations represents an opportunity to deliver an improved student experience;
- The location of accommodation close to University facilities is a critical issue in ensuring the safety and wellbeing of students; and
- Given the current climate emergency and Manchester's commitment to be carbon neutral by 2038, it is increasingly important that the location of student accommodation in Manchester should continue to be driven by proximity to university campuses.

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

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

Strategic Plan for Manchester City Centre 2015-2018

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

The application site falls within the area designated as Castlefield. The Castlefield residential community remains one of the city's most desirable neighbourhoods, offering residents a balance of city centre living with a tranquil, waterside

backdrop. Developments in the area will provide modern waterside living, along with family-focused city centre accommodation. A key priority for the area is to ensure residential developments are balanced with the needs of the area. The proposal is considered to be inconsistent with the character of the area and the above priority.

Stronger Together: Greater Manchester Strategy 2013 (GM Strategy)

The sustainable community strategy for the Greater Manchester City Region was prepared in 2009 as a response to the Manchester Independent Economic Review (MIER). MIER identified Manchester as the best placed city outside London to increase its long term growth rate based on its size and productive potential. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life. The PBSA development would not support the overarching programmes being promoted by the City Region via the GM Strategy.

Manchester Residential Quality Guidance (July 2016) (MRQG) – This document provides specific guidance on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. The proposal is considered to be inconsistent with creating a sustainable residential neighbourhood in this area.

Residential Growth Strategy (2016) – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population. Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place. It is considered that the proposed development would undermine achieving the above targets and growth priorities.

Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development. The proposal would contribute towards the MGBIS with the provision of a green roof and proposed street tree planting (although this would be subject to underground services and pavement widths) and access to public realm adjacent to the River Medlock.

Great Jackson Street Development Framework

In October 2007, the Executive endorsed a regeneration framework for high quality and high density redevelopment, following public consultation with landowners, local residents, businesses and other key stakeholders, and requested the Planning and Highways Committee take the Development Framework into consideration when considering applications for planning permission, listed building consent and advertisement consent in the Great Jackson Street area. The Framework was

updated in 2015 and again in January 2018, following public consultation. It forms a material consideration in the determination of planning applications within its boundary.

The overall aim of the Framework is to create a high quality residential neighbourhood with high value homes that would support the growth of the economy. It would be possible to create a vibrant, safe, secure and sustainable community incorporating a range of dwelling types, providing an attractive place to live. New residential development within the Framework area must demonstrate that the scheme will deliver a high quality as demanded by the Manchester Residential Quality Guidance (RQG). In order to create a sustainable mixed community for the area, a range of accommodation types should be brought forward with 1, 2 and 3 bed apartments.

Key components of the updated framework include: maximising separation distances between buildings; and enhancing daylight and sunlight penetration into the site. Developments should incorporate a high quality palette of materials, consistent with the quality of buildings and public realm established through the Owen Street development.

The application site is identified as plot 'H' within the document and has been designated as providing a medium to low density development with no requirement to provide public realm.

It is considered that the proposed development would not be in accordance with the GJSRF as it would:

- not provide high quality residential housing and would undermine efforts to create a high quality residential-led area;
- introduce a tall building on a site that is only considered to be appropriate for a medium-rise building at most;
- fail to achieve appropriate separation distances resulting in issues of overlooking and a feeling of over-crowdedness.
- fail to achieve the appropriate quality required in the materials specified for such a tall highly prominent building.

Castlefield Conservation Area Declaration

Designated in October 1979, the conservation area's boundary follows the River Irwell, New Quay Street, Quay Street, Lower Byrom Street, Culvercliff Walk, Camp Street, Deansgate, Bridgewater Viaduct, Chester Road, Arundel Street, Ellesmere Street, Egerton Street, Dawson Street and Regent Road. The area was extended in June 1985 by the addition of land bounded by Ellesmere Street, Hulme Hall Road and the River Irwell.

The Castlefield area has evolved over many years and the elevated railway viaducts, canals and rivers create a multi-level environment. It has a mixture of buildings from small scale houses to large warehouses and modern buildings. There are a variety of building materials, which tend to be urban and industrial in character.

Further development can take place that respects the character of the area, and there is room for more commercial property. Ideally, new development should incorporate a mix of uses. The height and scale, the colour, form, massing and materials of new buildings should relate to the existing high-quality structures and complement them. This approach leaves scope for innovation, provided that new proposals enhance the area. The diversity of form and style found in existing structures in Castlefield offers flexibility to designers.

Climate Change

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

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

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

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

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

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO₂ from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy

to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus, the development of a 'circular economy', in which sustainable and renewable materials are re-used and recycled as much as possible.

Climate Change and Low Emissions Implementation Plan (2016-2020) –

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

The Manchester Climate Change Framework 2020-25 - An update on Manchester Climate Change was discussed at the MCC Executive on 12 February 2020. The report provides an update on the Tyndall Centre for Climate Change Research review of targets and an update on the development of a City-wide Manchester Climate Change Framework 2020-25. The City Council Executive formally adopted the framework on 11 March 2020.

Legislative Requirements

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development that affects a listed building or its setting the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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

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

Environmental Impact Assessment

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment (EIA)) Regulations

2017 ('The Regulations'). During the EIA process the applicant has considered a range of potential environmental in relation to the following issues:

Noise;
 Air quality;
 Townscape and visual impact;
 Built Heritage;
 Daylight and sunlight;
 Wind microclimate; and
 Socio-economics.

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 but further information would be required on mitigation in relation to the wind micro-climate.

The above issues are dealt with in detail further on in the report below.

Principle of the Proposed Use and the Scheme's Contribution to Regeneration

Proposals for purpose built student accommodation (PBSA) are subject to compliance with Core Strategy Policy H12 'Purpose Built Student Accommodation.'

Core Strategy policy H12 sets out a number of criteria that proposals for PBSA should meet in order for them to be acceptable. The policy was introduced to ensure that proposals for student accommodation could be managed effectively, to ensure that they were located appropriately to support the Council's regeneration priorities and also to ensure that the provision of further bedspaces in purpose built student accommodation would assist in encouraging students to choose managed accommodation over HMOs.

In order for a proposal to be acceptable it is expected to satisfy all the criteria of the policy which are set out in full within the policy section of this report. The proposal has been assessed against each point of the policy as follows:

Proximity to University campuses - The site is not in close proximity to the University campuses or to a high frequency public transport route which passes through the University area. The Core Strategy defines 'in close proximity' as within 500m (easy walking distance). The application site is approximately 970m from the Manchester Metropolitan University campus and the high frequency bus routes on Oxford Street, and 1.77km from the University of Manchester campus. The report to the City Council's Executive of 9 December 2020 reinforces the importance of locating new PBSA close to University facilities and highlights how location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits in the provision of accommodation. The report confirms that accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area. The proposal site is a considerable distance from the Oxford Road Corridor Area and is not immediately adjacent to the core university areas.

Zero Carbon - The proposed development has been designed to address the requirements of planning policy with regards to energy use and carbon reduction. The application is accompanied by a BREEAM pre-assessor that outlines that the development could achieve an 'Excellent' rating.

Compatible with Existing Developments/Initiatives - The proposal would not be compatible with the development of this area as a high quality residential area and there are limited retail facilities within walking distance.

Regeneration Impact – Regeneration is an important planning consideration. Manchester City Centre is the primary economic driver in the City Region and is crucial to its longer term economic success. There is an important link between economic growth, regeneration and the provision of new homes and more homes are required to support economic growth and development. The site falls within the SRF where significant regeneration has taken place and is ongoing to create a high quality residential neighbourhood with high value homes that would support the growth of the economy. New residential development within the SRF must demonstrate that the scheme will deliver a high quality as demanded by the Manchester Residential Quality Guidance (RQG). In order to create a sustainable mixed community for the area, a range of accommodation types should be brought forward with 1, 2 and 3 bed apartments. The proposal would be on a site expected for high quality apartments in a low to medium-rise building. The proposal for PBSA in a high-rise building would not meet these regeneration requirements and would therefore have a negative impact on the achievement of the SRF. The proposal has not come forward as part of a clear student housing strategy and the proposals cannot demonstrate a positive regeneration impact in their own right.

Safety and Security – The proposal could achieve adequate security measures with appropriate conditions and it would increase the surveillance of the area.

Residential Amenity – Whilst the scheme has introduced some measures to attempt to reduce the impacts on neighbouring properties, it is considered that the proposal could lead to unacceptable noise and disturbance to neighbouring residential properties due to the comings and goings of students and the use of external terraces. The scale of the building in close proximity to the Deansgate Quay building would result in overlooking and would have an overbearing impact on the residents of that building.

Re-Use of Listed Buildings – There are no listed buildings or other buildings with a particular heritage value on the site.

Waste Management – A waste management strategy has been submitted that would fall short of the standards for City Council collections but would rely on twice weekly private collections. Whilst not ideal, it is considered that this arrangement could be secured via legal agreement.

Student Need or Formal Agreement with Universities – The applicant has carried out a study on student need, which shows that, at 1.79:1, the student to bed ratio in Manchester is healthy for a large market, but asserts that there is need for further PBSA to meet future growth in numbers of students. Whether or not their predicted

increase in student numbers transpires, the City Council has an adopted strategy with regards to the supply of PBSA and the Universities have an overall accommodation strategy. Both the City Council and the Universities have a responsibility to create and contribute to sustainable neighbourhoods and not to undermine regeneration principles. The City Council are kept apprised of the accommodation strategies of all further education establishments and will continue to direct all prospective developers to have a dialogue with the Universities to fulfil student accommodation need. The applicant has not got the support of or entered into a formal agreement with a University or another provider of higher education for the proposed development.

The Council's approach has been tested at the following appeals:

i. Appeal Ref: APP/B4215/A/12/2180719 (095082/FO/2010/S1) - Erection of part 4, part 5, part 6 storey building to form student accommodation comprising of 470 bedrooms together with essential user parking, landscaping and ancillary ground floor facilities

Location: 87 - 89 Coupland Street, Hulme, Manchester, M15 6HP.

ii. Appeal Ref: APP/B4215/A/12/2186476 (099782/FO/2012/S1) - Erection of 15 storey new building to form student accommodation comprising of 104 no. bedrooms in 30 flats attached to the existing property known as Boundary Lodge including 2 car parking spaces

Location: Boundary Lodge, Boundary Lane, Manchester M15 6FD

In each case the Inspector considered whether there was a need for additional student accommodation and concluded that the respective appellants had not shown that there is a current need for further purpose-built student accommodation. Furthermore, the appellants had not demonstrated an arrangement with a higher education provider for the supply of bed spaces. The inspector in the Coupland Street appeal reference APP/B4215/A/12/2180719 stated that the language of Policy H12 was clear, in that all 10 criteria are required to be satisfied. The respective proposals were therefore considered to be contrary to Core Strategy policy H12.

As with the above cases it is considered that the applicant has not demonstrated a robust assessment of quantitative or qualitative need for the proposed scheme.

Deliverability - The applicant has not submitted a viability assessment in order for the local planning authority to assess whether or not the scheme proposed would be deliverable.

For the reasons outlined above it is considered that the application proposal does not satisfy all criteria set out in Core Strategy Policy H12, it would be contrary to the SRF and the report to the Executive and the scheme cannot therefore be supported.

Tall Buildings Assessment

One of the main issues to consider is whether this is an appropriate site for tall buildings. The proposal has been assessed against the City Council policy on tall buildings, the NPPF and the following criteria as set out in Historic England's

published Advice Note 4 Tall Buildings (10 December 2015), which represents an update to the CABE and English Heritage Guidance published in 2007.

Assessment of Context and Heritage Assessment

The effect of the proposal on key views, listed buildings, conservation areas, scheduled Ancient Monuments, archaeology and open spaces has been considered and the application is supported by a Heritage Statement and a Townscape and Visual Assessment of the proposal.

Sections 66 and 72 of the Listed Building Act 1990 provide that, in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and in determining planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Section 16 of the NPPF establishes the criteria by which planning applications involving heritage assets should be assessed and determined. Paragraph 189 identifies that Local Planning Authorities should require applications to describe the significance of any heritage assets in a level of detail that is proportionate to the assets' importance, sufficient to understand the potential impact of the proposals on their significance. Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposals.

As the main higher grade heritage assets, (including St Peters Square, Albert Square, the Town Hall (grade I), Town Hall Extension (grade II*) and Central Library (grade II*), Manchester Central (grade II*) and Liverpool Road Station (grade I) are some distance away, the main impact on them would be experienced in long views and upon the city skyline, with many views screened by other developments.

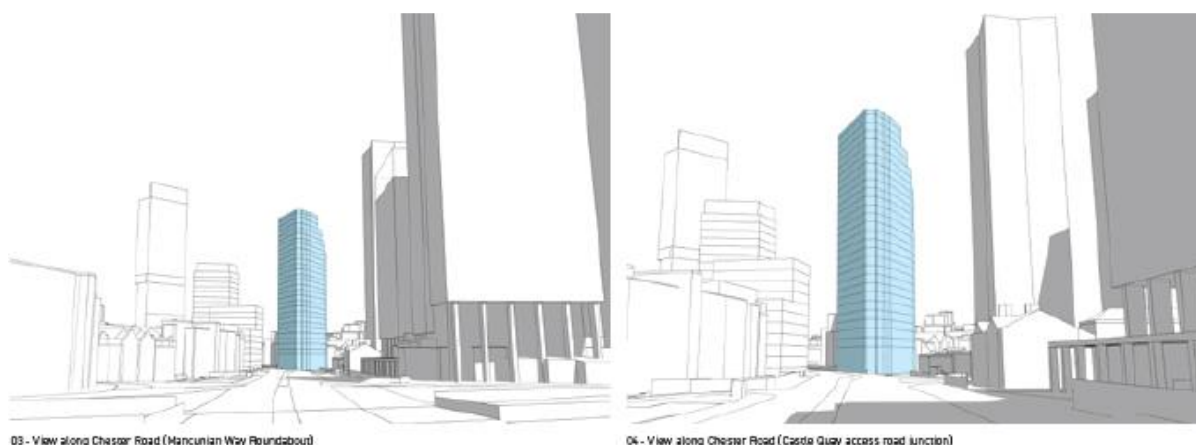
The site is not within a conservation area, but it is adjacent to Castlefield Conservation Area, which lies immediately to the west on the opposite side of Chester Road/Bridgewater Viaduct. The following listed buildings are potentially affected by the proposal: the former Bridgewater Canal Company offices; Middle Warehouse on Chester Road; Merchants Warehouse; Artingstalls Auctioneers (former Congregational Chapel) on Bridgewater Viaduct; Rochdale Canal Lock 92 (Dukes Lock); Manchester South Junction and Altrincham Railway Viaduct; Deansgate Station, all Grade II; and St Georges Church (Grade II* listed), including its walls and gates (Grade II), across the Mancunian Way roundabout. There is one Scheduled Ancient Monument within a 250m radius of the site, which is the eastern wall fragment of the Roman fort.

The Conservation Area has an industrial character defined by the low-rise warehouse buildings, the presence of the Rochdale Canal and the railway viaducts, all with a horizontal visual emphasis. The Grade II listed Middle Warehouse, Artingstall's Chapel, the railway viaduct and the Bridgewater Canal Offices all add to

the industrial, low rise horizontal character of the area. The route into the City Centre along Chester Road is framed to the right by the high rise towers within the SRF with the built form stepping down to the Bridgewater Canal Offices, the Deansgate Quay development straight ahead and the conservation area to the left. The medium rise building at 2-4 Chester Road appears to the left hand side and provides a stepping up to the Beetham Tower in the distance. The application site lies at a point where the main road bends round to the left, resulting in the site forming the central focal point of the view when travelling into the City Centre. A tall building on this site would form a hugely dominant feature in the centre of the view when looking towards the City Centre, detracting from the lower scale conservation area and listed buildings. It is considered therefore that the proposal would have a detrimental impact on the setting of Castlefield Conservation Area and would not preserve or enhance the character or appearance of the area.

The main listed buildings affected by the proposal would be Artingstall's Chapel and the Bridgewater Canal Offices. The introduction of such a large-scale building would result in certain views towards to the tower of the chapel being affected, with the tower dominating the view and detracting from this much smaller scale building. The Bridgewater Canal Offices form the lower scale part of the streetscene along Chester Road. The proposed tower would alter this scale forming a prominent large-scale feature that would dominate views and detract from views of the listed building. It is considered therefore that the proposal would have a negative impact on the settings of the listed buildings, which would be less than significant.

It can be concluded, therefore, that, overall, the proposal would result in less than substantial harm to the heritage assets. In this case, paragraph 196 of the NPPF requires the harm to be weighed against the public benefits of the proposal. As discussed above, the proposed use is considered to be unacceptable and contrary to regeneration efforts in the area and it is considered therefore that there are no public benefits to the scheme that would outweigh the harm caused to the heritage assets.



Architectural Quality

The key factors to evaluate are the building's scale, form, massing, proportion and silhouette, facing materials and relationship to other structures. The Core Strategy policy on tall buildings (EN2) seeks to ensure that tall buildings complement the City's existing buildings and make a positive contribution to the creation of a unique,

attractive and distinctive City. Proposals for tall buildings will be supported where it can be demonstrated, amongst other things, that they are of excellent design quality; are appropriately located; and contribute positively to place making.

As discussed above, the proposed building would be a large-scale tower that would dominate the skyline of this gateway entry point to the city centre. The proposal would be inconsistent with the massing and scale of development set out in the SRF and would not positively contribute to the group of tall buildings on this side of the City Centre, appearing as a dominant feature within a lower scale environment. Whilst large-scale towers lie to the south east of the site, the site lies within an area of lower scale building and is directly adjacent to the 8 storey Deansgate Quay building. Although the proposed building steps down in height adjacent to this building, the step-downs are at such a high level that they would have little impact in reducing the scale of the tower adjacent to the much lower domestic scale building of Deansgate Quay. The height and verticality of the building, which is emphasised by the vertical columns of curtain wall glazing, would be out of keeping with the lower scale more horizontally proportioned buildings within the streetscene.

The materials used on tall buildings are very important as they significantly affect the overall appearance and quality of the buildings and have a significant impact on the overall views of the cityscape. The elevations would be clad in what is described as 'Corten Steel look PPC (polyester powder coated) Aluminium Cladding Panels'. This is not considered to be a high quality material but is a material trying to mimic a high quality material. The result would be a large scale building lacking in a quality finish and appearance that would be highly visible and not in keeping with the high quality materials used on the towers in the rest of the SRF or the adjacent conservation area.

Given the above, it is considered that the proposal would have a scale, form, massing and visual appearance that is unacceptable and it would not achieve the architectural quality appropriate to a building of its size contrary to Policy EN2.

Sustainable Design and Construction

An Energy Statement sets out the sustainability measures proposed, including energy efficiency and environmental design. The design would maximise passive measures to reduce the energy requirement, including an appropriate glass to wall ratio; U values that exceed the minimum Building Regulation Standards; air leakage rates that exceed the minimum Building Regulations; and glass specification that limits the amount of unwanted solar gain to avoid overheating. The energy efficiency measures include:

- Heat recovery on the ventilation systems (MVHR);
- Low specific fan power ratings to ventilation fans;
- Lighting control systems, such as PIR detection in corridors and en-suite bathrooms;
- High efficiency LED lighting throughout; and
- Direct electric heating with local control and occupancy sensing and set point temperature.

The exploration of renewable and low carbon technologies concluded that the most appropriate solution for the building comprises a combination of solar PV cells and air source heat pumps (ASHP) to generate hot water. Overall, the energy strategy would deliver a 9.5% betterment on the Part L2A baseline calculation. The applicant has explored the potential of connecting to the Manchester Civic Quarter Heat Network but concludes that it is too remote from the site for it to be economical to connect into. The proposal would seek to achieve an 'Excellent' BREEAM rating.

Given the above, it is considered that the design and construction would be sustainable and in accordance with Core Strategy Policies EN4 and EN6.

Credibility of the Design

Tall buildings are expensive to build so the standard of architectural quality must be maintained through the process of procurement, detailed design and construction. Under Core Strategy Policy EN2 it is necessary for the applicant/developer to demonstrate that proposals for tall buildings are viable and deliverable. Whilst the applicant and design team have experience of delivering tall buildings, evidence has not been provided to show that the proposal is commercially viable and that the submitted scheme can be constructed and delivered.

Contribution to Public Spaces and Facilities

The proposal would upgrade the pavement environment and bring activity and natural surveillance to the surrounding streets.

Effect on the Local Environment

This examines, amongst other things, the impact of the scheme on nearby and adjoining residents. It includes issues such as impact on daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements and the environment and amenity of those in the vicinity of the building.

(a) Daylight, Sunlight and Overlooking

The nature of high density developments in City Centre locations means that amenity issues, such as daylight, sunlight and the proximity of buildings to one another have to be dealt with in an appropriate way. The Great Jackson Street Development Framework envisages high density development and scale and expects tall buildings to achieve separation distances of c.20m.

A Daylight, Sunlight and Overshadowing Assessment makes reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011) and BS8206 – Part 2:2008 Code of Practice for Daylighting. The BRE Guide is generally accepted as the industry standard and is used by local planning authorities to consider these impacts. The guide is not policy and aims to help rather than constrain designers. The guidance is advisory, and there is a need to take account of locational circumstances, such as a site being within a town or city centre where higher density development is expected and obstruction of natural light to existing buildings is often inevitable.

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

- Castle Wharf (under construction);
- Deansgate Quay; and
- West Tower, Deansgate Square.

Daylight

The assessment has used the following methods to assess the impact of daylight: Vertical Sky Component (VSC) and No Sky Line (NSL). In order to achieve the daylight recommendations in the BRE guidance, a window should retain a vertical sky component (VSC) of at least 27%, or where it is lower, a ratio of after/before of 0.8 or more. If the direct skylight to a room is reduced to less than 0.8 times its former value, this would be noticeable to the occupants. The BRE Guide recognises that different targets may be appropriate, depending on factors such as location. The achievement of at least 27% can be wholly unrealistic in the context of high density city centre as this measure is based upon a suburban type environment, equivalent to the light available over two storey houses across a suburban street. It should be noted that the VSC level diminishes rapidly as building heights increase relative to the distance of separation. Within city centre locations the corresponding ratio for building heights relative to distances of separation is frequently much greater than this.

The NSL method can be used where room layouts are known and is a measure of the distribution of daylight at the 'working plane' within a room. The 'working plane' means a horizontal 'desktop' plane 0.85m in height for residential properties. If a significant area of the working plane lies beyond the NSL (i.e. it receives no direct sky light), then the distribution of daylight in the room will be poor and supplementary electric lighting may be required. The assessment has assumed layouts for rooms in surrounding properties where it was not been possible to obtain the room layouts.

The results should be interpreted in relation to the site's City Centre location where high density development is encouraged. 934 windows to 537 rooms within the above buildings were assessed for daylight with the following impacts:

Castle Wharf – 455 windows to 278 rooms were assessed. For VSC, 236 (52%) would meet the BRE criteria. Of those that would not meet the criteria, 63 (14%) would be altered by between 20 and 30%, 45 (10%) an alteration of between 30 and 40%, and 111 (24%) alterations in excess of 40%. For NSL, 124 (45%) of rooms would meet the BRE criteria. 67 (24%) would experience an alteration between 20-30%, 45 (16%) an alteration between 30-40%, and 40 (15%) alterations in excess of 40%. It should be noted that only 8% of windows and 54% of rooms comply with the VSC and NSL daylight targets in the baseline scenario, which means that only relatively small changes in the daylight levels represent large proportional changes. 116 (50%) windows and 108 (71%) rooms which do not meet the BRE criteria serve bedrooms, which are considered to have a lesser requirement for daylight. Overall, considering the city centre location, the effect on daylight to this property is considered to be minor adverse and not significant.

Deansgate Quay - 62 windows to 43 rooms were assessed. For VSC, 12 (19%) windows would meet the BRE criteria. Of those that would not meet the criteria, 50 (81%) would have an alteration in excess of 40%. For NSL, 14 (32%) rooms would meet the BRE criteria. 2 (5%) would experience an alteration between 20-30% and 27 (63%) would have alterations in excess of 40%. 19 (31%) windows and (44%) rooms which do not meet the BRE criteria serve bedrooms, which are considered to have a lesser requirement for daylight. The average baseline VSC levels are low at 14.94%, which means that only relatively small changes in the daylight levels represent large proportional changes. This is evidenced when reviewing the retained VSC levels of the previous planning application (115591/FO/2017) for a 13-storey residential building on the site against the proposed development. Retained VSC levels to Deansgate Quay with the previous consent and both the West Tower and Castle Wharf developments in place are approximately 9%, whilst the levels would be 5% with the proposed development constructed. It should be noted that the previous planning application did not include West Tower or Castle Wharf in the baseline scenario as they were not yet consented. Deansgate Quay therefore received greater levels of daylight at that time and was, therefore, less sensitive to changes in light brought about by the previous consent. Furthermore, if the previous consent was to be constructed now, the retained VSC levels between the consented scheme and this proposal would be comparable. The Deansgate Quay building also has deep, single aspect rooms, a number of which are recessed and positioned beneath balconies making it difficult for daylight to penetrate. The building has also been built with windows close to the site boundary, so is not considered to be a 'good neighbour' according to the BRE guidance. Overall, considering the city centre location and the characteristics of the Deansgate Quay building, the effect to daylight on this property is considered to be moderate adverse and not significant.

West Tower - 417 windows to 216 rooms were assessed for daylight. For VSC, 310 (74%) would meet the BRE criteria. Of those that would not meet the criteria, 55 (13%) would be altered by between 20 and 30% and 52 (13%) an alteration of between 30 and 40%. For NSL, 169 (78%) of rooms would meet the BRE criteria. 27 (13%) would experience an alteration between 20-30%, 18 (8%) an alteration between 30-40%, and 2 (1%) alterations in excess of 40%. For VSC daylight 70 (65%) windows that do not meet the BRE criteria and for NSL all of the rooms that do not meet the BRE criteria serve bedrooms, which are considered to have a lesser requirement for daylight. The other windows not meeting the VSC criteria serve living kitchen diners, which are served by other windows. Overall, the effect on daylight to this property is considered to be minor adverse and not significant.

Sunlight

For sunlight impact assessment the BRE Guide sets the following criteria:

- (a) Whether sunlight is enjoyed for at least 25% of the annual probable sunlight hours (APSH) throughout the year; and
- (b) Whether 5% of the annual probable sunlight hours would be received during the winter months (21st September – 21st March).

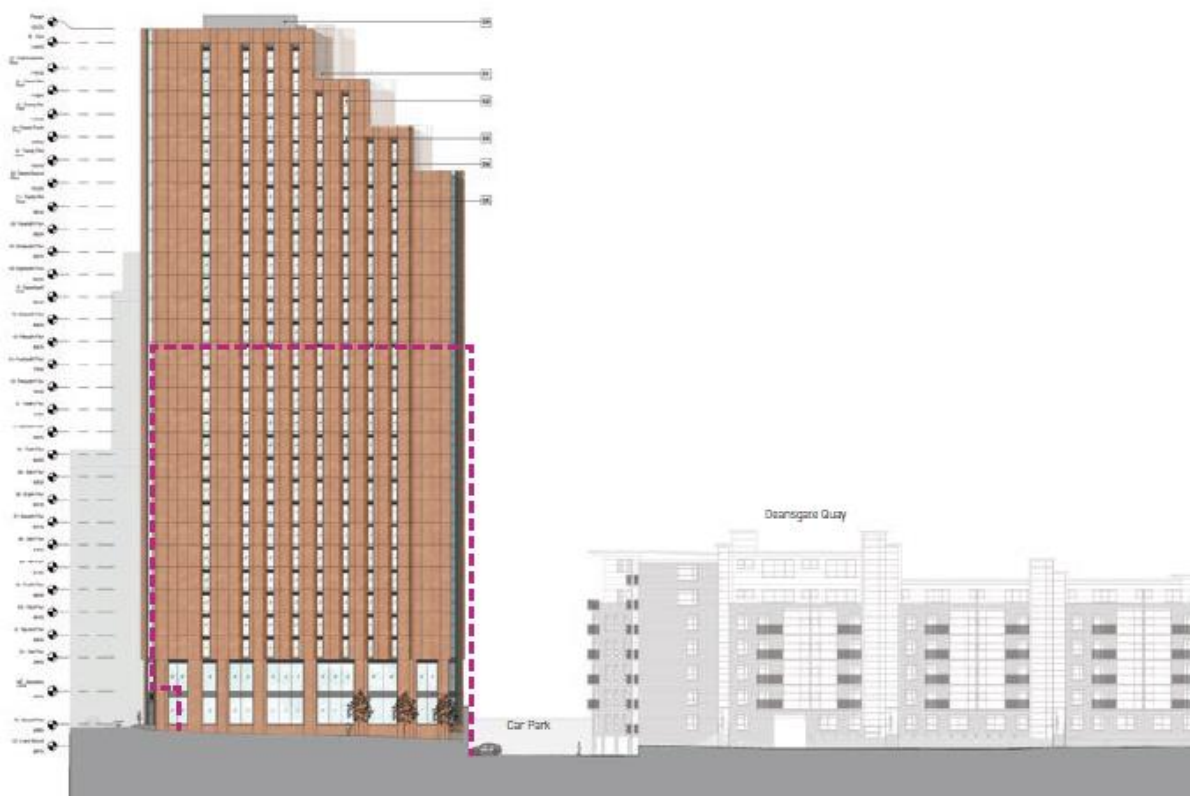
The sunlight assessment relates to windows that currently receive some direct sunlight. A total of 279 windows serving 151 rooms were assessed for sunlight within three buildings. The impacts on the buildings around the site can be summarised as follows:

Castle Wharf – 100 rooms were assessed. 70 (70%) would meet the BRE criteria for both Winter and Annual PSH. 5 would experience alterations in APSH of between 20 to 30%, 2 would experience alterations of 30-40% and 6 would experience alterations of more than 40%. 28 would experience an alteration of more than 40% for winter PSH. Considering the City Centre location, and the medium sensitivity of the property, the effect on sunlight would be minor adverse and not significant.

Deansgate Quay – 7 (29%) of 24 rooms would meet the BRE criteria for both Winter and APSH, with 17 (71%) and 15 (63%) experiencing an alteration of more than 40% respectively. Deansgate Quay is built close to the proposed site boundary, with several single aspect rooms facing the site. This places a high burden on the development site to maintain existing levels. The baseline levels are already low, increasing the building's sensitivity to change. If the previous consented scheme were to be constructed now, 8/24 (33%) of rooms would meet the APSH criteria. The effect on sunlight would be moderate adverse, which is not considered to be significant.

West Tower – All of the 27 rooms assessed would meet the BRE criteria for both Winter and APSH and the effect would be negligible.

There would be some impact on daylight and sunlight but overall, the impact on daylight would be minor to moderate adverse and the impact on sunlight would be negligible to moderate adverse. Given the City Centre location and the context of the site, it is considered that the impact of the proposal on daylight and sunlight would be acceptable.



Overlooking & Separation Distances

There are no prescribed separation distances between buildings in the City Centre where developments are denser and closer together than in suburban locations. However, the Great Jackson Street Framework seeks separation distances of circa 20m where higher density developments are located. The proposed tower would effectively be built up to the boundary of the site, 12.2m away from the Deansgate Quay elevation, which has active residential windows. Whilst this would clearly introduce an element of overlooking, windows on this boundary have been accepted in previous schemes on this site. Notwithstanding this, the previously consented schemes on the site were a lot smaller in scale and were either set back from this boundary or only had up to 7 storeys on this boundary. The proposed scheme would be between 23 and 29 storeys along this boundary, creating a feeling of overcrowdedness and being overbearing to occupants of the Deansgate Quay apartments, as well as visually within the street scene. It is considered that this would have a detrimental impact on the occupants of Deansgate Quay and the street scene.

(b) Wind

A wind microclimate study identified no safety exceedances on the main areas of the rooftop and the three external terraces, and mitigation is not required to these areas. Locations along the Bridgewater Viaduct and Deansgate were identified where the proposal would result in high wind speeds that would affect pedestrian and cyclist safety and comfort and street tree planting is required to reduce the wind speeds in the pedestrian environment. The report notes that landscape elements below 8m in height are not capable of being modelled so the report makes a professional judgement based on experience to predict that the proposed street

trees would sufficiently break up the wind flow, reducing wind speeds to safer and comfortable levels for both pedestrians and cyclists. This mitigation would be outside the site edged red.

Information has not been provided to show whether street trees are capable of being planted within the pavement on Bridgewater Viaduct, given the possibility of obstructions to this, such as the presence of underground services. Alternatives to street trees have not been given - trees in planters are not considered to be ideal due to problems with maintenance, litter, poor growth of trees and obstruction on the highway and it is not clear whether there would be room to maintain an adequate clear route. It is considered therefore that the proposal for a tall building in this location would cause an unacceptable wind environment, for which it is not clear whether mitigation measures are feasible, potentially causing safety and comfort implications for pedestrians and cyclists.

(c) Air Quality

The site is within an Air Quality Management Area (AQMA) and an Air Quality Assessment (AQA) has assessed the impact on air quality at construction and operational stages. The construction process would produce dust and increased emissions. Any adverse impacts would be temporary and could be controlled using mitigation measures included within best practice guidance. As the proposal is car-free, air quality impacts from the operational stage of the development would be negligible.

The AQA has shown that background NO₂ and PM₁₀ levels are likely to be lower at elevated heights due to the distance from emissions sources. The predicted concentrations at heights above the mezzanine level are considered to fall below the Air Quality Objective levels with regard to future exposure. Therefore, as the residential accommodation is only proposed above this level, it is considered that no mitigation measures are required.

(d) Noise and Vibration

A Noise and Vibration Assessment has identified that noise levels that comply with the City Council's standards for the accommodation can be achieved using suitable mechanical ventilation strategies and that noise from plant is capable of being controlled to a suitable level.

Whilst this is a City Centre site, it is in an area of the city that has a large established residential population within Castlefield and the SRF. The SRF includes the provision of a school and the development of this has commenced. The area is therefore very attractive to households with young children. The proposal for PBSA would introduce over 500 students to this site directly adjacent to a large number of apartments. The lifestyle of students is inevitably different to those of young professionals, young families or other people living in apartments in the area and it is considered that the proposed use for student accommodation could lead to more noise and disturbance than would be experienced from residential apartments. This could be from comings and goings and use of the roof terraces at different hours of the night.

(e) TV reception

A baseline Television and Radio Reception Impact Assessment does not anticipate any significant impacts on telecommunications.

(f) Vehicle Movements

A Transport Assessment has considered the impact of the proposals on the highway network and it is considered that the proposal would not have an adverse impact on highway safety. A detailed Residents' Management Plan would be required to control student moving in/out periods and deliveries, as well as a detailed cycle hire scheme and Construction Management Plan.

Provision of a Well-Designed, Inclusive Environment

Whilst the proposal would provide facilities within the building for students, the principle of student accommodation in this location is not considered to be acceptable. The proposal would undermine the creation of a well-designed high quality residential environment that is envisaged for the area and would not foster a sense of community. The proposed building would be too tall on this site and the proposed materials are considered to be of an inadequate quality for a building of this size.

In assessing the above criteria, it is considered that the proposal would not satisfactorily meet the Historic England guidance.

Relationship to Transport Infrastructure

A Transport Assessment shows that the proposal would not have an adverse impact on highway safety. A detailed Residents' Management Plan would be required to control student moving in/out periods and deliveries, as well as a detailed cycle hire scheme, Framework Travel Plan and Construction Management Plan. Notwithstanding this, and as previously discussed, this site is not considered to be a suitable location for student accommodation due to it being almost a kilometre from the Universities and from direct public transport routes to the Universities and, therefore, should not be supported.

Waste and Recycling

The refuse store would be located at lower ground level and would not be big enough to accommodate enough bins for the once-weekly collection that the City Council offers. The applicant therefore proposes a twice-weekly collection, which would need to be undertaken by a private contractor and would, therefore, require a legal agreement to ensure that this was carried out in perpetuity of the development.

Full access and Inclusive Design

The proposal would provide level access into and throughout the building and 5% (27) bedrooms would be capable of being fully accessible.

Crime and Disorder

The proposal would have windows overlooking all frontages which would help to provide natural surveillance of the public realm. A Crime Impact Statement carried out by Greater Manchester Police confirms that the scheme could meet Secure by Design accreditation providing detailed measures are incorporated into the scheme.

Green and Blue Infrastructure

The proposals include rooftop terraces that would include planting and a green roof. The proposal includes the planting of street trees on Deansgate and Bridgewater Viaduct, however, as discussed above it is not clear whether such planting would be physically possible. The site is close to and has good access to the public realm and river walkway created at Deansgate Square adjacent to the River Medlock.

Ecology and Biodiversity

The proposal would have no adverse effect on statutory or non-statutory designated sites. The site has low ecological value but nesting habitat is present, so no vegetation clearance should take place between 1 March and 31 August without a detailed bird nest survey being undertaken. Any development should secure ecological enhancement for fauna such as breeding birds and roosting bats through the incorporation of measures such as bat and bird boxes.

Contaminated Land and Impact on Water Resources

A Phase 1 Preliminary Risk Assessment Report shows that there is the possibility of contamination on the site and development should not take place until a full site investigation has been carried out and an appropriate remediation strategy put in place. A verification report following completion of site works would also be required.

Flood Risk

The site lies within Flood Zone 1, which has a low probability of flooding from rivers or the sea, nor is the site at risk of flooding by groundwater or the local sewer network. A Flood Risk Assessment and Drainage Strategy shows that, subject to mitigation measures, there would be no adverse effects in terms of flood risk and drainage from the proposal and a sustainable drainage system is required

Summary of Climate Change Mitigation

The external amenity spaces and green roof would improve biodiversity and enhance wildlife habitats. Biodiversity could be enhanced by measures such as the provision of bat and bird boxes. The proposal includes a Framework Travel Plan setting out measures to reduce transport and traffic impacts, including promoting public transport, walking and cycling.

The proposal would use passive measures such as appropriate glass to wall ratio; U values and air leakage rates that exceed the minimum Building Regulation Standards; and glass specification to limit the amount of unwanted solar gain. It establishes energy efficiency measures such as heat recovery on the ventilation systems (MVHR); LED lighting and lighting control systems; and electric heating. It would adopt renewable and low carbon technologies using air source heat pumps and rooftop photovoltaic panels. The proposal would achieve a 9.5% improvement on Part L2A baseline calculation.

Overall, the proposal includes measures that can be feasibly incorporated to mitigate climate change for a development of this scale in this location. The proposal would comply with policies relating to CO2 reductions and biodiversity enhancement set out in the Core Strategy, the Zero Carbon Framework, the Climate Change and Low Emissions Plan, the Climate Change and Low Emissions Implementation Plan, the Manchester Climate Change Framework and the Green and Blue Infrastructure Strategy.

COVID-19 Potential Impacts

The city centre is the region's economic hub, providing a strategic employment location, with a significant growing residential population. At present there is an undersupply of both Grade A office floor space and residential accommodation. Therefore, it remains critical to ensure a strong pipeline of both residential and commercial development. The impacts of COVID-19 are being closely monitored at a national, regional and local level to understand any impacts on the city's population, key sectors and wider economic growth. At the same time, growth of the city centre will be important to the economic recovery of the city following the pandemic. Although there may be a short-term slowdown in demand and delivery, it is expected that growth will resume in the medium long term.

The Council is currently working with a range of partners to plan amenity provision for a growing population. This approach takes a holistic city-wide view of where demand is increasing most significantly. There are specific plans for new healthcare provision and a new primary education facility to be located within the Great Jackson Street SRF area to service city centre demand.

It is not yet possible to predict the full impact of COVID-19 on the Greater Manchester economy. However, Government and Local authorities have already taken steps to help employers cope with the lockdown periods. While in the short term it is likely to slow the growth in Manchester, in the medium term the city is well placed to recover and to return to employment and economic growth. The implementation of the objectives of the SRF will be more important than ever in providing residential accommodation in the right place. This site is earmarked for high quality housing that would build on the high value residential areas of Castlefield and the SRF and it is considered that the proposed student accommodation would hinder that.

Conclusion

The proposal is on a site that is not in close proximity to the University campuses or to a high frequency public transport route which passes this area and applicant has failed to demonstrate robustly that there is unmet need for the proposed student accommodation, or that they have entered into an agreement with an education provider for the provision of student accommodation. Nor has the applicant demonstrated that their proposal for PBSA is deliverable. The proposal does not demonstrate a positive regeneration impact in its own right and would be contrary to the SRF and would undermine the objective to create a high quality residential area that has a focus for families. Given the distance students would have to travel, the absence of agreements or assurances regarding the future sustainable use of the proposed student accommodation and the detrimental impact the proposal would have on regeneration efforts in the area, the development would adversely impact upon the welfare of students, the amenity of residents in the area and the provision of housing in a suitable location, and would thereby be considered, for the reasons set out in this report, to be contrary to policies SP1, H1, H12, CC3, CC8, CC10, T2 and DM1 of the Core Strategy for the City of Manchester and the NPPF.

The proposal is for a tall building on a highly prominent site directly adjacent to a much smaller scale residential building, which it would tower above with very little separation distance, giving a feeling of overcrowdedness and having an overbearing effect on existing residents. It would form an over-dominant feature within the street scene and would be clad in materials that would fail to meet the quality that such a prominent building should achieve, which would have a detrimental effect on visual amenity, the settings of the nearby listed buildings and would fail to preserve or enhance the character and appearance of the adjacent Castlefield Conservation Area. The applicant has not demonstrated that the proposal is viable and deliverable. It is therefore considered to be contrary to policies SP1, CC9, EN1, EN2, EN3 and DM1 of the Manchester Core Strategy, saved UDP policies DC18.1 and 19.1, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the NPPF.

Due to the height of the proposal the applicant predicts that there would be a detrimental impact on the wind environment around the building requiring mitigation. The only mitigation measures that have been put forward are for tree planting within the public pavement adjacent to the site. However, it has not been demonstrated that these measures are capable of implementation and no alternatives have been put forward. Therefore, it is considered that the proposed building, by reason of its scale and height, could have a detrimental impact on the safety and comfort of pedestrians and cyclists thereby being contrary to policies EN2 and DM1 of the Manchester Core Strategy.

Given the above, it is considered that the proposal for PBSA within a tall building on this site would be inconsistent with national and local planning policy and should be refused for the reasons set out below.

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 refusal of the application is proportionate to the wider benefits of refusal and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation REFUSE

Article 35 Declaration

Officers work with applicants in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with planning applications. However, at pre-application stage, officers advised the applicant that the local planning authority does not consider this to be an appropriate location for purpose built student accommodation as it would not meet the requirements of Core Strategy Policy H12.

Reasons for recommendation

1. The proposal is not in close proximity to the University campuses or to a high frequency public transport route which passes this area and the applicant has failed to demonstrate robustly that there is unmet need for the proposed student accommodation; that they have entered into an agreement with an education provider for the provision of student accommodation; or that their proposal is deliverable. Furthermore, the proposal does not demonstrate a positive regeneration impact in its own right and would be contrary to the Great Jackson Street Development Framework and the efforts made to create a high quality residential area. It would, therefore, adversely impact upon the safety and welfare of future students, would not create a balanced high quality neighbourhood of choice and would be detrimental to the character of the area, undermining the on-going regeneration of the wider locality, including Castlefield and the Great Jackson Street area. It would thereby be contrary to policies SP1, H1, H12, CC3, CC8, CC10, T2 and DM1 of the Core Strategy for the City of Manchester and the NPPF.
2. The proposed building by reason of its scale, height and position on the site would form an over-dominant feature within the street scene, would have an overbearing relationship to the adjacent building, creating a feeling of overcrowdedness, and would be clad in materials that would fail to meet the quality that such a prominent building should achieve. It would thereby have a detrimental impact on visual amenity and on the settings of the nearby listed buildings and would fail to preserve or enhance the character and appearance of

Castlefield Conservation Area. It is therefore considered to be contrary to policies SP1, CC9, EN1, EN2, EN3 and DM1 of the Manchester Core Strategy, saved UDP policies DC18.1 and 19.1, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the NPPF.

3. The proposed building by reason of its scale, massing and height would have a detrimental impact upon the wind environment around the building, requiring mitigation. The applicant has failed to demonstrate that the mitigation measures put forward are capable of implementation and no alternatives have been put forward. Therefore, it is considered that the proposed building, by reason of its scale, massing and height, could have a detrimental impact on the safety and comfort of pedestrians and cyclists, thereby being contrary to policies EN2 and DM1 of the Manchester Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 129406/FO/2021 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
 Sport England
 City Centre Renegeration
 Corporate Property
 Environmental Health
 MCC Flood Risk Management
 Highway Services
 Environment & Operations (Refuse & Sustainability)
 Strategic Development Team
 Oliver West (Sustainable Travel)
 Neighbourhood Team Leader (Arboriculture)
 Urban Design & Conservation
 Greater Manchester Ecology Unit
 Greater Manchester Geological Unit
 Manchester Water Safety Partnership
 Manchester Metropolitan University
 University Of Manchester
 Civil Aviation Authority
 Environment Agency
 GM Fire Rescue Service
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Police
 Historic England (North West)
 Manchester Airport Safeguarding Officer**

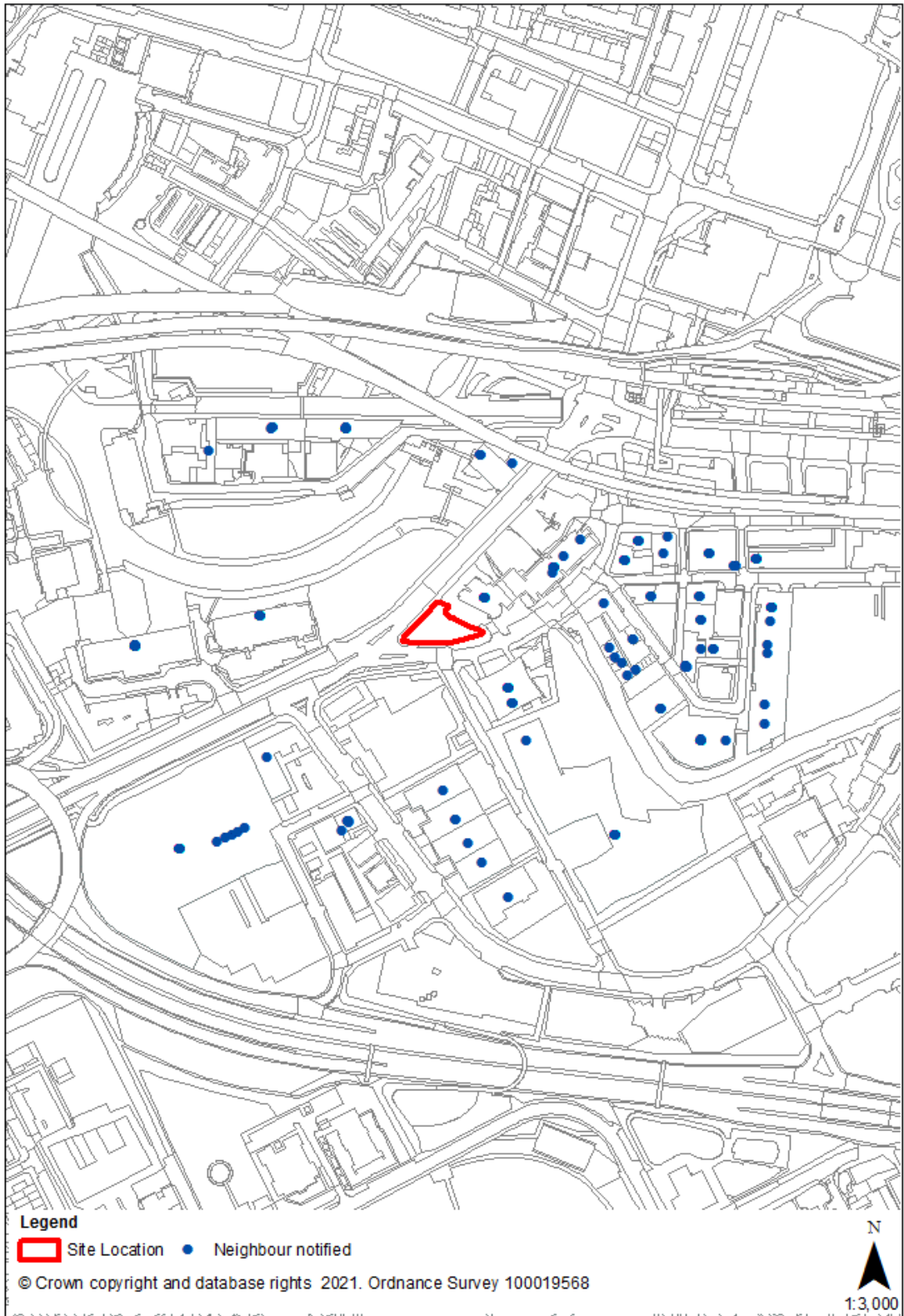
The National Grid Wireless
Natural England
United Utilities Water PLC
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Corporate Property
MCC Flood Risk Management
Environment & Operations (Refuse & Sustainability)
Oliver West (Sustainable Travel)
Strategic Development Team
City Centre Renegeration
Urban Design & Conservation
Greater Manchester Police
Historic England (North West)
Environment Agency
Greater Manchester Archaeological Advisory Service
The National Grid Wireless
Manchester Airport Safeguarding Officer
Civil Aviation Authority
Natural England
United Utilities Water PLC
Greater Manchester Ecology Unit
Greater Manchester Geological Unit
University Of Manchester
Manchester Metropolitan University
GM Fire Rescue Service
Manchester Water Safety Partnership
Planning Casework Unit
Sport England

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:

Sport England
 Environmental Health
 MCC Flood Risk Management
 Highway Services
 Greater Manchester Ecology Unit
 Manchester Water Safety Partnership
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Police
 Historic England (North West)
 Manchester Airport Safeguarding Officer
 Natural England
 United Utilities Water PLC
 Environment Agency

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Application Number	Date of Appln	Committee Date	Ward
128248/FO/2020	16th Nov 2020	4th Jun 2020	Piccadilly Ward

Proposal Erection of 9 buildings ranging from 8 to 34 storeys in height to form 1202 residential apartments (Use Class C3a) and ground floor commercial uses (Use Class E) (192 sqm) together with associated car parking, new vehicular and pedestrian access, public realm, landscaping and other associated works following demolition of existing structures and buildings

Location Land Bound by Gould Street, Williamson Street, Bromley Street and Bilbrook Street, Manchester, M4 4DD

Applicant Southvalley Estates Limited, C/o Agent

Agent Matthew Hard, WSP, 8 First Street, Manchester, M15 4RP

EXECUTIVE SUMMARY

The proposal would create 1202 new homes and 192 sqm of commercial space within 9 buildings ranging from 8 to 34 storeys in height with associated car parking, public realm and landscaping following demolition of existing structures.

Neighbour notification generated seven objections together with comments from the Marble Arch Inn and Friends of Angel Meadow (FOAM).

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, used as a car park following the closure of the gas works, and is located in a highly sustainable location close to NOMA and Manchester Victoria Train Station. The proposal accords with Northern Gateway Strategic Regeneration Framework (SRF). A range of accommodation types and sizes would be available for market sale. 85 homes would be affordable on a shared ownership basis and would meet aspirations to reduce carbon within the development along with providing innovative solutions for surface water drainage and biodiversity improvements.

Economic The proposal would result in £220 million of investment and deliver 1202 new homes, 85 of which would be affordable. New homes to meet the City's growing population is a key economic driver and is vital to a successful and thriving economy. 1,170 construction jobs are expected to be created throughout the lifetime of the development along with those associated with the commercial space and management of the neighbourhood once the development is complete. The new households are predicted to spend £23.8 million per year. On the assumption that 75% of this household spend is with Manchester, this is a direct benefit of £17.8

million to the local economy. 1202 new homes would also create additional Council Tax revenue in the region of £1.98 million per annum based on 2021/22 prices.

Social A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. 85 new homes would be affordable on a shared ownership basis. Significant new areas of public realm, linkages and green spaces would be created as part of the development which would benefit existing and proposed residents as well as visitors to the area.

Environmental This would be a low carbon development in a highly sustainable location. The development would have limited on site car parking with residents encouraged to walk, cycle and use public transport as part of the travel plan. The car parking which would be provided would be fitted with an electric car charging point. Public realm, green spaces and linkages would contribute positively to the place making in the area. Over 100 new trees would be planted including along street frontages. This would improve biodiversity and create new habitats for wildlife. Surface water risk would be managed through green and blue infrastructure such as rain gardens and blue roofs which would attenuate the water at source. The site is known to be contaminated, however, the conditions are not unusual and do not present a risk to human health or the environment on the basis of an appropriate remediation strategy.

The height, scale and appearance of the buildings would contribute positively to the area. 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

This 2.7 hectares site is bounded by Gould Street, Williamson Street, Bromley Street and Bilbrook Street. To the south are commercial, light industrial and car parking uses.

The site is occupied by two, 24 hour, split level surface car parks separated by a 3 metre high section of retaining wall. There is a significant change in levels at the site over about 16m from the south west to the north.



The application site including split level surface car parking, telecommunication mast and remaining evidence of the former gas works

The upper level provides 600 parking spaces accessed via Bilbrook Street with 400 spaces on the lower level accessed via Gould Street.

There is a 55 metre telecommunication mast in the south eastern corner of the site and National Grid infrastructure in the centre comprising a Pressure Reduction Station (PRS) and compound area which controls the gas flow in the surrounding network.

The mast would be removed, and the National Grid infrastructure would be relocated within the site and is currently subject to a separate planning application (ref. 128431/FO/2020).

The surrounding area is dominated by the railway bridge and arches which are occupied by car garages and microbreweries. There is a large electricity substation operated by Electricity North West on land bounded by Gould Street, Williamson Street and the application site which is not part of this application site.

The site is part of the 'Northern Gateway Strategic Regeneration Framework' area, known as Victoria North, which would be transformed over the next decade through the delivery of 15,000 new homes, place making and infrastructure to support the City's population growth over the next 20 years.

A first phase of development is taking place around Angel Meadow delivering 756 homes (124120). Planning permission also exists for the development of the site to the east for 415 homes (114860), and a site at Victoria Riverside, for 634 homes (126944).

The area is highly sustainable. The Northern Quarter, Ancoats and NOMA are a short distance from the site and provide access to a wide range of retail, amenities and services along with a vibrant evening economy. Victoria Station provides access to trains, trams and bus services.

The site is not within a conservation area, however, the following listed buildings are nearby: Marble Arch Public House (Grade II), warehouse on the western corner of the junction with Simpson Street (Grade II), Sharp Street Ragged School (Grade II), Cooperative Press (Grade II), Union Bridge (Grade II) and Charter Street Mission (former Charter Street Ragged School and working girls home) (Grade II). The Lancashire and Yorkshire Railway Viaduct and Angel Meadow are considered to be non-designated heritage assets.

The site is not within the Greater Manchester Air Quality Management Area (AQMA) but is 120 m west of the AQMA along Rochdale Road. The site is in flood zone 1, where the risk of flooding is low. The River Irk is 140 m to the west and the land around it is in flood zone 3.

The Proposal

1202 homes are proposed following the removal of the telecommunications mast and buildings, car park booth and related infrastructure and all retaining walls. All ground gas infrastructure above and below ground would be removed. Contamination associated with the tar pits which were once beneath the gas holders would need to be remediated prior to development.

A residential neighbourhood would be created in nine buildings with 85 homes (7%) being affordable on a shared ownership basis. A park, landscaping and pedestrian links would be provided. There would be underground car and cycle parking.

The removal of approximately 1000 car parking spaces would remove a significant number of vehicle trips from the surrounding road network. 100 car parking spaces are proposed in total resulting in a net reduction in vehicle trips and carbon emissions. 1224 cycle spaces would be provided across the 9 buildings. The building would be designed to a high level of energy efficiency resulting in a low carbon development.



Image of the 9 buildings including public park and public realm

The development would be delivered across four main phases:

Phase 1

Phase 1 would be at the south west and comprise 160 homes in two buildings with 52 one bed, 89 two bed, 6 two bed townhouses and 13 three bed apartments. The buildings would be 6-8 storeys in height. There would be 41 parking spaces, including 4 disabled spaces, accessed from Gould Street and 176 cycle spaces.

Pedestrian access would be via a public realm link running east/west from Gould Street to Bilbrook Street, known as 'The Lane' and a north/south link known as "The Gardens" down to the square and "The Park" (phase 3). There would also be access from the internal courtyard.

The residential accommodation would be accessible from the car park. 13 homes would have entrances onto Gould Street, The Lane and The Gardens.



Phase One – comprising of buildings A and B and associated public realm and landscaping

Phase 2

Phase 2 in the south east would provide 170 homes in buildings, C and D with 58 one bed and 104 two bed apartments and 8 two bed townhouses. The buildings would be 6-8 storeys in height. There would be 42 parking spaces, including 4 disabled spaces, accessed from Bilbrook Street and 162 cycle spaces. Pedestrian access would be via 'The Lane' along the northern face of the building with additional entrances from the internal courtyard and car park area. The Lane and The Gardens would be activated by 12 properties which would have their own entrance.



Phase two – comprising of buildings C and D and associated public realm and landscaping

Phase 3

Phase 3 would be in the north west and provide 321 homes in buildings E and F including 77 one bed, 229 two bed and 8 three bed apartments, 6 two bedroom townhouses and one four bedroom townhouse. The buildings would be 9-18 storeys in height. 6 parking spaces would be provided, including 1 disabled spaces, accessed from Gould Street and 332 cycle spaces.

Pedestrian access would be via 'The Lane' along the southern face of the building with additional entrances from the internal courtyard. Only building F would be accessible directly from the car park. 16 properties would have their own entrances on The Lane, The Gardens and "The Park". Commercial space would be available in the north western facing The Park.



Phase three – comprising of buildings E and F and associated public realm and landscaping including The Park

Phase 4

Phase 4 would be at the north east and provide 551 homes in buildings, G, H and I with 245 one bed and 297 two bed apartments, 9 two bed townhouses and one four bed townhouse. The buildings would be 12-33 storeys in height. 11 car parking spaces would be provided, including 1 disabled space, accessed from Bilbrook Street, and 554 cycle spaces.

Pedestrian access to buildings G and H would be via 'The Lane' along the southern face of the buildings. Building I would be accessed facing The Park with additional entrances to all buildings from the internal courtyard. Buildings H and I would also be accessible from the car park but there would be no car park access from building G.

17 properties which would have their own entrance onto The Lane, The Gardens and Bilbrook Street. Commercial space would be available facing The Park.



Phase four – comprising of buildings G, H and I and associated public realm and landscaping

All the phases would provide private courtyards for residents. The public realm would comprise soft and hard landscaping and over 100 trees. Properties with their own front door would have a private terrace.

The new north/south link would be a 1:21 route that addresses the level change across the site and steps would provide an alternative route. The area would be characterised by soft landscaping planters, lawn and trees.

The east west link would provide a link from Angel Meadow and a public square would sit at the junction of The Lanes and The Gardens and would be animated by building entrances.

The Park would form a natural extension to Angel Meadow and provide links to Williamson Street. It would include landscaped terraces down to the viaducts and a circular lawn/open space which references the historic gas holders.

Masonry would be the dominant material. Red bricks would be used for phase 1, warm grey bricks and bronze toned panels for phase 2, grey bricks and Corten panels for phase 3 and oat brick and Corten panels for the tower.

Each apartment would have their own dedicated waste area which would be sufficient to store and recycle waste. Each building would have their own waste room which would be sufficient to store all the buildings waste requirements.

The planning submission

This planning application has been supported by the following information:

- Supporting planning statement;
- Tall buildings statement;
- Design and access statement, including residential standards;
- Landscape design and access statement;
- Affordable Housing Statement;
- Arboricultural Impact Assessment and Tree Survey;
- Archaeology and Heritage Desk Based Assessment;
- Bat Survey;
- Blue and Green Infrastructure Statement;
- Broadband Connectively Assessment;
- Construction and Demolition Plan, including construction waste management plan;
- Crime Impact Statement;
- Energy Strategy Report;
- Ecology Appraisal;
- Flood Risk Assessment and Drainage Strategy;
- Local Labour Agreement;
- Management Strategy;
- Statement of Community Involvement;
- Television Reception Survey Report;
- Viability Appraisal;
- Ventilation and Extract Statement; and
- Waste Management Strategy.

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

- Socio-economics;
- Traffic and Transport;
- Townscape and Visual Impact;
- Noise and Vibration;
- Air Quality;
- Flood Risk and Drainage;
- Contaminated Land;
- Wind;
- Daylight, Sunlight and Overshadowing;
- Population and Human Health;
- Climate Change; and
- Cumulative Impacts.

Planning History

092751/FO/2010/N1: Remediation works including the excavation of and onsite treatment and disposal of: tar tanks and wells (including gas holders) and ammonia plant and condensers and treatment of ground contamination Approved 09.07.2010

Consultations

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

The comments received can be summarised below.

Local residents/local businesses/public opinion

Seven objections have been received in respect of this matter. The comments can be summarised as follows:

- Public parking which is currently affordable and used by residents (who do not have allocated parking) and visitors to the neighbourhood to avoid fines from parking on street would be lost and some should be retained;
- There would be noisy construction work opposite existing residential accommodation which would not be insulated from the noise;
- The building would create a substantial amount of shade to nearby building in an already shaded area. Gould Street would become like Ludgate Hill in terms of light levels;
- 8-34 storeys, is too high and not suitable for this area and would disrupt the city scape. The 34 storey tower would contrast with the 10 storey maximum at the Meadowside development and other lower buildings in the area;
- It would be too dominant and may cause issues with air flow and natural daylighting to the surrounding areas and park;
- The materials do not reflect the existing materials in the area (converted tobacco factory) of red brick;
- The green space is limited and does not seem accessible to the public. It is located in a corner which will not be used by the general public and is likely to be gated with limited access;
- The site will need fully remediating and will involve transporting a lot of spoil from the site in a densely populated residential area. This needs to be done with minimum disruption and without closing any roads in the area.
- The Angel Meadows area has seen to extensive redevelopment and the construction management plans have been a disaster. An extensive cleaning plan of the area from Angel Street to Gould Street would be required. This is one of Manchester's largest sites in terms of units and would create a lot of dust and spoil. Weekly roadsweeping of jetwashing of the entire surrounding area is therefore needed to alleviate pressure on the area.
- The working hours should be sensitively managed. The site could cause nuisance to approximately 2,000 people and working hours should be limited to 08:30 - 18:00 Mon - Fri with no weekend working. This would limit the amount of nuisance caused to those working from home who have a right to peaceful enjoyment of their properties under Article 1, Protocol 1 of The Human Rights Act 1998;
- Concern regarding developing on a gas works site. There have been two significant gas leaks in the last two years which have required emergency

action. This is a large development on a site that has already proved to be unstable which is a safety concern;

- There has been a significant rise in traffic on Gould Street in the last year. It has become a rat run to avoid the roadworks on Great Ancoats Street and in January 2020 when Angel Street and part of the Inner Ring Road were closed traffic got diverted down Gould street and drivers got used to using it. The increase of traffic owing to this development would make living on this road intolerable. There is residential accommodation adjacent to the road and the congestion is already a concern. Residents with asthma has worsened over the last year;
- The top floor of the tobacco factory has bedrooms in the vaulted factory roof with bedroom windows in the sloped roof and face upwards. Residents in the proposal would be able to look directly into these bedroom widows affecting privacy. Reducing the height or moving the footprint further away would prevent a direct downwards sight line;
- Buildings facing Gould Street should not be higher than 50m to minimise loss of sunlight into the flats opposite.

Marble Arch Public House confirm that discussions have taken place with the applicant about their concerns regarding construction traffic and structural impacts of the development on the listed building. The applicant has confirmed that they are willing to restrict vehicle movements from the ‘viaduct end’ of Gould Street within their construction management plan. In addition, vibration monitoring equipment would be installed at the Marble Arch. These matters should be conditioned as part of the planning approval. In addition, to the above, consideration should be given to making Gould Street one way with a linear park/landscaping along its length.

Friends of Angel Meadows (FOAM) have questioned why there has been no full Environmental Impact Assessment demanded (with onsite core sample testing), instead submitting vague desktop hypothesizes which play down both impact and costs of a remediation suitable for residential redevelopment?

What health risks are there to local residents of the potential “hydrocarbons, cyanides, ammonias, Blue Billy compounds, heavy metals, toxins and asbestos” suggested as being present?

Where is the Transport Construction plan that gives the figures of vehicle journeys onto the site and how it will be accessed to complete both remediation and construction and will pollutant-laden traffic be permitted to access via Gould St entrance and the densely populated Angel Meadow residential area?

Aside of the number of vehicles needed to construct this “Newtown,” how many additional nitrous oxide-polluting HGVs will be required to extract the toxic soil and how will this marry with MCC Clean Air commitments?

What is the timeframe for full site remediation and will the MCC demand it prior to development or will it be phased?

Why is residential development regarded as acceptable here before full knowledge is gained as to the actual developable status of the site?

How will MCC insure taxpayers (and future leaseholders) against problems arising with a hypothesis that the developer might have been liquidated or deny liability prior to completion?

Clearly the entire “viability” assessment documents cannot reflect the scheme without a committed valuation on what the cost of full and indemnified remediation will be. The report also glosses over the impact of Covid-19 (and Grenfell reparations), using historic sales data that does not reflect the current stagnation of apartment sales in the UK and is therefore not fit for submission.

With continual loss of carparking following recent development, a solution is needed for existing residents’ parking for tradesmen and visitors. This lack of solution blights Angel Meadow with pavement parking a long-standing crime and safety issue not addressed by MCC.

How has emergency service access been considered in this scheme especially with only a narrow access route from Angel Meadow?

There is no planning permission for the application to operate a public car park from the site which has allowed them to generate an income and circumnavigate crime, security, landscaping and transport strategy normally demanded under democratic Planning Committee.

If this scheme does not progress in a reasonable timeframe, how will MCC ensure this site does not remain a social blight?

This scheme ignores the MCC obligations on 20% affordable housing quotas and there are no section 106 contributions to deliver the long promised wider Irk Valley vision.

Whilst visually this scheme looks measured and beneficial concerns have to be that it represents a profiteering of gaining planning permission on cheaply purchased land that will require a serious and committed developer to deliver.

Highway Services advise that the development is in a sustainable location with access to walking, cycling and public transport. The SCOOT operation in the area be reviewed and re-validated. A traffic regulations order review should be undertaken in the area to make any necessary changes to minimise on street parking issues. All of the car parking space would be fitted with an electric vehicle charging point. A car park management plan should be prepared and agreed. 100% cycle parking would be provided which is acceptable. A scheme of highways works shall be agreed.

Metrolink operate over brick arches on the opposite side of Williamsom Street and Bromley Street and planning conditions are recommended to ensure there is no impact on the structure and/or track.

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 insultation of the residential and

commercial accommodation. The waste management strategy has been reviewed and is acceptable. The air quality assessment is acceptable. Further investigations are required in respect of ground conditions. This should form a condition of the planning approval including a verification regarding contamination should be submitted on completion of the development.

Works and Skills Team recommend that a local labour scheme is a condition.

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

Environment Agency no objection in principle. This is a sensitive location, in respect of controlled waters, made ground is underlain by glacial deposits comprised of fluvio-glacial sands and till designated a Secondary Undifferentiated aquifer which in turn are underlain by bedrock comprised of the 'Wilmslow Sandstone Formation' designated a Principle Aquifer.

Whilst previous site investigations have identified that glacial till is present within the western part of the development site, which indicates that the underlying principal aquifer may be afforded protection from the vertical migration of contaminants within the perched / shallow groundwater in the glacial deposits, glacial till is absent within the eastern part of the site and given the inferred groundwater flow is east within the glacial deposits it is likely that any groundwater with the glacial deposits will drain vertically into the underlying sandstone aquifer and therefore be vulnerable to pollution from former contaminative uses on site.

The site is not located within a Source Protection Zone. The nearest surface water course is the River Irk and is not considered to be at risk from the proposal. The primary receptors at risk are the shallow groundwater within the glacial deposits and deeper groundwater within the principal aquifer aforementioned.

The site was utilised as a gasworks from 1848 until the 1970s. The site is currently used for car parking and a pressure reduction station operated by Cadent Gas is in the centre of the site with a telecommunications mast on the eastern edge.

The former Gould Street gasworks has had been subject to various phases of remediation works with the last known remedial works completed in 2011. However, these works were constrained due to access issues, with the majority of past remediation works confined to the north of the site. It was stated at the time that further works would be required to investigate areas that were not currently accessible.

Given the time that has elapsed since the various phases of remedial works were completed, a review of previous remedial works will be required in line with current standards and guidance to determine whether any additional remedial works are required in areas which have already been subject to remediation efforts. Conditions should be imposed to minimise any risk to the below ground watercourses.

Whilst it is understood that the development would be completed in four phases, relevant conditions should not be utilising a phased approach in respect of this

matter. Groundwater remediation works may potentially extend across several phases of the site and this would need likely need to be undertaken as a singular package of work. Should further works identify that groundwater remediation is not required then consideration could be considered to a phased approach in relation to controlled waters.

Historic England have no comments.

Greater Manchester Ecology Unit (GMEU) have no objections on ecology grounds. The site has limited ecological value and the landscaping would enhance the ecology and landscape value of the area. There is a small bat hibernation roost in a railway arch at the northern boundary which would be lost. This loss would not adversely affect the conservation status of bats provided suitable mitigation in the form of a new roost is provided and a planning condition should secure this. This mitigation measure would require a protected species license from Natural England.

Greater Manchester Archaeology Advisory Service (GMAS) the archaeology assessment demonstrates there is archaeological interest in below ground remains relating to the early gas works, upstanding remains of the gas works and potential for a heritage display to commemorate this significant industrial heritage site. A condition should explore this archaeology further and the landscaping scheme should incorporate features of the former gas works into its design.

Aerodrome Safeguarding has no objections and recommends informatives in respect of use of cranes.

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

Policy

The Development Plan

The Development Plan consists of:

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

The Core Strategy 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:

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SO1. Spatial Principles –The proposal would deliver high quality homes and public realm in a highly sustainable location in a strategic regeneration area.

SO2. Economy – High quality homes in this sustainable location would support the economic growth of the city. The development would support local employment during the construction phases.

S06. Environment – The development would be low carbon and highly sustainable using up to date energy efficiency measures in the fabric and construction. The development is supported by a travel plan and 1224 cycle spaces. Street trees and planting would form part of the landscaping proposals.

Policy SP1 ‘Spatial Principles – The proposal would have a positive impact on visual amenity and the character of Gould Street and Bilbrook Street within this strategic regeneration area. The buildings would provide a high quality addition to the street scene and complement existing and recent developments in the area.

Policy EC3 ‘The Regional Centre’, Primary Economic Development Focus (City Centre and Fringe and Policy CC8 Change and Renewal– The proposal would provide homes close to all forms of sustainable transport.

Policy CC9 Design and Heritage – The proposal provides a high quality buildings and fills a significant gap site within the Victoria North regeneration area.

Policy CC10 A Place for Everyone – The proposal would complement the ongoing regeneration of Victoria North and Lower Irk Valley. It would be fully accessible with secure parking space for disabled people. On site car parking would be provided with a proportion of those being adapted for electric car charging.

Policy T1 ‘Sustainable Transport’ - The site has access to all public transport modes.

Policy T2 ‘Accessible areas of opportunity and needs’ - A transport assessment and travel plan demonstrate that the proposal would have minimal impact on the local highway network and would encourage the use of sustainable transport.

Policy H1 ‘Overall Housing Provision’ – This is a high-density development on a previously developed site in a highly sustainable location. There would be a range of accommodation and the larger apartments and townhouses would be attractive to families. The courtyards would include amenity spaces with adequate cycle and waste management arrangements which would support on site recycling objectives.

Policy H2 'Strategic Housing Location' – The proposal would develop a strategic site in Victoria North and add to the supply of good quality accommodation in a highly sustainable part of the city. The fabric would be efficient with other sustainable features such as photovoltaics and sustainable drainage principles.

Policy H3 'North Manchester' – The proposal would provide high density accommodation with 65% being two, three and four bedroom and suitable to families.

Policy H8 'Affordable Housing' – a viability appraisal has demonstrated the proposal could provide 85 affordable homes on a shared ownership basis. This would be reviewed at a later date to determine any changes in viability.

Policy EN1 'Design principles and strategic character areas' - This high quality scheme would enhance the regeneration of the area.

Policy EN2 Tall Buildings must be of excellent design quality, appropriately located, contribute to sustainability and place making and bring regeneration benefits. They must complement the City's built assets and make a positive contribution to the evolution of a unique, attractive and distinctive City, including its skyline and approach views. Suitable locations 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' - The impact on the historic environment would be acceptable and this is considered in further detail within the report.

EN4 'Reducing CO₂ emissions by enabling low and zero carbon development' –The proposal would have energy efficient fabric. A travel plan and cycle provision is proposed along with electric car charging points. The proposal includes renewable technologies to ensure energy demands are sustainable and low carbon.

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.

Policy EN6 'Target framework for CO₂ reductions from low or zero carbon energy supplies' - The buildings functions would seek to reduce overall energy demands. The building fabric is considered to be high quality and energy costs should remain low. Renewable energy would be used on site.

Policy EN9 'Green Infrastructure' – Large areas of hardstanding mean the site is of low ecological and biodiversity value. The development would provide street tree planting and landscaping. Green infrastructure to the park and other areas of public realm would improve biodiversity.

Policy EN14 ‘Flood Risk’- A scheme to minimise surface water runoff would be agreed. The design would not exacerbate existing flood risk and the risk to residents has been minimised.

Policy EN15, ‘Biodiversity and Geological Conservation’ - The site has limited ecological value and the trees and planting proposed represent a significant biodiversity enhancement. No clearance of the limited vegetation at the site should take place during bird nesting season.

Policy EN16 ‘Air Quality’ The impact on air quality would be minimised through careful control of activities during construction. The proposal would remove 900 car parking spaces from the site resulting in a significant net reduction in vehicle trips. Other measures to minimise the impact of the operations of the development include on site travel plan, 1224 cycle provision and use of electric car charging points.

Policy EN17 ‘Water Quality’ - Water saving measures would minimise surface water runoff. The historic use of the site as a gas works means there is evidence of below ground contamination which could impact on ground water at the site. Remediation measures are required to minimise any risk to below ground water quality.

Policy EN18, ‘Contaminated Land’ – The ground conditions can be addressed. The former gas works require extensive remediation and conditions would protect ground water and ensure the site is appropriately remediated.

EN19 ‘Waste’ – the waste management strategy incorporates recycling principles.

Policy DM1 ‘Development Management’ - Careful consideration has been given to the design, scale and layout of the building along with associated impacts on residential amenity from loss of privacy and daylight and sunlight considerations.

DM2 ‘Aerodrome safeguarding’ the proposal are not considered to impact on aerodrome safeguarding at Manchester Airport.

PA1 ‘Developer Contributions’ states that where needs arise as a result of development, the Council will seek to secure planning obligations. A legal agreement would be prepared to secure the on site affordable housing as required by policy H8 including mechanism to review the viability at an appropriate date in the future.

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 DC7 ‘New Housing Developments’ – The proposal represents a high quality accessible development.

Saved policy DC19 ‘Listed Buildings’ - The proposal would have minimal impact on the setting of nearby listed buildings.

Saved policy DC20 Archaeology states the Council will give 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 - The impact from noise sources would be minimised and further mitigation would be secured by planning condition.

Saved policy E3.3- The proposal will provide a high quality building along Gould Street and would enhance the appearance of this important radial route in Victoria North.

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.

Manchester Green and Blue Infrastructure Strategy 2015

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

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

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

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

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

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*".

It should also be noted that the strategic plan approved by the Executive also endorsed an extended boundary of the City Centre upon which the strategic plan is based. This extended boundary includes the application site and the wider New Cross area.

Indeed the strategic plan states that the growth of the City Centre "*has contributed additional residential accommodation, commercial property and leisure destinations, and these locations (together with others including the Irk Valley and New Cross) have clear potential to contribute to the City Centre offer: their relationship with, and*

proximity to, existing concentrations of activity demands their inclusion with the City Centre boundary. The expansion of the City Centre boundary to incorporate edge of centre neighbourhoods and developments will increase a population that has already trebled over the last decade and subsequently further enhance the City Centre economy”

The expansion of the City Centre to include areas such as Northern Gateway (now Victoria North) is vital in terms of delivering the City’s growth objectives for residential, commercial and population growth.

The City Centre plan particularly recognises the role that the Northern Gateway (Victoria North) can play in terms of delivering residential growth and providing a higher quality residential offer in line with the regeneration framework. Indeed, the strategy recognises that by incorporating new areas such as NOMA, New Cross and the Irk Valley within the City Centre boundary it will allow for better linkages with the communities of North Manchester to the City Centre along with providing a catalyst that can drive further residential development in these areas.

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.

Manchester Northern Gateway Strategic Regeneration Framework (2019)

The Northern Gateway SRF was endorsed by MCC at the City Council’s Executive on 13 February 2019 and is a material consideration in the determination of this planning application.

The SRF proposes seven interconnected neighbourhoods which comprise: Collyhurst; New Cross; New Town; Red Bank; South Collyhurst; Vauxhall Gardens; and, Eggington Street and Smedley Dip.

The regeneration of the Northern Gateway will need to effectively integrate these neighbourhoods, providing critical connections and achieving high-quality place making, to ensure comprehensive regeneration in the north and east of the city. The SRF sets out a vision to deliver approximately 15,000 homes supported by social and physical infrastructure including a new City River Park which will connect Queens Park and Angel Meadow.

The application site is located within the proposed New Town neighbourhood. The vision for the area is a residential led neighbourhood with an opportunity to establish a range of higher density housing types and tenures and non-residential active frontages at ground level on key routes. Whilst developments would be predominately apartment led, the SRF outlines that there would be opportunities for townhouses and accommodation suitable for families.

The SRF outlines that there would be an opportunity for a tall landmark building to the north of this site together with an opportunity for greater linkages through the viaduct and a green links to Rochdale Road. The scale of developments around the Marble Arch should be 6 storeys to respect its heritage value.

Public realm and place-making potential that needs to be addressed including providing amenity open space, green links, activating the railway arches and enhancing the public realm around heritage assets including Marble Arch Square and Union Square.

Lower Irk Valley – Neighbourhood Development Framework (January 2016)

The development framework, which has now been superseded by the Northern Gateway SRF, sought to guide future development in the area as part of establishing new developments and supporting public realm, highways and other infrastructure as part of a residential led neighbourhood.

The framework established core principles that sought to complement adjoining regeneration areas and coordinate with the principles established within the frameworks of these areas. The idea of connectivity from the City Centre and NOMA to areas and existing communities of Collyhurst in the north together with New Cross to the east and Angel Meadow to the south was seen as vitally important as part of improving connections, new development and high quality public realm.

North Manchester Strategic Regeneration Framework (SRF) (October 2012)

This document was prepared to guide the future regeneration and development of north Manchester. Within this document, the application site is located between the City Centre fringe and the inner core.

For developments within the City fringe area, the SRF states that developments should contribute to the growth of the City and be high density, accommodating a mix of uses.

The priority for North Manchester is to support to the growth of the City Centre by ensuring a coordinated approach and making the most of land available for high density developments. Furthermore, the document states that there should be a mix of uses with offices, residential located alongside leisure and retail uses.

With regards to the inner core, this is an area of housing led transformation. This will focus on utilising underused land and connect areas such as Collyhurst and Lower Irk Valley to the advantages of the City Centre. The document also outlines that over 2000 new homes will be delivered in this area as well as complementing proposals within the NOMA area and other northern gateway proposals

National Planning Policy Framework (2019)

The revised NPPF was adopted in July 2018 and re-issued in February 2019. The document states that the '*purpose of the planning system is to contribute to the achievement of sustainable development*'. The document clarifies that the '*objective*

of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

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

Section 5 '*Delivering a sufficient supply of new homes*' states that *a sufficient amount and variety of land should come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay*' (paragraph 59).

Para 64 states that at least 10% of housing is for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

This proposal would see the redevelopment of a brownfield site in a key regeneration area for 1202 new homes, 85 (7%) of which would be affordable and available on a shared ownership basis. A mixture of one, two, three and four bedroom accommodation would be available at the site catering for all family sizes and needs. The level of affordable housing has been the subject of an independent viability assessment and would be reviewed again a future date to determine if any additional affordable housing could be provided.

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. Cycle provision is well catered for at the site and along with limited car parking. Disabled residents would have access to disabled car parking. New public realm and park area would provide outdoor recreation for existing and proposed residents.

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)

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Paragraph 123 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

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

Low levels of 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 as well as being supported by electric car charging technology supporting the shift away from petrol/diesel cars.

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 buildings would be highly quality and complement the distinctive architecture within this part of the city centre. The buildings 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 and place making.

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 and 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 sol, 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 would be provided in the form of trees and landscaping which is a significant improvement based on the current condition of the application site.

Section 16 '*Conserving and enhancing the historic environment*' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 189).

In determining applications, local planning authorities should take account of:

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

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

Paragraph 194 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

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

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

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 relevant sections of the PPG are as follows:

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

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

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

Other 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.

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:

- Socio-economics;
- Traffic and Transport;
- Townscape and Visual Impact;
- Noise and Vibration;
- Air Quality;
- Flood Risk and Drainage;
- Contaminated Land;

- Wind;
- Daylight, Sunlight and Overshadowing;
- Population and Human Health;
- Climate Change; and
- Cumulative Impacts.

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

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the City Region and is crucial to its longer term economic success. There is a crucial link between economic growth, regeneration and the provision of new homes and, as the City’s economy recovers post-pandemic, more homes are required to fuel and complement it.

Manchester’s population has increased by 19% since 2001, with the city centre population growing from a few thousand in the late 1990s to circa 24,000 by 2011. The population is expected to increase considerably by 2030, and this, together with trends and changes in household formation, requires additional housing. Around 3,000 new homes are required each year and the proposal would contribute to this need. Providing the right quality and diversity of new housing for the increasing population is critical to maintaining continued growth and success.

The Northern Gateway SRF has been identified for high density housing and this development would deliver a variety of housing types and be attractive to families. The proposal would be one of the first key proposals in this area and would build on what has commenced around Angel Meadows.

The transformation of this vacant brownfield site would provide new homes in a highly sustainable, well-connected location with new linkages and enhanced public realm. The new homes and commercial activities would bring significant new footfall and activity and complement NOMA and nearby neighbourhoods.

1202 homes would be provided in one, two and three-bed apartments and townhouses and would be suitable to families. The sizes would be consistent with the City's space standards with all one bed apartments being suitable for 2 people. The proposal would also provide 85 onsite affordable homes (equating to 7%) available on a shared ownership basis.

Nine buildings would be developed in 4 phases ranging in height from 8 to 34 storeys. Active ground floor uses would animate Gould Street and Bilbrook Street. New areas of public realm and east/west and north/south pedestrian links would improve access to other areas of Victoria North.

This £220 million development would form an important catalyst in the regeneration of the Victoria North and the Lower Irk Valley connecting residential areas such as Collyhurst, and underutilised parts of the Lower Irk Valley, to the City Centre. This would help realise the visions set out in the various development frameworks for the area as underpinned by policy SP1 of the Core Strategy.

The development would deliver significant economic and social benefits including the creation of approximately 1,170 construction jobs for the duration of the construction. The GVA associated with these jobs would be £82.3 million per year.

There would also be employment associated with the operations of the development and it is anticipated that between 10 and 13 jobs would be created in the commercial units. The GVA associated with these jobs would be between £537,000 to £678,000 per year. A local labour agreement should be a condition to ensure that the economic and social benefits of the proposal are fully realised.

The new households would spend around £23.8 million per year. On the assumption that 75% of this is within Manchester, this is a direct benefit of £17.8 million to the local economy. 1202 new homes would also create additional Council Tax revenue estimated to be £1.98 million per annum based on 2021/22 prices.

Given the current use of the site as a surface level car park, telecommunication mast and gas infrastructure, the socio-economic benefit associated with the development are significant and would remove an underutilised site and support economic and population growth which would create jobs and increase local spending and taxation.

It is considered that the development would be consistent with the regeneration frameworks for this area including the City Centre Strategic Plan and would complement and build upon the City Council's current and planned regeneration

initiatives. The proposal is therefore considered to be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies H1, SP1, EC3, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1. As such, it is necessary to consider the potential impact of the development.

Affordable Housing

Policy H8 establishes that new development should contribute to the City-wide target for 20% of new housing being affordable and 20% should be used as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership, or provide an equivalent financial contribution.

The amount of affordable housing should reflect the type and size of development as a whole and should take into account factors such as an assessment of local need, any requirement to diversify housing mix and the need to deliver other key outcomes, particularly regeneration objectives.

An applicant may seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The application proposes 1202 new homes predominately for open market sale. The delivery of homes and the regeneration of Victoria North area is a key priority for the Council.

The proposal would develop a contaminated, brownfield site that is currently a car park that contains a 55 metre telecommunications tower and National Grid infrastructure which requires relocation. The site currently makes little contribution to the area. A high quality development is proposed, all accommodation would comply with the Residential Quality guide, active frontages would enliven Gould Street and Bilbrook Street with public realm, recreational space, pedestrian links and tree planting. All these matters have an impact on the scheme's overall viability.

A viability report has been submitted, which has been made publicly available through the Council's public access system. This has been independently assessed on behalf of the Council. This has concluded that 85 (7%) of the new homes at the development would be affordable on a shared ownership basis. A benchmark land value of £6,737,054 is within the expected range based on comparable evidence. The Gross Development Value would be £324,558,546 which would give a profit of 19.9% on cost, 16.59% on GDV.

On this basis, the scheme could not support a contribution greater than 7%. This would ensure that the scheme is viable and can be delivered to the quality proposed. The contribution would be secured via a legal agreement including the phased delivery of the new affordable homes.

The viability would also be subject to review at an agreed future date to determine any uplift in market conditions which may improve the viability and secure an additional contribution towards affordable housing in line with the requirements of policy H8.

Climate change, sustainability and energy efficiency

The proposal would be a low carbon building in a highly sustainable location with excellent access to public transport.

Sustainability principles would be incorporated into the construction process to minimise and recycle waste, ensure efficiency in vehicle movements and sourcing and use of materials.

The removal of around 1000 parking spaces would reduce the number of vehicle trips and emissions in the area. Around 1782 annual average daily traffic movements would be removed from Gould Street compared with around 757 annual average daily traffic movements when developed. There would be 8% on site parking, minimising vehicle emissions and ensuring the development would not materially adversely impact on air quality conditions. All parking spaces would be fitted with an electric vehicle charging point.

A travel plan would encourage residents to take advantage of nearby public transport and reduce vehicle trips. There would be 100% secure cycle storage provision.

New pedestrian pathways would connect Gould Street and Bilbrook Street, Gould Street and Bromley Street and Bromley Street and the southern edge of the site.

The building fabric would be highly efficient with high performance glazing to reduce heat gains and mechanical ventilation. The building would operate from a low carbon energy supply with heating and domestic hot water provided by a hybrid system of air source heat pumps (41%), gas boilers (16%) and a combined heat and power (CHP) system (43%). As the grid decarbonises, and it becomes both cheaper and sustainable to use electricity, the energy/carbon strategy for the development is to phase the gas out of the scheme and replace with an all-electric system. A strategy for the phasing out of the gas would be agreed as part of the planning conditions.

Whilst formal changes to Building Regulations has not been published, if the most up-to-date format for calculating grid carbon efficiency is factored in and the development achieves ongoing carbon reductions delivered by grid-scale infrastructure, the proposal could achieve a 20-30% betterment against Part L 2013. However, the overall strategy is to achieve a 36.1% betterment against Part L 2013.

Policy EN6 requires new dwellings to achieve a 9% reduction in carbon against Part L 2013 of the Building Regulations (15% reduction on Part L 2010). A post construction review will form part of the planning conditions to verify that this reduction has been achieved.

A 9% betterment against the target emission rate equates to 1,046,099 kg target emissions rate (13.2 kg of carbon per sqm per annum). A 36% betterment against the target emissions rate in the proposal equates to 734,046 kg (9.31 kg of carbon per sqm per annum). This is a carbon saving of 312,052 kg of carbon (312 tonnes) per annum against the Core Strategy requirement.

New green infrastructure includes landscaping, trees, including street trees and wildlife habitats to improve biodiversity against existing conditions. This would include 7949 sqm of soft works, including The Park, ornamental planting, front gardens, shrubs, green roofs and other planted areas. The outline drainage strategy includes blue roofs and rain gardens to all 9 buildings. Along with other areas of soft landscaping within the public realm, this would help to minimise surface water discharge rates

Townscape and visual impact Assessment

Computer modelling 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*.

The magnitude of the impacts (both beneficial and adverse) are identified in the assessment as very large, large, moderate, slight or neutral.

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

Viewpoint 1: View from Angel Meadows central pathway (facing east)

Viewpoint 2: View from Bromley Street footway (facing south west)

Viewpoint 3: View from the junction of the A664 Rochdale Road/Gould Street (facing north west) (context of grade II listed Marble Arch Pub)

Viewpoint 4: View from the A664 Rochdale Road (facing south west)

Viewpoint 5: View from Livesey Street (facing west) (setting of Grade II listed St Patricks RC church)

Viewpoint 6: View from the A664 Rochdale Road at the junction with Peary Street (facing south west)

Viewpoint 7: View from Sherratt Street (facing north west) (setting of Grade II listed Victoria Square and Ancoats Conservation Area)

Viewpoint 8: View from Roger Street (facing east)

Viewpoint 9: View from the junction of Corporation Street/Miller Street (facing north east) (from Victoria Rail Station and setting of Grade II Parkers Hotel)

Viewpoint 10: View from the junction of Cheetham Hill Road/St Chads Street (facing east) (setting of Grade II Listed St Chads Church and Knowsley Hotel)

Viewpoint 11: View from Barney Steps Bridge (facing south west) (elevated city view from PRoW);

Viewpoint 12: View from Sand Street Park (facing south west) (elevated city views from public open space)

Viewpoint 13: View from the junction North Street/Cheetham Hill Road (facing south east)

Viewpoint 14: View from Queens Road bridge (facing south-west) (elevated views from pedestrian entrance to Queens Road tram stop)

Viewpoint 15: View from Park view/entrance to Queens Park (facing south) (main entrance to Grade II listed Park and garden)

Viewpoint 16: View from Cathedral approach (facing north east)

The effect of the development on the above viewpoints can be summarised as follows:

Viewpoint 1 is an open view across a grass area with mature trees to the boundaries which enclose the park. There is a clear view towards the site which is currently obscured by the hoarding associated with the Meadows development which is also visible from within the park. The view demonstrates the level changes across the park towards the site. Angel Meadow is significant as a historic green space.



Viewpoint 1: View from Angel Meadows central pathway (facing east) (existing)

The view has a medium level of sensitivity, viewed in the context of Angel Meadow, with the overall effect being minor adverse resulting in a low level of change to the character of the area.

The development would dominate the view and would be highly visible from within Angel Meadow. However, the development would be largely obscured from view in

the cumulative scenario by the tower associated with Meadowside development (for which construction is yet to commence).

The proposal would provide a positive benefit to the setting of the park by providing a sense of enclosure on Gould Street. The scale, massing and materiality would result in a high quality development and would be a positive addition to the area. The level of impact on this view is therefore not considered to be significant.



Viewpoint 1: View from Angel Meadows central pathway (facing east) (proposed)

Viewpoint 2 provides long range views of the city centre skyline and clusters of tall buildings and cranes are evident. This is in contrast to the poor quality development in the foreground with low quality single and two storey industrial buildings, varying quality of boundary treatment and over grown vegetation.



Viewpoint 2: View from Bromley Street footway (facing south west) (existing)

The view has a low level of sensitivity due to low quality buildings and glimpsed distanced views of the city centre. The overall effect is judged to be minor adverse resulting in a low level of change to the character and appearance of the area.

The proposal would result in a substantial amount of development within the view. This would enhance the character of the area and contribute positively to the regeneration of the SRF area. The scale and appearance would contribute positively to the emerging character and scale in the area and would form a cluster of developments in the Lower Irk Valley, as can be seen in the cumulative scenario.



Viewpoint 2: View from Bromley Street footway (facing south west) (proposed)

Viewpoint 3 is from Rochdale Road looking towards Gould Street and into the Lower Irk Valley. It is dominated by the grade II Listed Marble Arch Inn which is Victorian façade, detailing and chimney. Modern residential buildings flank the opposite side of Gould Street. The remainder of the view consist of low rise commercial buildings and scrub vegetation.



Viewpoint 3: View from the junction of the A664 Rochdale Road/Gould Street (facing north west) (context of grade II listed Marble Arch Pub (existing))

The view has a low level of sensitivity and the overall effect is negligible adverse resulting in only a discernible change to the character and appearance of the area.

The height and massing would clearly be evident and seen within the setting of the listed building. The contemporary nature of the buildings, and its materiality, would contrast with the listed building ensuring that the significance of the building remains legible and clearly understood. The proposal in the cumulative scenario forms a cluster of new buildings in this area improving the overall quality of the streetscape.



Viewpoint 3: View from the junction of the A664 Rochdale Road/Gould Street (facing north west) (context of grade II listed Marble Arch Pub (proposed))

Viewpoint 4 is dominated by the significant width of Rochdale Road looking towards the city centre which forms the backdrop to the view. Mature trees line the right hand side view and obscure low rise commercial buildings and surface level parking.



Viewpoint 4: View from the A664 Rochdale Road (facing south west) (existing)

This view has a medium level of sensitivity with the overall effect of the development judged to be negligible/neutral, resulting in only a discernible change to the character and appearance of the area.

The proposal would have a limited/neutral impact on the view due to the heavy screening provided by dense tree coverage. The phase 4 tower would be evident and provide a strong vertical element and contribute the cityscape.



Viewpoint 4: View from the A664 Rochdale Road (facing south west) (proposed)

Viewpoint 5 is characterised by low rise residential dwellings. The cityscape forms the backdrop across a surface level car park. The site is not immediately legible in the view due to mature trees fronting Rochdale Road. However, the telecommunications mast provides a marker to identify the site within this context.



Viewpoint 5: View from Livesey Street (facing west) (setting of Grade II listed St Patricks RC church) (existing)

The view has a low level of sensitivity and the effect of the development would be minor adverse resulting in a small change to the character and appearance of the area.

The proposal would add a significant amount of new development to the view highlighting the growth of the city centre into the area. In particular, phase 4 would provide a landmark building which would positively add to the area and cityscape.



Viewpoint 5: View from Livesey Street (facing west) (setting of Grade II listed St Patricks RC church) (proposed)

Viewpoint 6 is dominated by low quality buildings and infrastructure on Rochdale Road. This is a key gateway into the city centre and the taller building and development can be seen in the background. Views towards the site are evident including the hard standing associated with the car park and telecommunication tower. The view currently detracts from the quality of the area.



Viewpoint 6: View from the A664 Rochdale Road at the junction with Peary Street (facing south west) (existing)

The view has a low level of sensitivity and the effect of the development is minor neutral resulting in a discernible change to the character and appearance of the area.

The proposal would add positively to the character and appearance of this view and demonstrate the extent of regeneration activity in the lower Irk Valley and growth of the city centre. The phase 4 tower would clearly be evident with the lower buildings of other phases which would be high quality.



Viewpoint 6: View from the A664 Rochdale Road at the junction with Peary Street (facing south west) (proposed)

Viewpoint 7 is within the Ancoats conservation area looking across Oldham Road and into New Cross. The Lower Irk Valley and the site is not visible. Victoria Square, a grade II listed apartment building, is located to the right-hand side of the view. Anita Street, a tight packed series of terrace properties, is located to the left of the view.



Viewpoint 7: View from Sherratt Street (facing north west) (setting of Grade II listed Victoria Square and Ancoats Conservation Area) (existing)

The view has a medium level of sensitivity and the effect of the development would be minor neutral resulting in a discernible change to the character and appearance of the area.

The change would be noticeable particularly the tall element. This would not have a perceptible impact on the listed building or the conservation area which would remain legible and understood in their immediate context. The proposal would add to the city views and the regeneration of Victoria North.



Viewpoint 7: View from Sherratt Street (facing north west) (setting of Grade II listed Victoria Square and Ancoats Conservation Area) (proposed)

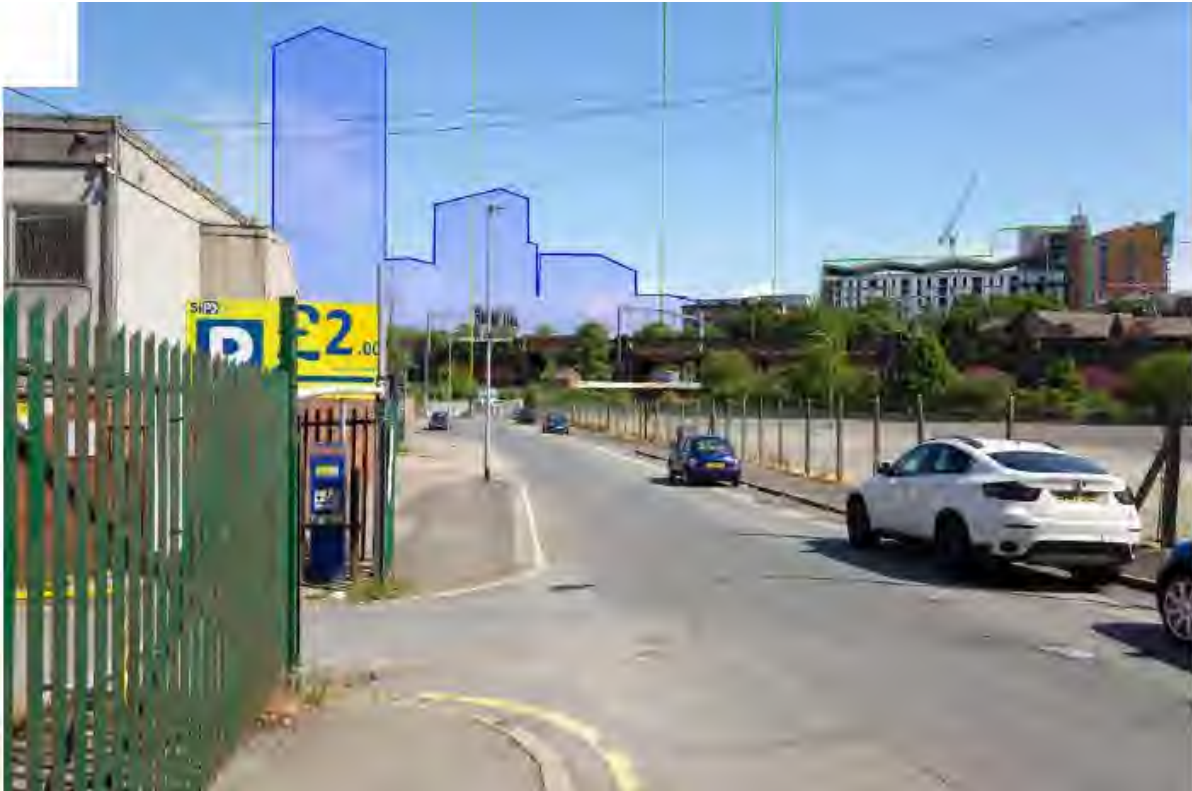
Viewpoint 8 is taken from the eastern entrance to Roger Street. Surface and on street parking dominate the view with infrastructure and signage. The railway arches dominate the background and provide a link through towards the site.



Viewpoint 8: View from Roger Street (facing east) (existing)

The view has a low level of sensitivity with the overall effect of the development being minor adverse resulting in a small change to the character and appearance of the area.

The proposal would be prominent and add positively to the cluster of development in this part of Victoria North and realise the vision with the SRF. The high-quality nature of the building would be evident.



Viewpoint 8: View from Roger Street (facing east) (proposed)

Viewpoint 9 is located at a key city centre junction and is dominated by the grade II listed Parkers Hotel which contrasts with One Angel Square. This view represents the changing characteristics of the city centre and the development that has taken place within it along with the future plots. The site is between the buildings behind the Meadowside development which is currently under construction. Ashton House, grade II listed, is in front of the Meadowside development along with tree planting.



Viewpoint 9: View from the junction of Corporation Street/Miller Street (facing north east) (from Victoria Rail Station and setting of Grade II Parkers Hotel) (existing)

This view has a medium level of sensitivity with the effect being negligible/neutral resulting in a discernible change to the character and appearance of the area.

The development would be visible but within the emerging context of Meadowside. The proposal would be consistent with the area's urban character and complement the architecture and materiality.

Further consents at NOMA would add to the cluster of modern buildings. The setting of the listed hotel would be affected but its significance would remain legible and understood and any harm would be outweighed by the significant regeneration benefits of this scheme.



Viewpoint 9: View from the junction of Corporation Street/Miller Street (facing north east) (from Victoria Rail Station and setting of Grade II Parkers Hotel) (proposed)

Viewpoint 10 from Cheetham Hill Road looking down St Chads Street provides glimpsed views towards the Lower Irk Valley. The grade II listed St Chad Church is located to the right of the view. Its setting is compromised by the poor-quality buildings and signage hoarding surrounding the site in this location.



Viewpoint 10: View from the junction of Cheetham Hill Road/St Chads Street (facing east) (setting of Grade II Listed St Chads Church and Knowsley Hotel) (existing)

The view has a medium level of sensitivity with the effect being minor adverse resulting in only a small change to the character and appearance of the area.

The proposal would be highly visible and would change the backdrop of the listed church. The environs to the listed church are currently poor and the proposal would be a high-quality addition to the view and would demonstrate the expansion of the city centre. The setting of the church would be legible and understood.



Viewpoint 10: View from the junction of Cheetham Hill Road/St Chads Street (facing east) (setting of Grade II Listed St Chads Church and Knowsley Hotel) (proposed)

Viewpoint 11 is from the bridge overlooking the former railways sidings along St Catherine forest. The view provides a unique cityscape view from above the tree canopy with tall buildings, cranes and developments in view such as One Angel Square, the CIS tower, New Century Hall and the Cooperative Wholesale Society Building. The view is not readily appreciated due to limited access to this area.



Viewpoint 11: View from Barney Steps Bridge (facing south west) (elevated city view from PRow) (existing)

This view has a medium level of sensitivity with the effect being negligible/neutral adverse resulting in a discernible change to the character and appearance of the area.

The proposal would be noticeable and create a prominent feature altering the composition of the view. The high-quality architecture and materiality would help to mitigate this impact. The tower would be the most prominent feature and would complement the Victoria Riverside development in the cumulative view. The profile of the emerging context would be legible and understood and would represent the growth in the area.



Viewpoint 11: View from Barney Steps Bridge (facing south west) (elevated city view from PRow) (proposed)

Viewpoint 12 is from Sand Street Park, a small elevated green space with a central artwork that provides views across the Lower Irk Valley. The view is dominated by the parkland a backdrop of the city above the tree canopies. A number of developments can be seen – One Angel Square, the listed CIS tower and the residential tower ‘Emmeline’. As this is a view towards the city centre, construction activity is evident.



Viewpoint 12: View from Sand Street Park (facing south west) (elevated city views from public open space) (existing)

This view has a medium level of sensitivity and the overall of the development is negligible/neutral adverse resulting in a discernible change to the character and appearance of the area.

The proposal would be a positive addition to an emerging context of taller buildings. This is clearly evident in the cumulative scenario where the building would be seen alongside the North View and Victoria Riverside developments.



Viewpoint 12: View from Sand Street Park (facing south west) (elevated city views from public open space) (proposed)

Viewpoint 13 is located at Manchester Fort and the retail units and low-rise commercial building dominate the view. The view is mainly appreciated by transit by those travelling towards the city centre and upper sections of the CIS tower, Moda and Skyline Central can be seen in the background.



Viewpoint 13: View from the junction North Street/Cheetham Hill Road (facing south east) (existing)

This view has a low level of sensitivity and the effect of the development is negligible/neutral adverse resulting in a discernible change to the character and appearance of the area.

The development would form a cohesive design and form part of a cluster of emerging tall buildings which is evident in the cumulative scenario. The foreground would remain intact and the development would provide long range views of the city centre.



Viewpoint 13: View from the junction North Street/Cheetham Hill Road (facing south east) (proposed)

Viewpoint 14 is at Queens Road Tram Stop towards the city centre. Low rise industrial building and tram infrastructure dominate the foreground and the urban context of the high rise city centre buildings can be seen in the background across the Lower Irk Valley. The heritage assets within the view are the listed tower for the Church of St Peter (the Halle building), the CIS tower and the City Police Courts.



Viewpoint 14: View from Queens Road bridge (facing south-west) (elevated views from pedestrian entrance to Queens Road tram stop) (existing)

This view has a low level of sensitivity and the overall effect of the development is negligible/neutral adverse resulting in a discernible change to the character and appearance of the area.

The proposal would be a noticeable addition to the cluster of tall buildings emerging in the city skyline. The tower would be the dominant feature and its high-quality architecture would differentiate it from others in the view. The proposal would be a positive addition and the city skyline and deliver upon the objectives of the SRF.



Viewpoint 14: View from Queens Road bridge (facing south-west) (elevated views from pedestrian entrance to Queens Road tram stop) (proposed)

Viewpoint 15 at the entrance gates of Queens Park, provides views across Queens Road towards the city centre. The Queens Road Bridge and tree canopy obscure the view to a degree, however, this helps to frame a taller building in the view.



Viewpoint 15: View from Park view/entrance to Queens Park (facing south) (main entrance to Grade II listed Park and garden) (existing)

This view has a medium level of sensitivity and the effect of the development is negligible/neutral adverse resulting in a discernible change to the character and appearance of the area.

The majority of the proposal would not be readily appreciated due to the tree canopy. The tower would be perceptible in the cluster of other tall buildings within the emerging cumulative scenario and overall the effect is considered to be neutral.



Viewpoint 15: View from Park view/entrance to Queens Park (facing south) (main entrance to Grade II listed Park and garden) (proposed)

Viewpoint 16 is from the construction site of 100 Embankment providing an open and elevated view of this part of the city centre and the cluster of tall buildings. The building height, massing appearance demonstrate the change in scale and character of this part of the city centre.



Viewpoint 16: View from Cathedral approach (facing north east) (existing)

This view has a low level of sensitivity and the effect of the development is neutral with no change to the view. The proposal would be embedded into the cityscape and has a limited impact.



Viewpoint 16: View from Cathedral approach (facing north east) (proposed)

The development would be significant in these views but in most cases would improve the skyline through its architecture, scale, massing and materiality. There are instances where it would change the setting of listed buildings and non-designated heritage assets. However, this would be mitigated by the benefits of the proposal through the addition of new homes, place making and high quality architecture at a poor quality site within an underutilised part of the city centre.

The proposal would also offer a high level of sustainability and be a low carbon development together with cycle and electric car infrastructure as required by policy EN2 of the Core Strategy.

Impact of the historic environment and cultural heritage

The site is not in a Conservation Area and there are no listed buildings or structures within the site. The development could affect nearby listed buildings.

The urban grain around the site is a mixture of low quality car parking, cleared sites and industrial buildings, dominated by the railway arches. The nearest homes are under construction around Angel Meadows and around New Mount Street.

The site was formerly occupied by a gas works. Whilst the majority of the historic buildings have been removed, a number of features remain, including the exterior walls of Retort House facing Gould Street with the ashlar pediment of the original gas works office containing a sculpture of the crest of Manchester, which was retained as a feature but now in a poor condition.

To the south are four brick built chambers with elliptical vaults, rusticated stone piers and ashlar key stones. These chambers are set into the retaining wall at the rear of the site. Historically these would have supported part of the internal railway.

The site also contains more modern development with a lattice frame communication tower and significant hard standing associated with the surface parking.

A heritage assessment has assessed the impact on nearby listed buildings and non-designated heritage assets as required by paragraph 128 of the NPPF. The impact on their setting was also evaluated in the 16 townscape assessment views.

The listed buildings which are deemed to be affected by the development are:

Marble Arch Inn (Grade II) is situated 45 metres to the south of the site at the eastern corner of Gould Street and Rochdale Road. The significance of the building is derived from its architectural façade, which includes pink granite cladding, terracotta cornice and tall corniced chimneys. The interior of the building is also highly decorative which adds to the overall significance of the building. The setting of the building has become eroded with the loss of the buildings associated with the former gas works which abut the site to the north.

Warehouse on West Corner of Junction with Simpson Street (Grade II) is located 115 metres from the site and date back to the 19th Century. The building is of architectural and historical significance. The building is enclosed by former commercial buildings and has no physical relationship with this site but forms part of a cluster of buildings of this nature which are situated in the grid iron network of streets in this part of the city centre.

Cooperative Press (Grade II) is located 150 metres from the site and date back to the 19th Century. The building is of architectural and historical significance. The building is enclosed by former commercial buildings and has no physical relationship with this site but forms part of a cluster of buildings of this nature which are situated in the grid iron network of streets in this part of the city centre.

Sharp Street Ragged School (Grade II) is a former school and mission building to the south east, separated by the viaduct and Angel Meadows. The building is enclosed by former commercial buildings and has no physical relationship with this site but forms part of a cluster of buildings of this nature which are situated in the grid iron network of streets in this part of the city centre.

The non-designated heritage assets in the area include:

Lancashire and Yorkshire Railway Viaduct (non-designated heritage asset) carries the railway across the area and is a dominant feature within the local area. The structure is of simple and standard design and is not considered to be of any significant architectural merit.

Angel Meadows is a local green space located beyond the viaduct. It has no heritage designation but is of local historic interest having been created from the cleared site

of the late 18th century St Michaels Church and churchyard and the mid-19th century 'new burying ground'. The area was also the subject of a L.S.Lowry painting.

Remnants of the former 19th century gas works include the boundary walls incorporating remains of structures along Gould Street, the re-sited pediment from the early nineteenth century gas works offices containing the crest of the City of Manchester; and arched chambers along the southern site boundary also require consideration.

The heritage report outlines that the boundary walls have limited value given that they do not allow the legibility of the historic character of the site to be understood. In terms of the arched chambers, the heritage report outlines that they are of industrial interest and are ornate structures but have overall low architectural and evidential interest.

The heritage report states that pediment dates back to 1824, is in a poor condition due to erosion and has low architectural and historic interest as a physical remnant of the works.

The heritage assessment has considered the impact on the historic environment.

The scale of the impact and the impact on the significance of the heritage asset has been judged to result in a low level of harm to the setting and significance of the heritage assets. This has been considered against the relevant tests within the NPPF. There would also be some heritage benefits from the removal of this vacant site from the setting of these heritage assets together with enhancements through landscaping and place making.

The key conclusions and impact on the significance of the heritage assets is summarised as follows:

Marble Arch Inn (Grade II) – The proposal would change to the setting of the listed building reinstating the building line along Gould Street and forming a new background to the building from Rochdale Road (view 3). The scale of the proposal is substantially greater than the current use of the site and the former use as a gas work which means it would be visible above the listed building roof line and chimney.

The scale of the buildings is in line with other modern developments in the area and those emerging as part of the SRF. The sites topography would minimise the impact of the tallest elements of the development (i.e. phase 4), ensuring that they do not appear overly dominant and provide a sense of space to the listed building.

High quality architecture and an improved public realm would replace the low quality appearance of the surface car park and telecommunications mast. This would have positive benefits to the setting of the listed building. The proposal would therefore result in a low level of harm to the Marble Arch Inn.

Warehouse on West Corner of Junction with Simpson Street (Grade II), Cooperative Press (Grade II) and Sharp Street Ragged School (Grade II) – The listed buildings

are physically separated from the site but can be seen in the same context. The site currently has a neutral impact on their setting and could benefit from improvement.

The proposal would introduce a development of scale within their setting, on a vacant site and alter the experience of them approaching from the east as well as views from within their setting. The listed buildings would, however, remain legible and understood with the re-introduction of the coherent building line to Gould Street improving their setting and the experience of those using Gould Street where they can be seen from. The proposal would therefore have a low level of harm to these listed buildings.

Lancashire and Yorkshire Railway Viaduct (non designated heritage asset) is a substantial structure. Given its scale and dominance, it would remain understood as a piece of rail infrastructure within the area. The 34 storey tower would be higher than the viaduct. The high quality architecture and place making would minimise any impact on the viaduct. The proposal would therefore have a low level of harm to the viaduct.

Angel Meadows is on the opposite side of Gould Street site, and the impact can be understood from view 1. The impact on Angel meadow would be largely obscured in the cumulative scenario by development at Meadowside. The re-instatement of the building line to Gould Street and the removal of the car park would benefit the setting of Angel Meadows. The residents of the development would benefit from the close proximity to this green area and enjoy and appreciate its local historical value. The proposal would therefore result in a low level of harm to Angel Meadows.

Remnants of the former 19th century gas works the proposal would see the removal of the features. These have some historical value in terms of the workings and appearance of buildings associated with the former use but they do not provide a full legible understanding of the gas works and are limited architecturally in the absence of a complete building. The loss of the features would result in a low level of harm. There would be archaeological surveys and recording as part of the site as well as providing a commentative feature within the site in reference to the former gas works.

This major development would be seen in the same context of a number of heritage assets. It would, in most instances, result in a low level of *less than substantial harm*, as defined by paragraph 196 of the NPPF, to the setting and significance of the identified heritage assets. However, in each instance the heritage assets would remain legible and understood and 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.

Impact Assessment

The proposal would result in instances of very low level harm through changes to the setting of the Marble Arch Inn with the other listed buildings in the area being seen in the same context as the development on a wider city scale. These impacts are considered to result in a very low level of less than substantial harm.

In these circumstances, it is necessary to assess whether the impact suitably conserves the significance of the heritage assets, with great weight being given to the asset's conservation (and the important the asset, the greater the weight should be) (paragraph 193 NPPF). Any level of harm should be outweighed by the public benefits that would be delivered in accordance with the guidance provided in paragraph 196 of the NPPF.

This is a development site, as defined by policy SP1 of the Core Strategy, and is in one of the City's key regeneration areas. Its vacant condition has, at best, a neutral impact on the local area and the surrounding heritage assets. This proposal would regenerate this key site in line with Council policy and bring new homes to a neglected part of the city centre in order to create a new residential neighbourhood.

The architecture and place making would enhance the area and provide 1202 new homes in a variety of sizes, including 85 affordable homes. Construction jobs would be created along with Council Tax revenue when the new homes are occupied. The development would also meet sustainability objective and offer a highly efficient building fabric meeting low carbon objectives.

The proposal would also see the creation of a substantial amount of public realm, landscaping and tree planting which would improve pedestrian and cycle links in the area, drainage benefits and improve biodiversity and wildlife habitats.

The visual and heritage assessments show a low level of harm to the heritage assets in most instances as the development would be viewed in the same context as them. The level of harm would be low level as 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 creation of a component of Victoria North. The heritage impacts 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 the listed buildings as required by virtue of S66 of the Listed Buildings Act, and paragraph 193 of the NPPF, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraph 196 of the NPPF.

Impact on Archaeology

An archaeology assessment demonstrates there is below ground archaeological interest relating to the early gas works and upstanding gas works remains. Greater Manchester Archaeology Advisory Service (GMAAS) consider that further investigations are required prior to the commencement of any ground works associated with the development. In addition, GMAAS advise that the proposal offers the potential for a heritage display to commemorate this significant industrial heritage site.

A condition should be imposed regarding the archaeological investigations. The landscaping includes reference to the former gas holders with a circular landscaping display as part of phase 3. A condition should explore this further to ensure the public realm design appropriately commemorates the former gas works. This would satisfy the requirements of policy EN3 of the Core Strategy and saved UDP policy DC20.

Layout, scale, external appearance and visual amenity

Nine buildings would be delivered in four phases, with public realm providing setting to the new buildings with enhanced linkages within the site and wider area.



Proposed layout of the development and public realm

The development has been designed around the significant level changes at site. The northern end along Williamson Street, is the lowest part where a strong link would be created from Angel Meadows, across Gould Street and into a phase 3 Park.

Buildings E and F would be delivered as part of phase 3 with a new commercial unit at the corner of Gould Street fronting The Park area and Angel Meadows. This would activate the space enhancing the sense of arrival. The ground floor of building F would be animated by townhouses providing natural surveillance and link into The Gardens.

Buildings G, H and I, to the east of The Park, would be delivered as part of phase 4. The main entrance to the 34 storey building and a commercial unit on the corner would animate The Park and The Gardens. Building G would front The Lane with entrances to the Townhouses and private amenity areas.

Buildings D (phase 2) and H (phase 4) front Bilbrook Street and enhance the street frontage with street trees and new soft and hard landscaping. The built form would introduce buildings of scale to the vacant eastern part of the site. Block D would have a consistent height at 8 storeys whilst block H would be 10 to 14 storeys towards the railway viaduct.



Site Section D-D - Elevation along Bilbrook Street

Bilbrook Street elevation buildings D and H

Buildings A (phase 1) and E (phase 3) and are set back from Gould Street to allow an enhanced landscape buffer from Rochdale Road to Angel Meadow. There are significant level changes along Gould Street as the buildings step up from 8 storeys (building A) opposite the Tobacco Factory to 12 storeys (building E) opposite Angel Meadow.



Site Section A-A - Elevation along Gould Street

Gould Street elevation buildings E and A

The massing of building A would be broken up by a sawtooth roof arrangement whilst the upper two floors of building E are articulated in a different material.

Williamson Street would be enhanced with new public realm and landscaping opposite the viaduct. Building H, on the corner of Bilbrook Street and Williamson Street, would be 10 to 14 storeys towards the viaduct. Building I, at 34 storeys, would form the tallest element within the scheme.



Figure 10 - Elevation along Williamson Street

Elevation along Williamson Street buildings H and I

The Lane would be activated by buildings A/B (phase 1), E/F (phase 3), C/D (phase 2) and G/H (phase 4).

Buildings E/F range from 8 to 14 storeys whilst G/H range from 11 to 8 storeys.



Figure 11 - Elevation along the lane and square

Buildings E/F and G/H along The Lane

7/8 storeys is proposed for the opposite side of the Lane which would be fronted by buildings A/B and C/D. This reduction in scale would respond to the setting of the nearby listed Marble Arch public house as well as nearby existing apartment buildings.



Site Section G-G - Elevation along the lane and square

Buildings A/B and C/D along The Lane

The Gardens navigates the significant level changes through the site. Building heights range from 6/8 (buildings C and B) to 19 and 14 storeys (building F and H respectively). The 34 storey building would be a visual marker and termination point.



Section B-B - Elevation along the Slinky

Looking west towards the city centre along The Gardens



tion C-C - Elevation along the Slinky

Looking east towards the Bilbrook Street along The Gardens

Private courtyard spaces are provided to each building phase providing amenity space for residents.

Each building is intended to have a distinctive appearance. Buildings A/B (phase 1) would be red multi masonry in an expressed brick grid frame with inset recessed brick panels in a basket weave pattern. Inset balconies would be positioned on the corner of building A along Gould Street to provide depth to the façade. These deep inset balconies would also be provided to building B which overlooks The Gardens.

A sawtooth roof arrangement is proposed for Gould Street elevation of building A. The main entrance would be at either end of The Lane to take advantage of pedestrian movements across the site. these entrances would have double height curtain walling to reveal the reception space.



Typical bay study for building A with its sawtooth roof, decorative inset panel and masonry frame

Buildings C/D (phase 2) would be grey masonry in an expressed grid with inset recessed grey bronze panels. Inset balconies would be positioned on the corner of building C and D to provide depth to the façade.

The two top floors of buildings C and D would have a double height frame inset with glazing and recessed with the same grey bronze panels as the main facades. The ground and first floors would contain townhouses facing The Lane. Projecting entrance doors would allow balconies to be created. The main entrance to both buildings would be at either end of the elevations fronting The Lane with double height curtain walling.



Typical bay study for building C with its masonry frame, inset panels and townhouse detail

Buildings E/F (phase 3) would be grey masonry in an expressed grid of double height proportions with inset feature Corten panels. The upper levels of building F would change from a double height proportion to a triple storey proportion to highlight the change in scale of this building. The top two storeys of building E and the top three storeys of building F are formed using Corten cladding.

Inset balconies would be proposed for building E on the corner of Gould Street and The Lane providing depth to the façade. There would also be inset balconies to building F which overlook the public realm and The Gardens.

The ground and first floors of buildings E and F would have 2 storey townhouses on The Lane. Projecting entrance doors would allow for a balcony area to be created. The main entrance to both buildings would be located at either end of The Lane in a double height curtain wall to articulate the entrance.



Typical bay study for buildings E and F with its masonry frame, inset panels, townhouse detail, double height entrance and Corten upper level

Phase 4 would be comprised of buildings G, H and I. Building G and H would have a light buff expressed masonry grid with double height proportions and inset textured brick panels and horizontal banding. Inset balconies would be proposed for building G which overlook The Gardens and provide depth to the elevations. Inset balconies would be provided at building H which overlook The Lane.

The upper storeys of building H would step up in scale away from The Lane towards the viaduct. The main entrances for buildings G and H would be at either end of The Lane and would have double height curtain walling. Projecting entrance doors would allow for a balcony area to be created fronting The Lane.



Typical bay study for buildings G and H with its masonry frame and glazing

Building I, at 34 storeys, would be the tallest building. It would be clad in Corten steel and would have a double storey arrangement to emphasise its verticality and slenderness. The corners of the building would replace the double height arrangement over 4 storeys. The top five storeys include a greater extent of glazing.



Typical bay study for building I with its Corten frame and crown

Overall the design is considered to be high quality offering an individual and distinctive pieces of architecture for this collection of buildings. The scale of the buildings are appropriate in this location and the materials deliver a simple and effective façade treatment. Conditions of the planning approval will ensure that the materials are appropriate and undertaken to the highest standard.



Impact on Trees

4 individual trees (1 category B and 3 category C) and 3 group trees (all category C) would be removed and would result in the loss of low-quality green infrastructure. This loss can be mitigated through the enhanced landscaping proposals including planting 100 trees (including street trees to Bilbrook Street and Gould Street) with shrub (ornamental and native) planting. The planting would be supported by new bird and bat boxes and create new habitats for wildlife.

These measures would increase significantly the overall quantum of green infrastructure at the site and provide a greater species mix and habitats. This is in contrast to the current car parking, which has low ecology and biodiversity value.

The green infrastructure would contribute positively to wider place making objectives as well as providing new habitats for wildlife in line with the requirements for policies EN9 and EN15 of the Core Strategy.

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

The vision is to provide a green and accessible neighbourhood with new connections to the wider area. The public realm strategy supports the green and blue infrastructure strategy for the site as part of an overall sustainability strategy.

The most significant challenge is the dramatic change in topography across the site in a south – north direction and the need to establish a strong relationship with Angel Meadow to the west, Victoria Riverside and future development of the viaduct arches.

There are five distinct character areas to the public realm strategy:

- The Lane – The east/west link across the site
- The Gardens – The north/south link across the site
- The Park – The new green space proposed as part of phase 3
- The Streets – The streets surrounding the site namely Gould Street, Bilbrook Street and Bromley Street
- The Courtyards – The areas internal to the new buildings providing private recreational space for residents



Proposed character areas

The majority of the public realm would be publicly accessible providing public routes through the site and green spaces for outdoor recreation and dwell time. The courtyards would be the only private areas which would be accessible to residents only with the exception of the northern courtyard as part of phase 4 which would be semi-public allowing it to be used as a route through from Angel Meadows.

The Lane would create a strong east west link connecting Gould Street with Bilbrook Street. Townhouses with private gardens would front onto the Lane which activate The Lane and provide natural surveillance. The spaces around the townhouses would also provide dwell space with soft landscaping and seating.

The space would be predominately use by pedestrians and cyclist with occasional servicing and deliveries. Two lay by/drop off areas are proposed which have been integrated within the space with cycle parking adjacent to building entrances.

The axis with The Gardens creates a meeting of routes. It would have a more open character with large seating plinths that create a resting and meeting place which would offer views across the city and creates a destination point. The route would be fully accessible and semi-mature trees would line the route providing shade and improve biodiversity. The landscaping scheme would contribute towards the drainage strategy.



The Lane



Image of The Lane looking towards Bilbrook Street



Image of The Lane looking towards Gould Street

The Gardens provide a north south link which navigates the steep level changes with a fully accessible route. A series of terraced spaces would provide seating, recreational and private garden areas for the townhouses which front the route. Blue and green infrastructure in the landscaping and rain gardens would allow surface water to be collected and attenuated in the soft landscaping.



Lower (left image) and upper (right image) of The Gardens



Level changes upper section (top image) lower section (bottom image)



Image of the upper section of The Gardens



Image of the lower section of The Gardens

The Park would provide a significant area of public realm within this new neighbourhood and complement the character of Angel Meadow, extending from Gould Street.

As users move west to east, meandering paths, lined with blossom trees and planting, open up onto the large open green space that can be used for residents and the public. The shape of the green space references the former gas work holders which could be enhanced further by commemorative display. A stage to the south of the green and terraced seating to the eastern edge would overlook the space and the viaduct.

Commercial uses in the ground floor of the buildings which surround the development would enliven the space further together with cycle parking.

The space also provides the opportunity to improve the relationship with the railway viaduct and the connection through to the Victoria Riverside development beyond which is a key objective of the SRF.



Layout of The Park



Image of The Park including stage, green space and seating enclosed by the new buildings

The Streets The buildings have been set back from the existing footpath to provide setting to the building and a generous street frontage which can accommodate front gardens and street trees. The street landscapes also have blue and green infrastructure incorporated in them with swales and rain gardens and tree planting. This would support new habitats and improve biodiversity along this newly created green corridor. The vehicle entrances to the underground car parking areas would be created along *The Streets*. The impact of these is minimised where possible along with a layby for the deliveries and servicing.



Layout of The Street (Gould Street left) (Bilbrook Street right) together with image of Gould Street (far right)

The Courtyards are included with all the apartment buildings. The larger northern courtyard would be a semi-public space and allow for the continuation of the green parkland route connecting Gould Street at Angel Meadow through to the east end of The Lane and Bilbrook Street. The other courtyards would be private.

Pathways, tree and planting would be installed along with informal play areas and dwell space for the residents of the development to enjoy. The edge of the courtyard would have private gardens for the townhouses.



Example of a courtyard associated with phase 4



Image of an internal courtyard with the private gardens, pathways, seating and planting

The public realm and landscape strategy for the development is comprehensive. The proposal provides useable space for recreation for residents, visitors and those who live nearby as well as private spaces for individual buildings. This currently inaccessible site would be integrated into the wider area through a series of north/south and east/west links and enhance streetscapes.

A high quality palette of materials would be used such as Yorkstone and clay paving complementing recently approved public realm schemes in the area. The proposal would improve the ecology and biodiversity at the site due to the extensive trees and soft planting which enable the site to manage its surface water. A landscape management plan should be agreed by planning condition.

Impact on Ecology

An ecological appraisal concludes that the development would not result in any significant or unduly harmful impacts to local ecology given the sites current limited ecological value as a surface level car park. The appraisal did record a small bat hibernation roost in a railway arch at the north boundary that would be lost as a result of the development.

Greater Manchester Ecology Unit (GMEU) concur with the findings of the ecological appraisal. The planting, trees and street trees would enhance green infrastructure, biodiversity and the overall ecological value of the site. In order to maximise the schemes contribution in this regard, a condition would agree final details in order to comply with policy EN9 of the Core Strategy.

GMEU consider that the loss of the small bat roost would not affect the conservation status of bats provided that mitigation is provided in the form a new roost prior to the removal of the existing roost and this should form part of the conditions to comply with policy EN15 of the Core Strategy.

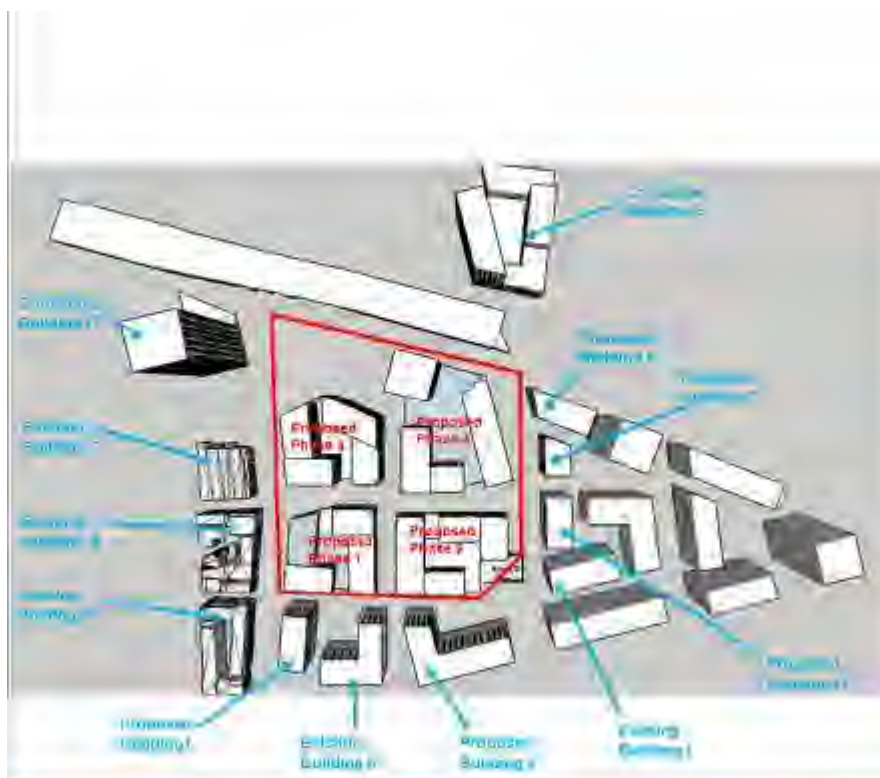
Effects on the Local Environment/ Amenity

(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:

- The Red Building, Ludgate Street (75 windows assessed)
- The Citadel, Ludgate Street (147 windows assessed)
- Tobacco Factory (phase 1), Ludgate Street (32 windows assessed)
- Meadowside tower (plot 4 – not yet commenced) (675 windows assessed)
- Northview (building E – not yet commenced) (420 windows assessed)
- Buildings F-L as outlined in the Northern Gateway SRF (yet to receive planning permission)



Relationship of the proposed development to surrounding buildings (existing, proposed and yet to receive planning permission)

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. 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.

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.

Where a VSC result show 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.

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 summary of the daylight impacts are detailed below:

The Red Building – 75 windows assessed, 2 did not meet the VSC BRE criteria. 1 room did not meet the BRE NSL but did meet ADF.

The Citadel – 80 rooms were assessed with 27 having a loss of daylight on all three BRE assessments.

The Tobacco Factory – 32 windows were assessed, 31 did not meet the VSC criteria. 1 room does not meet the NSL criteria but does meet the ADF criteria.

Plot 4 Meadowside – All windows passed the VSC test.

North View – 420 windows were assessed, 89 did not meet the VSC criteria and 12 did not meet the NSL criteria. The ADF of these remaining windows was judged to be adequate within the assessment.

Overall a total of 1929 windows were assessed for VSC and 1446 windows would experience of loss of less than 20% which accords with the BRE guidelines. 483 windows there did not meet the criteria. Whilst this represents a good level of compliance for a city centre location such as this, the assessment considered a selection of rooms within the existing buildings to assess them against NSL that did not meet the VSC criteria to consider further the level of impact.

132 rooms were considered of which 96 did not meet the NSL criteria. All of these rooms were assessed for ADF with 89 passing the ADF criteria. The remaining 7 rooms which did not meet the ADF criteria were located in The Citadel which, on balance, represents a good level of compliance. Whilst it is noted that this building because of its location adjacent to the site would be sensitive to development in close proximity, the overall effect is considered to be moderate and would not be unduly harmful to warrant refusal of the application.

A summary of the sunlight impacts are detailed below:

Plot 4 Meadowside, North View and the buildings anticipated as part of the SRF (Buildings F-L) –. 1001 windows assessed, 15 did not meet the BRE criteria.

Overall it is considered that the windows assessed for sunlight would retain a good summer sunlight potential for an urban location.

The proposal would not give rise to any unduly harmful effects in respect of overlooking. The development would be separated from the surrounding developments by the existing road network and the viaduct. The layout and orientation of both schemes maximises the privacy distances to prevent any undue loss of privacy.

(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. This would be closely monitored during the works and 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

An air quality assessment prepared as part of the Environmental Statement has considered the potential air quality impacts during the construction phase and when the development is complete/occupied. It also considered whether any mitigation measures are required.

The construction phase assessment considers the potential effects of dust and particulate emissions from site activities and materials movement based on a qualitative risk assessment method based on the Institute of Air Quality Management's (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction' document, published in 2014.

The assessment of the potential air quality impacts when the development is complete/occupied has focused on the predicted impact of changes in ambient nitrogen dioxide (NO₂) and particulate matter with an aerodynamic diameter of less than 10 µm (PM₁₀) and less than 2.5 µm (PM_{2.5}) at key local receptor locations. The magnitude and significance of the changes have been referenced to non-statutory guidance issued by the IAQM and Environmental Protection UK (EPUK).

The Greater Manchester Air Quality Management Area (AQMA), where air quality conditions are known to be poor as a result of emissions from the road network, is adjacent to the site along Rochdale Road (0.02 km south east of the site boundary). The air quality assessment has considered the impact on the AQMA to determine any effects of the development on air quality.

A number of sensitive receptors have been identified situated along routes predicted to experience significant changes in traffic flow as a result of the development. These include properties along Oldham Road, Dantizic Street, Ludgate Hill, Thompson Street, Cheetham Hill Road and St Patricks Roman Catholic Primary School. No ecological receptors were identified.

The assessment states that the main emissions during construction are from dust and particulate matter as a result of earthworks (particularly during the dry months), from construction materials and/or vehicle emissions for construction waggons.

The construction activities are likely to give rise to short term but predictable impacts on dust and particulate matter concentrations on the surrounding area. The likely source of this is vehicle emissions, dirt on the highway, demolition and wind effects on stockpiling of material.

Good on site practices would mitigate dust and air quality impacts and ensure they do not have a significant on nearby residents and local air quality conditions. This should remain in place for the duration of the construction and should be a planning condition.

The impact on air quality when the development is occupied is likely to result from vehicle emissions and the associated impact on nitrogen oxide and particulate matter. The site currently contains up to 1000 car parking spaces which would be reduced to 100 spaces when the development is occupied.

The impact of vehicle emissions, during the phased construction/partially occupation and fully completed development have been considered by the air quality assessment. In both scenarios, the effects of changes in traffic flow in relation to nitrogen oxide and particulate matter have been determined as negligible at all sensitive receptor locations. Exceedances of nitrogen oxide and particulate matter are not predicted at the site or on the adjacent AQMA.

The air quality assessment therefore does not recommend any specific mitigation to minimise the impact on air quality from vehicle emissions when the development is under construction/partially occupied or complete.

The development would support sustainable travel choices as part of supporting the move away from the use of petrol/diesel cars. All car parking spaces would be fitted with an electric vehicle charging point. There would be 1224 cycle spaces in the 9 buildings. A travel plan would support sustainable travel choices and exploit the walking and cycling routes in the area and close proximity of the other city centre neighbourhoods and retail/commercial core.

A mechanical ventilation system would ensure that air intake to the apartments would be fresh and free from pollutants.

Environmental Health concur with the conclusions and recommendations within the air quality report. The mitigation measures would be secured by planning condition and the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there will be no detrimental impact on existing air quality conditions as a result of the development.

(d) Wind environment

A wind assessment prepared as part of the Environmental Statement has assessed the potential effects on the wind environment. In particular, it has 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. The assessment has also considered any mitigation measures which would be required to minimise the impact on the wind microclimate.

A Computational Fluid Dynamics (CFD) analysis was carried out. 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.

The assessment considered the impact on pedestrians carrying out their usual activities as follows:

- Occasional siting – acceptable for occasional outdoor seating for example general outdoor spaces and balconies;
- Standing – acceptable for entrances, bus stops, covered walkways or passageways; and
- Walking - acceptable for external pavements and walkways.

The magnitude of changes from the existing situation is classified on a scale of very large, large, moderate, slight or natural. The current surface car park, is the subject of the strong southerly, south westerly and westerly winds. The assessment indicates that there are known existing issues arising from these strong wind conditions.

The sensitive receptors were identified as those using the public realm and outdoor facilities at the development, particularly disabled users and older people who are more likely to be impacted by higher wind speeds.

During the construction phase, the wind microclimate when phases 1, 2 and 3 are completed, and phase 4 has yet to commence, would generally be acceptable. There is a small exception on the northern corners of phase 3 but the overall effects are considered not to be significant provided there is the prompt implementation of the landscaping scheme for each phase.

The assessment demonstrates that without phase 4, there would be less funnelling along The Lane compared to when all 4 phases are complete. Phase 4, the tallest building, has a greater impact on wind flows. The wind directions that are causing the exceedances generally have slower wind speeds and the landscaping scheme will reduce the speeds further whilst phase 4 is under construction.

When the all 4 phases of development are complete, the assessment shows there are areas where there are very large effects on the safety of the wind environment that require mitigation. At the base of the tallest building within phase 4, the westerly wind is being forced around a 90 degree corner resulting in increased wind speeds. There are also exceedances of wind speeds for the areas in-between phases 3 and 4, the north western corner of phase 3 and along The Lane.

Without mitigation, the wind speeds would affect the safety of pedestrians. Planting would lower the wind speeds making the space safer and reduce the effects to slight. Trees and hedging along The Lane would help to break up the wind and provide protection to ground floor private gardens which front onto this area.

All external and integrated balconies would have railings which reduce the wind effects, so they are not significant/neutral.

The wind assessment has considered the comfort of the wind environment when all 4 phases are complete. There are a number of locations where the effects range from moderate to very large including The Lane, private garden areas and the courtyard and podium areas.

Railings and landscaping reduce wind speeds creating a more comfortable environment. The trees and hedges on The Lanes help to reduce the wind speeds.

The Park is exposed to some of the fastest wind directions which, without mitigation, would have significant effects on pedestrians using the area. The landscaping and boundary treatment would reduce wind speeds to an acceptable level.

The site is already the subject of strong wind speeds. The redevelopment could create localised instances of high speeds winds to many areas of the public realm (particularly The Lane and The Park), which without mitigation, could result in significant winds speeds which would result in an unsafe and uncomfortable pedestrian environment.

The landscaping scheme and building design recognises the challenging wind microclimate, and measures have been embedded into the building design, layout and landscaping scheme to mitigate and minimise the wind effects. This would be an improvement upon the current conditions which are experienced at the site whilst also recognising the changes to the site as a result in the increased building heights.

It is essential that the landscaping scheme is completed in full prior to the commencement of the next phase of development in order to ensure that the wind conditions can be mitigated. This would be a condition of the planning approval.

It is likely that outside seating areas for the commercial units along The Lanes would require temporary screening to further reduce the effects of the wind speeds.

Provided that the mitigation measures are incorporated into the scheme there would be no unduly harmful impact as a result of the development on the thoroughfares, entrances and amenity locations at the development. The effects would be within acceptable limits for their required use with the mitigation measures in place.

Noise and vibration

A noise assessment Identifies the main sources of noise during construction would be from plant, equipment and general construction activities including breaking of ground and servicing.

Noise levels from the construction would be acceptable provided that the strict operating and delivery hours are adhered to along with the provision of an acoustic site hoarding, equipment silencers and regular communication with nearby residents. This should be secured by a planning condition.

When the development is occupied, the acoustic specification of the apartments would limit noise ingress from the main sources of external noise, particularly from nearby roads, the adjacent rail/tram lines and noise transfer from ground floor commercial accommodation. A mechanical ventilation system and appropriate glazing would ensure that noise levels within the apartments are acceptable. This would also be the subject of verification prior to occupation.

Provided that construction activities are carefully controlled and the plant equipment and residential and commercial accommodation are appropriately insulated the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Waste management

Each apartment would have separate storage areas for refuse, recyclable and compostable materials within the kitchen and utility area. Four separate compartments, to cater for each waste stream, would be provided. Residents would be responsible for taking waste to the bin storage areas which would be located on the ground floor or lower ground floor of each apartment building. The total amount of waste storage across the 9 buildings would total 683.4 sqm in line with the City Council waste guidance.

Waste collection points have been identified for each phase of development, close to the loading/servicing bays. The refuse bins would be temporarily stored in designated areas close to the loading bays prior to collection. The waste arrangements would be managed by the onsite facilities management team. Half the number of bins within each bin store for each phase would be presented on collection day (rotating between the waste streams). It is understood that the applicant intends to supplement the City Council collections with a private collection.

Environmental Health have considered the waste arrangements for the residential element of the scheme to be acceptable and in line with City Council waste guidance for high rise residential developments.

The commercial units would have their own refuse stores internal to the premises. Final details are to be agreed once the end users are known.

Accessibility

All main entrances would have level access. The residential entrances avoid pinch points with a low level reception desk and other measures to help wheel chair users. All upper floors are accessible by lifts and internal corridors would be a minimum of 1500mm. All apartments have been designed to space standards allow adequate circulation space. There would be 10 dedicated parking space for disabled people created within the car parks.

Flood Risk/surface drainage

The site is located in flood zone 1 '*low probability of flooding*' and is within a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. These areas are particularly sensitive to an increase in rate of surface water run off and/or volume from new developments which may exasperate local flooding problems. As such, policy EN14 states that developments should minimise the impact on surface water run off in a critical drainage area.

A drainage statement, as part of the Environmental Statement, has been considered by the City Council's flood risk management team. It includes the measures to minimise surface water run off in the form of blue roofs, which collect run off from buildings and attenuate at source in a blue roof system, with a controlled discharge to the surrounding network. In addition, rain gardens have been designed into the landscaping that reduce flow rates. Further details complete the drainage strategy in order to satisfy the provision of policy EN14 of the Core Strategy which should form part of the conditions of the planning approval.

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

A transport statement notes that all sustainable transport modes are nearby with Victoria train station and Shudehill Metrolink station within 15 minute walk. The transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

There would be limited on site car parking, 100 spaces (including 10 bays for disabled people) which would be split across each phase. All of the bays would be fitted with a fast charging electric car charging point.

There would be 1224 secure cycle spaces, split across each phase. A travel plan would support the ongoing travel needs of residents including whether any offsite parking required. A condition should ensure that the travel plan is monitored and that residents are supported to find a parking space should they require one.

The main servicing route would be one way through the centre of the site along The Lane via Gould Street where several loading bays would be created. A further loading bay is proposed within the boundary of the site on the southern side of Bromley Street.

The servicing arrangements are satisfactory. A review of the Traffic Regulation Orders, pedestrian and cycle routes and a car club bay would be provided on the surrounding streets along with traffic calming measures. A construction management plan is also required to be agreed.

The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Designing out crime

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition of the planning approval is that the CIS is implemented in full to achieve Secured by Design Accreditation.

Ground conditions

The site was a former gasworks from 1848 until the 1970s. It is currently used for parking and a pressure reduction station operated by Cadent Gas with a telecommunication mast the eastern edge.

A ground conditions report prepared as part of the Environmental Statement outlines the ground conditions and contamination associated with the former gas works.

Shallow groundwater within the glacial deposits and deeper groundwater from a principal aquifer makes the controlled waters sensitive to any development at the site due to the presence of the contamination from the gas works.

The site has been the subject of various phases of remediation with the last known remedial works completed in 2011. This work focused on northern part of the site and included the removal of the gas holder bases and the tar tanks.

The Environment Agency and Environmental Health have reviewed the ground conditions report and confirm that a large amount of contamination has already been removed from the site. They advise that although further information is required, including a review of the previous remediation works to determine if any additional work in these areas is required, this is to ensure that any residual contamination from any remaining infrastructure (such as pipework's and if there have been any leaks) is identified and appropriately remediated.

Environmental Health are of the view that remaining contamination would not be significant and can be appropriately remediated (particularly given the highly contaminated elements have already been removed from site and the ground conditions remediated). Any waste or odours associated with the removal can be suitably controlled through the remediation strategy and construction management plan.

Conditions should be imposed on the planning permission in respect of the remediation of the site particularly to minimise any risk to the below ground watercourses. This should be completed across the site rather than on a phased basis unless groundwater remediation is not required.

A verification report should confirm that the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Construction management

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

Construction vehicles are likely to use Gould Street and Dantzig Street which should minimise disruption on the local network. Routing vehicles' along Gould Street from Rochdale would be prohibited to minimise disruption to the adjacent public house

and residential buildings. There is unlikely to be any cumulative impact from construction activity. There is a large amount of activity in the local area but the proximity of the strategic road network should help to minimise disruption on the surrounding area.

It is noted that specific comments have been raised by the Marble Arch Public House concerning the impact of construction traffic. The applicant has agreed to route all construction traffic along Dantzic Street and up Gould Street due to concerns about large waggons turning off Rochdale Road and damaging the listed building. In addition, the applicant has also agreed to install vibration equipment to monitor vibrations at the site to ensure that they remain within acceptable limits.

Provided the initiatives outlined above are adhered to, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

It is not considered that the amenity of residents who have bedroom windows in the roof of the tobacco factory would be unduly affected by the development. Whilst residents may have a view of the development from these windows, there would not be any loss of privacy from overlooking or overshadowing impacts that would be unduly harmful to warrant refusal of this application. The developments would be separated from each other by the surrounding road network.

Public Opinion

Objections have been received on the grounds that the proposal would result in the loss of surface level car parking for residents, visitors and trade persons, together with impacts associated with construction activities on local residents and the adjacent public house. Objectors also believe the buildings are too tall and would result in loss of daylight. There are also concerns that the proposal would not offer sufficient green space. The objectors also contend that there are human health implications from the contamination at the site along with impact on local air quality conditions from traffic along Gould Street.

This report provides a detailed analysis of those comments and concerns. The principle of development, contribution to regeneration and need for new homes meets the required planning policy for the area. The proposal would see the creation of a new residential neighbourhood within Victoria North in a highly sustainable and connected area. The development would also provide enhance links and public realm.

The proposal would result in the loss of surface car park and a limited amount of car parking would only be provided for residents of the development. The approach to reducing surface level car parking in the city centre is in line with regeneration priorities and the city centre transport strategy.

The development would be delivered in 4 phases over a 10 year period which is likely to result in noticeable disruption for local residents and businesses. The overall effects would be minimised and managed through the construction management plan which includes the requirement for membership of the considerate construction scheme. Measures to manage and minimise dust, noise and traffic would be agreed as part of that plan. The applicant has agreed to divert traffic up Gould Street from Dantzic Street to minimise the impacts on residential properties and the public house which are closer to Rochdale Road.

The site is contaminated from its use as a former gas works. Environmental Health are satisfied that although the contamination is extensive, the conditions are not unusual or complex and do not present any risk to residents or the environment subject to appropriate measures being put in place.

The scale and layout of the scheme is in line with the aspirations of the SRF and respond positively to the character of the local area. The buildings are separated from existing properties by the existing road network with the tallest elements sited away from Gould Street. There are some minor impacts on daylight to a small number of windows with the overall impacts considered to be low given the urban context.

The development would not worsen local air quality conditions. There would be an increase in frequency of construction wagons but this would not increase the overall number of vehicle trips on the highway network. Dust suppression measures would help minimise on-site particles from getting into the air. Once completed, the development would remove 900 car parking spaces for the site which would see a significant drop in vehicle trips to the site.

Legal Agreement

The proposal would be subject to a legal agreement under section 106 of the Planning Act to secure the provision of on-site affordable housing as explained in the paragraph with heading "Affordable housing".

Conclusion

The proposal would have a positive impact on the regeneration of this part of the City Centre and would contribute to the supply of high quality housing including on-site affordable housing. Active frontages and high quality façades would make a positive contribution to the cityscape. The building would be of a high level of sustainability and high quality materials thereby reducing CO2 emissions.

There would be a modest impact on the setting of adjacent listed buildings and non-designated heritage assets. These are low level impacts that are outweighed by the public benefits that the scheme would deliver in terms of removing this low quality site and providing new homes.

There would be minimal impact on the surrounding buildings in terms of daylight and overlooking distances are reasonable and will not result in a loss of privacy.

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 **Minded to Approve subject to the signing of a section 106 agreement in relation to affordable housing**

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the appearance of the building along with other matters arising from the consultation and notification. The proposal is considered to be acceptable and therefore determined within a timely manner.

Reason for recommendation

Conditions to be attached to the decision

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

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

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

Drawings

2277-PLA-XX-XX-DR-L-3001, 2277-PLA-XX-XX-DR-L-3002, 2277-PLA-XX-XX-DR-L-3003, GDS-AHR-SO-00-DR-A-PL-003, GDS-AHR-SO-01-DR-A-PL-004, GDS-AHR-SO-02-DR-A-PL-005, GDS-AHR-SO-03-DR-A-PL-006, GDS-AHR-SO-07-DR-A-PL-007, GDS-AHR-SO-08-DR-A-PL-008, GDS-AHR-SO-10-DR-A-PL-009, GDS-AHR-SO-12-DR-A-PL-010, GDS-AHR-SO-14-DR-A-PL-011, GDS-AHR-SO-30-DR-A-PL-012, GDS-AHR-SO-B1-DR-A-PL-002, GDS-AHR-SO-B2-DR-A-PL-001, GDS-AHR-SO-ZZ-DR-A-20-200, GDS-AHR-SO-ZZ-DR-A-20-201, GDS-AHR-SO-ZZ-DR-A-20-202, GDS-AHR-SO-ZZ-DR-A-20-203, GDS-AHR-SO-02-DR-A-PL-013, GDS-AHR-SO-02-DR-A-PL-014, GDS-AHR-SO-02-DR-A-PL-015, 2277-PLA-XX-XX-DR-L-2000, 2277-PLA-XX-XX-DR-L-3000, GDS-AHR-P1-00-DR-A-PL-001, GDS-AHR-P1-01-DR-A-PL-002, GDS-AHR-P1-02-DR-A-PL-003, GDS-AHR-P1-07-DR-A-PL-005, GDS-AHR-P1-ZZ-DR-A-PL-004, GDS-AHR-P2-00-DR-A-PL-001, GDS-AHR-P3-00-DR-A-PL-003, GDS-AHR-P3-01-DR-A-PL-004, GDS-AHR-P3-B1-DR-A-PL-002, GDS-AHR-P3-B2-DR-A-PL-001, GDS-AHR-P3-ZZ-DR-A-PL-005, GDS-AHR-P3-ZZ-DR-A-PL-006, GDS-AHR-P3-ZZ-DR-A-PL-007, GDS-AHR-P3-ZZ-DR-A-PL-008, GDS-AHR-P4-00-DR-A-PL-003, GDS-AHR-P4-01-DR-A-PL-004, GDS-AHR-P4-B1-DR-A-PL-002, GDS-AHR-P4-B2-DR-A-PL-001, GDS-AHR-P4-ZZ-DR-A-PL-005, GDS-AHR-P4-ZZ-DR-A-PL-006, GDS-AHR-P4-ZZ-DR-A-PL-007, GDS-AHR-P4-ZZ-DR-A-PL-008 and GDS-AHR-P4-ZZ-DR-A-PL-009 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020

GDS-AHR-P1-XX-DR-A-28-101 REV 2, GDS-AHR-P1-XX-DR-A-28-102 REV 2, GDS-AHR-P1-XX-DR-A-28-103 REV 2, GDS-AHR-P1-XX-DR-A-28-104 REV 2, GDS-AHR-P1-XX-DR-A-28-105 REV 2, GDS-AHR-P2-XX-DR-A-28-101 REV 2, GDS-AHR-P2-XX-DR-A-28-102 REV 2, GDS-AHR-P2-XX-DR-A-28-103 REV 2, GDS-AHR-P3-XX-DR-A-28-101 REV 2, GDS-AHR-P3-XX-DR-A-28-102 REV 2, GDS-AHR-P3-XX-DR-A-28-103 REV 2, GDS-AHR-P4-XX-DR-A-28-101 REV 2, GDS-AHR-P4-XX-DR-A-28-102 REV 2 and GDS-AHR-P4-XX-DR-A-28-103 REV 2 stamped as received by the City Council, as Local Planning Authority, on the 19 January 2021

GDS-AHR-P1-XX-DR-A-20-101 REV 3, GDS-AHR-P1-XX-DR-A-20-102 REV 3, GDS-AHR-P1-XX-DR-A-20-103 REV 3, GDS-AHR-P1-XX-DR-A-20-104 REV 3, GDS-AHR-P1-ZZ-DR-A-PL-006 REV 2, GDS-AHR-P2-XX-DR-A-20-101 REV 3, GDS-AHR-P2-XX-DR-A-20-102 REV 3, GDS-AHR-P2-XX-DR-A-20-103 REV 3, GDS-AHR-P3-XX-DR-A-20-101 REV 3, GDS-AHR-P3-XX-DR-A-20-102 REV 3, GDS-AHR-P3-XX-DR-A-20-103 REV 3, GDS-AHR-P3-XX-DR-A-20-104 REV 3, GDS-AHR-P3-XX-DR-A-20-105 REV 3, GDS-AHR-P3-XX-DR-A-20-105 REV 3, GDS-AHR-P3-XX-DR-A-20-106 REV 3, GDS-AHR-P3-XX-DR-A-20-107 REV 3, GDS-AHR-P3-XX-DR-A-20-108 REV 3, GDS-AHR-P3-ZZ-DR-A-PL-009 REV 2, GDS-AHR-P4-XX-DR-A-20-101 REV 3, GDS-AHR-P4-XX-DR-A-20-102 REV 3, GDS-AHR-P4-XX-DR-A-20-103 REV 3, GDS-AHR-P4-XX-DR-A-20-104 REV 3, GDS-AHR-P4-XX-DR-A-20-105 REV 3, GDS-AHR-P4-XX-DR-A-20-106 REV 3, GDS-AHR-P4-XX-DR-A-20-107 REV 3, GDS-AHR-P4-XX-DR-A-20-108 REV 3, GDS-AHR-P4-XX-DR-A-20-109 REV 3, GDS-AHR-P4-XX-DR-A-20-110 REV 3, GDS-AHR-P4-XX-DR-A-20-111 REV 3 and GDS-AHR-P4-ZZ-DR-A-PL-010 REV 2 stamped as received by the City Council, as Local Planning Authority, on the 1 March 2021

DR L 0001 P10, DR L 1000 P09, GDS-AHR-P2-01-DR-A-PL-002 REV 2, GDS-AHR-P2-02-DR-A-PL-003 REV 2, GDS-AHR-P2-03-DR-A-PL-004 REV 2, GDS-AHR-P2-07-DR-A-PL-006 REV 2, GDS-AHR-P2-ZZ-DR-A-PL-005 REV 2 and GDS-AHR-P2-ZZ-DR-A-PL-006 REV 3 stamped as received by the City Council, as Local Planning Authority, on the 10 May 2021

GDS-AHR-SO-XX-DR-A-PL-101 Phasing Plan Phase 1, GDS-AHR-SO-XX-DR-A-PL-102 Phasing Plan Phase 2, GDS-AHR-SO-XX-DR-A-PL-103 Phasing Plan Phase 3 and GDS-AHR-SO-XX-DR-A-PL-104 Phasing Plan Phase 4 stamped as received by the City Council, as Local Planning Authority, on the 24 May 2021

Supporting Information

Design and Access Statement, Landscape Design and Access Statement, Affordable Housing Statement, Heritage and Archaeology Desk Based Assessment, Broadband Connectivity Assessment, Crime Impact Statement, Bat Surveys, Statement of Community Engagement, Construction and Demolition Management Plan, Environmental Standards Statement, Blue and Green Infrastructure Statement, Ecology Appraisal, Local Labour Agreement, Residential Management Strategy, Planning Statement, Residential Standards, Transport Assessment, Framework Travel Plan, Tree Survey, Flood Risk Assessment and Drainage Strategy, Tall Buildings Assessment, Waste Management Assessment, Viability Assessment, TV Baseline Survey Report and Ventilation and Extract Statement.

stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020

Environmental Statement comprising:

ES Volume 1 Main Text:

- Chapter 1 – Introduction
- Chapter 2 – The Existing Site
- Chapter 3 – Description of the Proposed Development;
- Chapter 4 – Reasonable Alternatives Considered
- Chapter 5 – Approach to the EIA
- Chapter 6 - Socio-economics;
- Chapter 7 - Traffic and Transport;
- Chapter 8 - Townscape and Visual Impact;
- Chapter 9 - Noise and Vibration;
- Chapter 10 - Air Quality;
- Chapter 11 - Flood Risk and Drainage;
- Chapter 12 - Contaminated Land;
- Chapter 13 - Wind;
- Chapter 14 - Daylight, Sunlight and Overshadowing;
- Chapter 15 - Population and Human Health;
- Chapter 16 - Climate Change; and
- Chapter 17 - Cumulative Impacts.

ES Volume 2: Technical Appendices

Appendix 1.1: Environmental Statement Screening and Scoping Request
 Appendix 1.2: Scoping Opinion
 Appendix 5.1: Scoping Opinion Responses
 Appendix 6.1: Socio-Economic Baseline
 Appendix 7.1: Transport Assessment
 Appendix 7.2: Framework Travel Plan
 Appendix 7.3: Traffic Flow Analysis
 Appendix 8.1: Townscape Baseline and Effects
 Appendix 8.2: Visual Baseline and Effects
 Appendix 8.3: TVIA Figures
 Appendix 8.4: Baseline Viewpoints
 Appendix 9.1: Noise Assessment
 Appendix 10.1: Air Quality Assessment
 Appendix 12.1: Remediation Statement
 Appendix 12.2: Ecus Letter Report
 Appendix 12.3: Phase 1 Geo-Environmental Assessment
 Appendix 13.1: CFD Model of Wind Flow
 Appendix 14.1: Daylight, Sunlight and Overshadowing Assessment
 Appendix 16.1: Greenhouse Gases Legislative Framework
 Appendix 17.1: Cumulative Effects
 ES Volume 3: Figures

ES Volume 4: Non-Technical Summary

All stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020

Waste strategy stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020

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

3) No 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).

4) Notwithstanding the Environmental Statement. The Gasworks. New Town. Land off Gould Street Manchester. Prepared by WSP Ltd on behalf of Southvalley Estates Ltd including:

- Volume 1 Main Text. Report Ref: REP-DH-13.11.20-GWNTESVOL1. V1. [November 2020]
- Volume 2 Technical Appendices. Report Ref: REP-DH-09.11.20-GWNT-ES. VOL2.

V1. [November 2020]

- Volume 3 Figures. Report Ref: REP-DH-09.11.20-GWNT-ES. VOL3. V1.

[November 2020]

- Volume 4 Non-Technical Summary. REP-DH-13.11.20-GWNT-ES. VOL4.

[November 2020]

-Flood Risk Assessment and Outline Drainage Strategy. Gasworks. Manchester. Prepared by BDP. Report Ref: 2277-BDP-RPT-C-001. Rev A. [7th September 2020]

-Appendix 12.1. Remediation Statement. Gould Street Manchester. Prepared by Entec Ltd on behalf of National Grid Property Holdings Ltd. [15th March 2010]

-Appendix 12.2. Ecus Letter Report. Letter Ref: AG-6656-151125-ID-E. [25th November 2020]

-Appendix 12.3. Phase 1 Geo-Environmental Assessment. The Gasworks. New Town. Prepared by ECUS Ltd. Report Ref: 13863-P1. V2. [29th October 2020]

All stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020, no development shall commence until the following information has been submitted for approval in writing by the City Council, as Local Planning Authority, to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the entire site:

- Preliminary risk assessment which has identified
 - o All previous uses
 - o Potential contaminants associated with those uses
 - o A conceptual model of the site indicating risks arising from contamination at the site
- Review of the previous remediation strategy undertaken at the site
- Submission of Site Investigation Proposals and Risk Assessment Report - to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- Submission of a Remediation Strategy including full details of the remediation measures required and how they are to be undertaken

The remediation of the entire site shall be carried out in accordance with the approved strategy and shall not be phased.

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 EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

5) Prior to the occupation of the residential element of any phase of the development, and following completion of the remediation strategy approved as part of condition (4), a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall demonstrate that the completion of works has been carried out in accordance with the approved remediation strategy and has been effective. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site has been appropriately remediated prior to the commencement of works associated with the redevelopment of the site, pursuant to policies EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

6) In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted for approval 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. The approved strategy shall then be implemented and then verified as required by part (b) of condition 5.

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).

7) Prior to any works to the arch on the southern boundary of the site, as outlined in the Bat Survey stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020, a method statement shall be submitted to the City Council, as Local Planning Authority, providing details of measures to mitigate and compensate the loss of the bat roost. The agreed method statement and mitigation strategy shall be implemented prior to any works to the arch.

Reason – In the interest of mitigating against the loss of the existing bat roost pursuant to policy EN15 of the Manchester Core Strategy (2012).

8) The phasing of the development shall be carried out in accordance with drawings GDS-AHR-SO-XX-DR-A-PL-101 Phasing Plan Phase 1, GDS-AHR-SO-XX-DR-A-PL-102 Phasing Plan Phase 2, GDS-AHR-SO-XX-DR-A-PL-103 Phasing Plan Phase 3 and GDS-AHR-SO-XX-DR-A-PL-104 Phasing Plan Phase 4 stamped as received by the City Council, as Local Planning Authority, on the 24 May 2021.

Reason – The development is to be carried out on a phased basis and details must therefore be agreed in this regard to ensure that a comprehensive development provided at this site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

9) No phase of the development shall commence until details of the method for piling, or any other foundation design using penetrative methods, for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of that phase of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling

through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

10) Notwithstanding the Flood Risk Assessment & Outline Drainage Strategy Report 2277-BDP-RPT-C-001 stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020, (a) No phase of the development shall commence until a scheme for the drainage of surface water from that phase has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Maximise the use of green SuDS solution (that is either utilising infiltration or attenuation) within the drainage layout where practicable;
- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required;
- 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 the critical 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building; using a maximum total site discharge rate of 46.29l/s (as per Flood Risk Assessment & Outline Drainage Strategy Report 2277-BDP-RPT-C-001)
- 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.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control, attenuation features and SuDS elements.

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

(c) Prior to the first occupation of a phase (save for the enabling works phase) a verification report for that phase 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).

11) No development groundworks shall take place until the applicant or their agents or their successors in title have secured the implementation of a programme of archaeological works have been undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the City Council, as Local Planning Authority.

The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

- more detailed historical assessment
- a historic building survey.
- archaeological evaluation through trial trenching.
- informed by the above, more detailed targeted excavation and historic research (subject of a new WSI)

2. A programme for post investigation assessment to include:

- production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. A scheme to display the site's industrial heritage.

5. Dissemination of the results of the archaeological investigations for the benefit of the local and wider community in the form of a Greater Manchester Past Revealed booklet or/and academic article).

5. Provision for archive deposition of the report and records of the site investigation.

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

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy.

12) No phase of the development shall commence until a detailed construction management plan outlining working practices during construction for that phase of

the development has been submitted to and approved in writing by the Local Planning Authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust and dirt suppression measures;
- Highway dilapidation survey;
- Compound locations where relevant;
- Consultation with local residents;
- Location, removal/loading, storage and recycling of waste, plant and materials;
- Routing strategy and swept path analysis including details to ensuring that construction vehicles are one-way along Gould Street via Dantzic Street;
- Parking of construction vehicles and staff;
- Sheeting over of construction vehicles;
- The retention of 24 hour unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signaling and communications cables for the Metrolink during construction and when the development becomes operational; and
- Method to control cranes oversailing the tramway

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Each phase shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and the safety and operations of the adjacent tramway, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

13) Prior to the commencement of development (including any associated demolition works) in phases 3 and 4 of the development, a strategy to ensure there are no adverse effects on the adjacent viaduct structure shall be submitted for approval in writing by the City Council, as Local Planning Authority. This strategy shall include detailed design (including the results of any structural surveys) and the proposed viaduct monitoring regime during construction of these phases. The approved strategy shall be implemented for the duration of the construction activities associated with these phases.

Reason – In the interest of ensuring the development does not effect the safe operation of the adjacent tramway and viaduct pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

14) Prior to the commencement of any construction works that are required to be out greater than 1 metre deep within 1 metres of the Metrolink operational boundary, including piling works, a method statement shall be submitted for approval in writing

by the City Council, as Local Planning Authority. This shall include details of any track monitoring. The construction works shall be carried out in accordance with this method statement.

Reason – In the interest of ensuring the development does not effect the safe operation of the adjacent tramway and viaduct pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

15) Prior to the commencement of any development within each phase, all materials to be used on all external elevations of that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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

16) The window reveals and soffits for the development shall be carried out in accordance with drawings GDS-AHR-P1-XX-DR-A-28-101 REV 2, GDS-AHR-P1-XX-DR-A-28-102 REV 2, GDS-AHR-P1-XX-DR-A-28-103 REV 2, GDS-AHR-P1-XX-DR-A-28-104 REV 2, GDS-AHR-P1-XX-DR-A-28-105 REV 2, GDS-AHR-P2-XX-DR-A-28-101 REV 2, GDS-AHR-P2-XX-DR-A-28-102 REV 2, GDS-AHR-P2-XX-DR-A-28-103 REV 2, GDS-AHR-P3-XX-DR-A-28-101 REV 2, GDS-AHR-P3-XX-DR-A-28-102 REV 2, GDS-AHR-P3-XX-DR-A-28-103 REV 2, GDS-AHR-P4-XX-DR-A-28-101 REV 2, GDS-AHR-P4-XX-DR-A-28-102 REV 2 and GDS-AHR-P4-XX-DR-A-28-103 REV 2 stamped as received by the City Council, as Local Planning Authority, on the 19 January 2021

This includes the extent of the window reveals and detailing will be as follows:

- Minimum window reveal 300mm;
- Brickwork to Soffits of all windows.

Reason – In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

17) a) Prior to the commencement of a phase of development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction that phase 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 associated with each phase being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

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

18) Prior to any above ground works of a phase, details of the boundary treatment shall for that phase be submitted for approval in writing by the Council, as Local Planning Authority. The approved details shall then be implemented as part of the phase and be in place prior to the first occupation of that phase of the development.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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.

19) Prior to the first occupation of a phase 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.

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).

20) The development hereby approved shall be carried out in accordance with the Energy Strategy and ES stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020. A post construction review certificate/statement for each phase shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for each phase. This review shall include a strategy to phase the natural gas elements out of the development including a mechanism for this to be reviewed with the City Council, as Local Planning Authority, at an agreed point in the future.

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.

21) Notwithstanding drawings DR L 0001 P10 and DR L 1000 P09, landscape design and access, 2277-PLA-XX-XX-DR-L-3001, 2277-PLA-XX-XX-DR-L-3002 and 2277-PLA-XX-XX-DR-L-3003 statement stamped as received by the City Council, as Local Planning Authority, on the 10 May 2021 and 13 November 2020 respectively, (a) prior to the first occupation of each phase details of a hard and soft landscaping scheme (including appropriate materials, specifications) for that phase shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved scheme for each phase shall be implemented prior to the first occupation of the residential element of each phase. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

22) Prior to the first occupation of the residential element of each phase, a detailed landscaped management plan for that phase 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 how the hard and soft landscaping areas will be maintained including maintenance schedules and repairs. The management plan shall then be implemented as part of the development and remain in place for as long as the development remains in use.

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

23) Notwithstanding the ES Vol 1, Chapter 9 and ES vol 2 Appendix 9.1 stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020,

(a) Prior to the first occupation of each phase of the development hereby approved (save for the enabling works phase), details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. 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 (LA₉₀) level at the nearest noise sensitive location.

(b) Prior to the first occupation of each phase 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).

24) (a) Notwithstanding the ES Vol 1, Chapter 9 and ES vol 2 Appendix 9.1 stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020, prior to the first use of commercial units in phases 3 and 4, as shown on drawings GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020, a scheme of acoustic insulation for that commercial unit within each phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) Prior to the first use of the commercial unit within phase 4, 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 - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

25) Notwithstanding the ES Vol 1, Chapter 9 and ES vol 2 Appendix 9.1 stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020, (a) prior to the commencement of development of each phase of the development, a scheme for acoustically insulating the proposed residential accommodation within

that phase of the development against noise from Gould Street, Bilbrook Street, local traffic network and the adjacent railway/tram line shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the phase of development.

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 L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq

Gardens and terraces (daytime) 55 dB L Aeq (where practically possible)

(b) Prior to the first occupation of each phase of the development, a verification report for that phase of development 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 from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

26) The residential element of the scheme shall be carried out in accordance with drawings GDS-AHR-SO-02-DR-A-PL-013, GDS-AHR-SO-02-DR-A-PL-014, GDS-AHR-SO-02-DR-A-PL-015 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020 and Waste strategy stamped as received by the City Council, as Local Planning Authority, on the 16 November 2020. The details of the approved scheme shall be implemented as part of each phase 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.

27) Prior to the first use of commercial units in phases 3 and 4, as shown on drawings GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020, details of the location and a waste management strategy for that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented for as long as the development is in use.

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

28) Prior to the first use of commercial units in phases 3 and 4, as shown on drawings GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority (unless no kitchen extraction or cooking facilities are required). The approved scheme shall then be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

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

29) Prior to the first use of commercial units in phases 3 and 4, as shown on drawings GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first use of each commercial units and thereafter retained and maintained in situ.

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

30) 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 each phase, full details of such a scheme for that phase 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 occupation of each phase 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 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.

31) 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 21 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.

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

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

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

33) The commercial units as shown on drawings GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020 hereby approved, shall not be open outside the following hours:-

Monday to Saturday 08.00hrs - 23.00hrs

Sundays 09.00hrs - 23.00hrs

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

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

34) Each commercial unit, as shown on drawings GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020, shall remain as one unit and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

35) The commercial unit in phases 3 and 4, as shown on drawings GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020 can be occupied as Class E (excluding convenience retail) 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). The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester (2012).

36) In the event that any of the commercial unit in phases 3 and 4, as shown on drawing GDS-AHR-P3-B2-DR-A-PL-001 and GDS-AHR-P4-B2-DR-A-PL-001 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020 is occupied as a café/restaurant, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

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

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

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy (2012) and to saved policy DC26 of the Unitary Development Plan for Manchester.

37) 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 part of the residential development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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

38) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties 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) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - 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 and the guidance contained within the National Planning Policy Framework.

39) 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 November 2020. The development shall only be carried out in accordance with these approved details. Prior to the first occupation of each phase of the development (save for the enabling works phase) the Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a Secured by Design accreditation.

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

40) 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 November 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 occupation of each phase, a Travel Plan for that phase which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

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

41) Prior to the first occupation of the residential element within each phase of the development details of the cycle provision for that phase (including cycle hire scheme), shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details for that phase shall then be implemented prior to the first occupation of the residential element within that phase and thereafter retained and maintained in situ.

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).

42) Prior to the first occupation of the residential element of each phase the car parking layout for that phase as indicated on drawings GDS-AHR-P1-00-DR-A-PL-001, GDS-AHR-P2-00-DR-A-PL-001, GDS-AHR-P3-B1-DR-A-PL-002 and GDS-AHR-P4-B1-DR-A-PL-002 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020 shall be implemented and made available. The car parking shall remain available for as long as the residential element remains in use.

Reason - To ensure sufficient car parking is available for the occupants of the office element of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

43) Prior to the first occupation of the residential element of each phase, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- Introduction of speed restrictions (20mph) and traffic calming (including signage and lining) measures to the surrounding road network (including Gould Street, Williamson Street, Bromley Street and Willimason Street);
- Introduction of on street car club bay in the vicinity of the site and loading bay to Bromley Street,
- SCOOT validation;
- Traffic Regulation Order (TRO) review of the surrounding road network and introduction of a revised TRO scheme to manage on street parking;
- Cycle and pedestrian audit of the surrounding area and identification of improvement measures;
- Creation of means of access, tactile paving, kerb upstands, resurfacing of footways and other improvement and alterations to the public realm around the application site (to be informed by the cycle and pedestrian audit);
- Introduction of 'give way' markings at the junctions;
- Widening of Bromley Street (between the service road and Burstock Street and Bromley Street); and
- Installation of street trees and cutting back overgrown vegetation

The approved scheme for each phase shall be implemented and be in place prior to the first occupation of the residential element of each phase 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).

44) Prior to the first occupation of the car park for each phase of development, a car park management plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented for as long as the development is occupied.

Reason – To ensure that management arrangements are in place for the car parking and its access pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

45) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020, within one month of the practical completion of each phase (save for the enabling works phase), 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 for that phase 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 Core Strategy.

46) Prior to the first occupation of the residential element of each phase, the installation 7kw electric car charging points shall be fitted to each car parking space shown on drawings GDS-AHR-P1-00-DR-A-PL-001, GDS-AHR-P2-00-DR-A-PL-001, GDS-AHR-P3-B1-DR-A-PL-002 and GDS-AHR-P4-B1-DR-A-PL-002 stamped as received by the City Council, as Local Planning Authority, on the 13 November 2020 shall be implemented and remain available for as long as the development is in use. Verification of the installation shall be submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first occupation of the residential accommodation within each phase.

Reason – In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

47) Prior to the first occupation of each phase, details of bird and bat boxes to be provided (including location and specification) in that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason – To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

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

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

49) Prior to the first occupation of each phase of the development a signage strategy for the entire buildings within that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for that phase 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).

50) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

51) The development hereby approved shall include for full disabled access to be provided to the internal courtyard and communal walkways and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

Informatives

- A protected species License may be required to be obtained from Natural England before any work could be undertaken which could cause harm to bats.
- 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.

- It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place

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: 128248/FO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

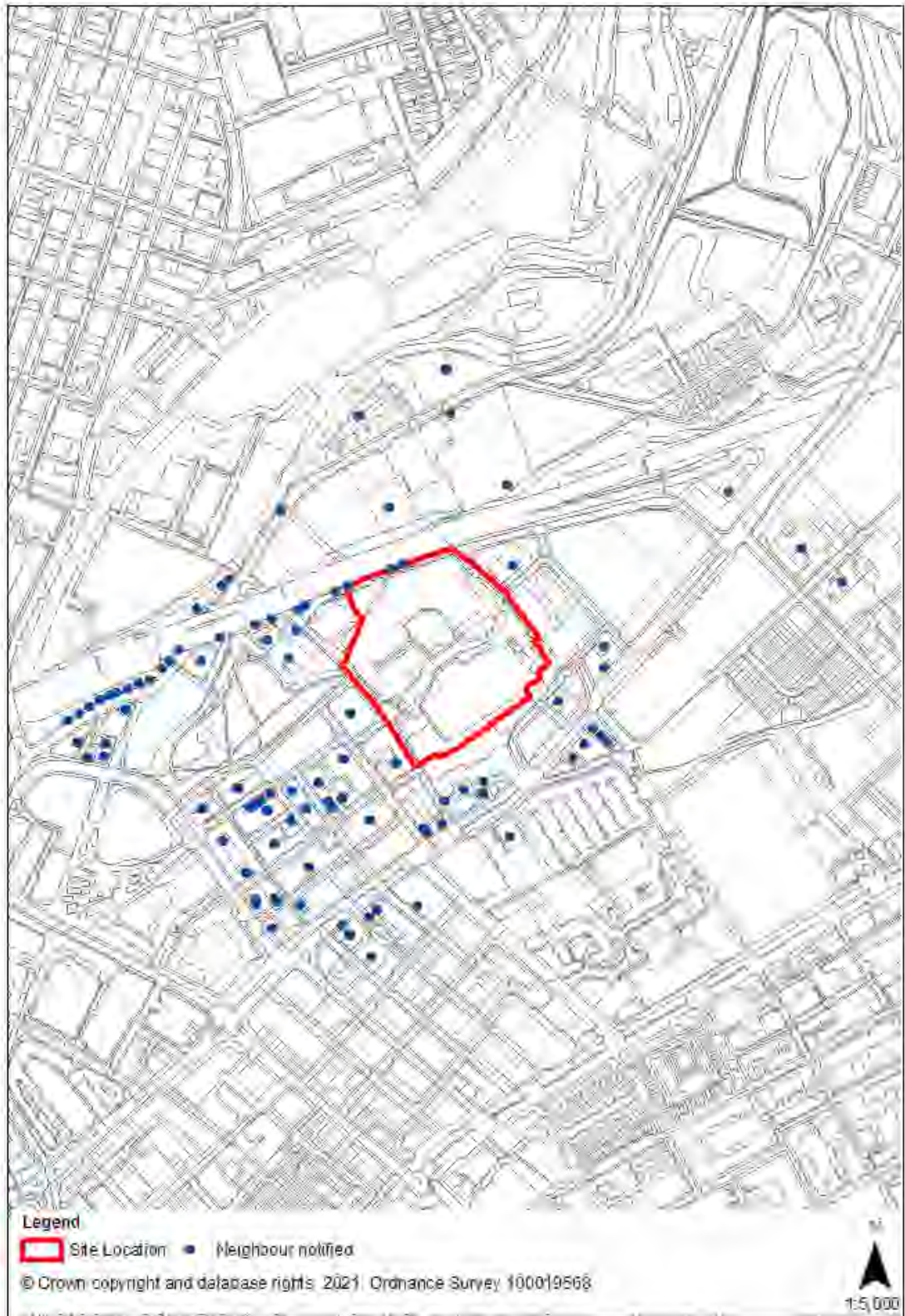
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Strategic Development Team
Work & Skills Team
Greater Manchester Police
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
United Utilities Water PLC
National Amenity Societies
Greater Manchester Ecology Unit
Friends Of Angel Meadow
Network Rail
Planning Casework Unit
Manchester Airport Safeguarding Officer

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
127241/FO/2020	23rd Jun 2020	3rd Jun 2021	Chorlton Park Ward

Proposal Change of use of 515 Barlow Moor Road from ground floor retail (Use Class A1) and 1no. self contained flat to form a single 2no. bedroom dwellinghouse (Use Class C3), elevational alterations to front and rear, landscaping, and, conversion of no.s 517 to 521 Barlow Moor Road from ground floor retail (Use Class A1) and 6no. self contained flats to form 11.no self-contained flats (Use Class C3) together with a three storey rear extension to no.s 517 and 519 Barlow Moor Road, 3no front dormers and 3no. rear dormers, associated elevation alterations to front and rear including creation of vehicular and pedestrian access, bicycle and bin stores and formation of 6 no. car parking spaces.

Location 515 - 521 Barlow Moor Road, Manchester, M21 8AQ

Applicant Mr David and Martin Woolf , C/o Agent

Agent Mr Simon James, Simon James Arq Ltd, Flat 1 , 346 Barlow Moor Road, Manchester, M21 8AY

Executive Summary

This application seeks approval to the extension and conversion of a property currently in mixed commercial and residential use to wholly residential. The property is located within Chorlton District Shopping Centre although it is adjoined on all sides by residential properties. The scheme has been amended, including the relocation of the car parking from the rear garden to the forecourt, a reduction in the scale of the extensions and a reduction in the number of flats proposed.

Concern has been raised as to the scale of the proposed development and the impact on the ecology of the site.

Local residents have been notified on four occasions and in total 26 responses were received objecting to the proposal and one supporting it. Local Ward Members have also objected to the proposed development.

A full report is attached for Members consideration.

Description

This application relates to a short parade comprising five commercial units with six self contained flats above. The site is located on the west side of Barlow Moor Road close to its junction with High Lane. The building is set behind a 4.2 metres deep forecourt used for parking, it is a two storey building constructed of red facing brick. There are two, two storey side extensions which sit significantly lower than the main

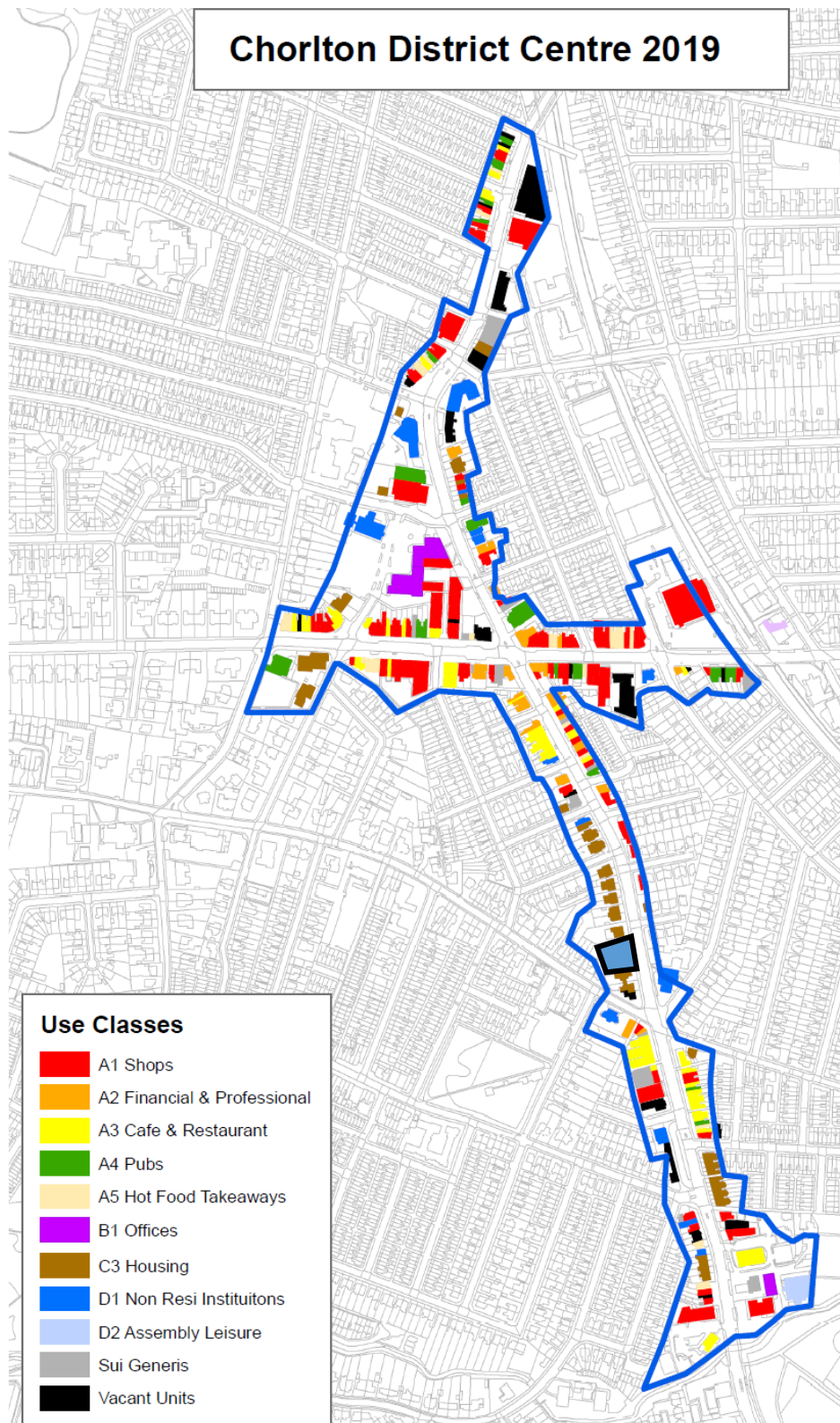
body of the building. There is an ornate central parapet either side of which are, what appear to be original, small shed dormers. Whilst the first floor is of character the ground floor which projects forward of the upper floor comprises an eclectic collection of shop fronts and an entrance to the flats. The site falls away to the rear and the rear elevation of the building is effectively three stories, the additional floor being a basement.



Front elevation from Barlow Moor Road

There are two, three storey outriggers on the rear of the main building. At the rear of the property is a garden. The submitted tree report identifies 9 trees and 4 groups of trees within the rear garden, two trees in adjacent properties and three trees in the public footpath in front of the property.

The site is situated within Chorlton District centre. This is a linear centre based on Barlow Moor Road/Manchester Road and Wilbraham Road. There are two main concentrations of commercial activity within the centre, based on Barlow Moor Road/Manchester Road Wilbraham Road junction in the north and south of High Lane. The areas in between are a mix of commercial and residential uses.



Chorlton District Centre, site is edged black

Adjoining the site to the north is a large double fronted two storey detached property that has been extensively extended and is in use as flats. There is a large car park to the rear. To the south are two semi detached, two storey properties. The adjacent property appears to be a single family dwelling. The more southerly property appears to be in bedsits. Adjoining the site to the west are the rear gardens of residential

properties on High Lane. Facing the site across Barlow Moor Road are a purpose built flat development and a large semi detached property converted to flats.

There are single yellow lines on Barlow Moor Road in front of the property and a cycle lane.

Consent is sought to remove the existing shop fronts and to replace them with a residential façade to extend the property and to convert the enlarged property into 1 dwelling and 11 self contained flats, with associated landscaping and car parking.



Existing Front Elevation



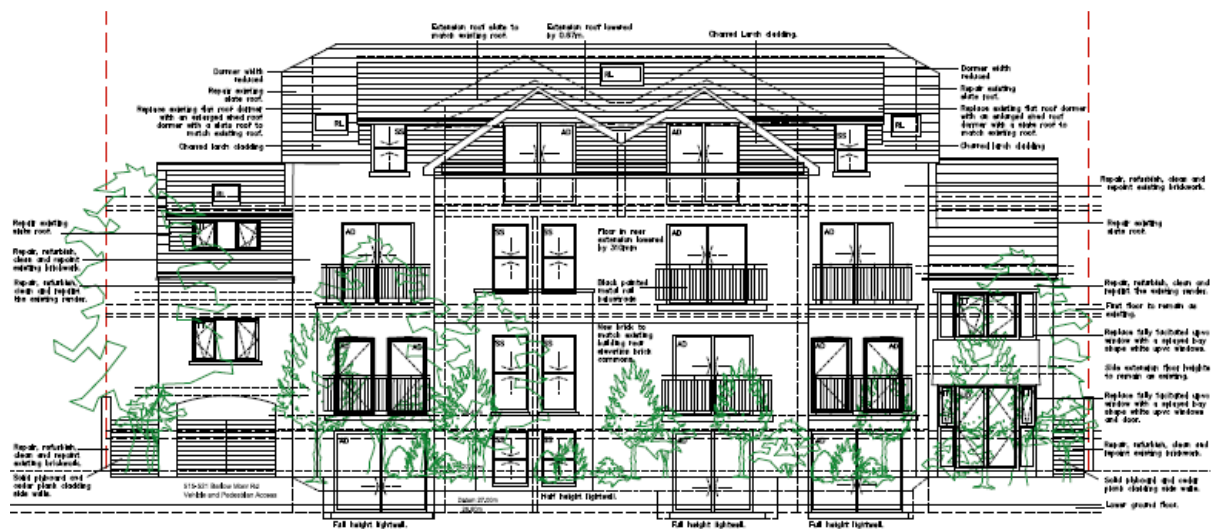
Proposed front elevation

On the front elevation it is proposed to remove the existing shop fronts and to install a new basement and ground floor elevation. The design would be influenced by the original architecture of the building and contain a flat roofed bay window either side of a central entrance. The existing dormers on the front elevation would be replaced with a pair of larger dormers and a dormer would be added to the northern two storey side extension. The basement of the northern extension would be opened up

to allow access for refuse/recycling and cycles. In total 8 roof lights would be added to the front elevation.

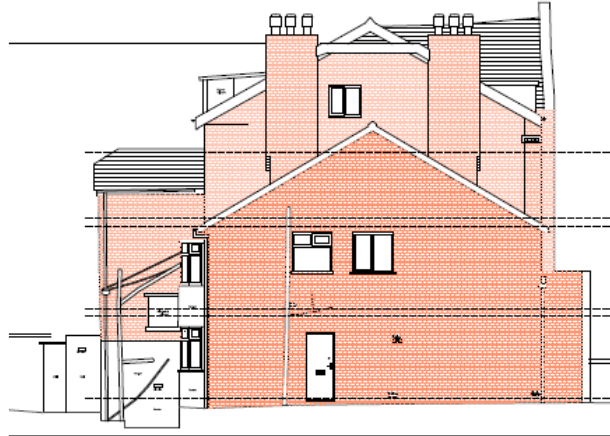


Existing Rear Elevation

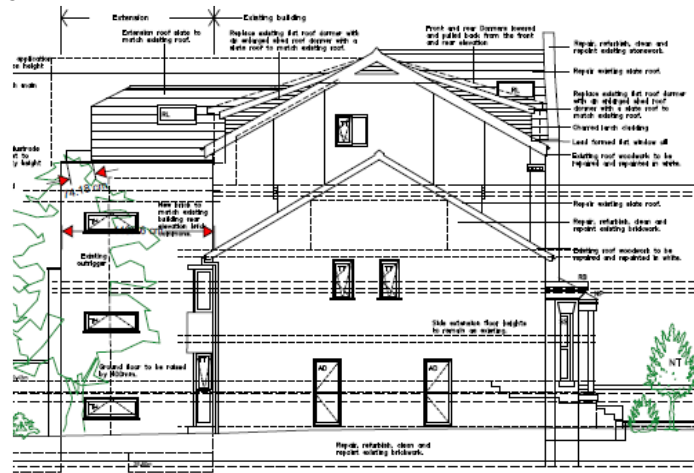


Proposed rear elevation

On the rear elevation the existing outriggers and bays would be demolished and replaced with a central three storey and basement extension projecting 4.5 metres and 10 metres wide. The second floor would be accommodated partially within the roof. On the main building there would be a new, 14 metre wide dormer and a dormer to the rear of the northern extension. The rear elevation would contain a number of French/patio doors and balconies and a 0.75 metre wide balcony at second floor level.



Existing south elevation

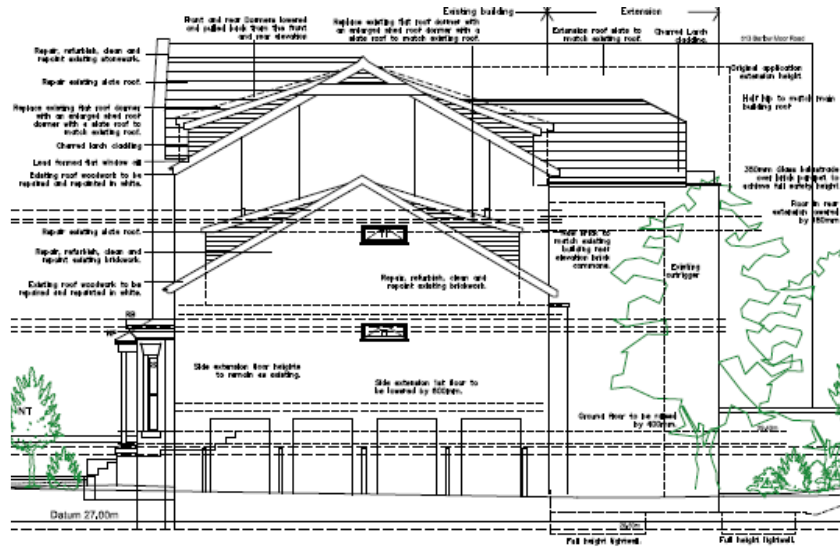


Proposed south elevation

There would be high level windows in the south side of the proposed extension.

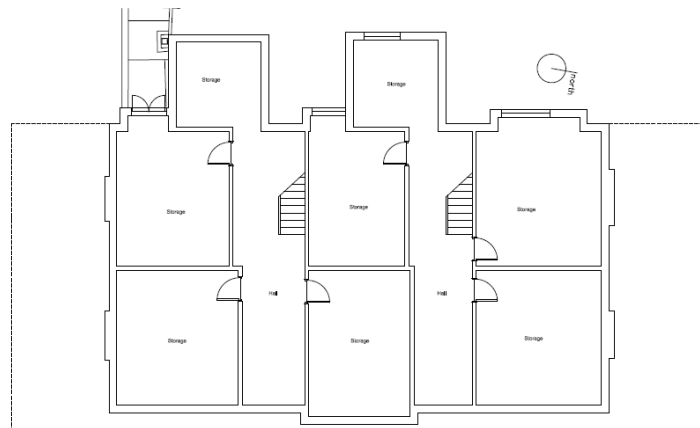


Existing north elevation

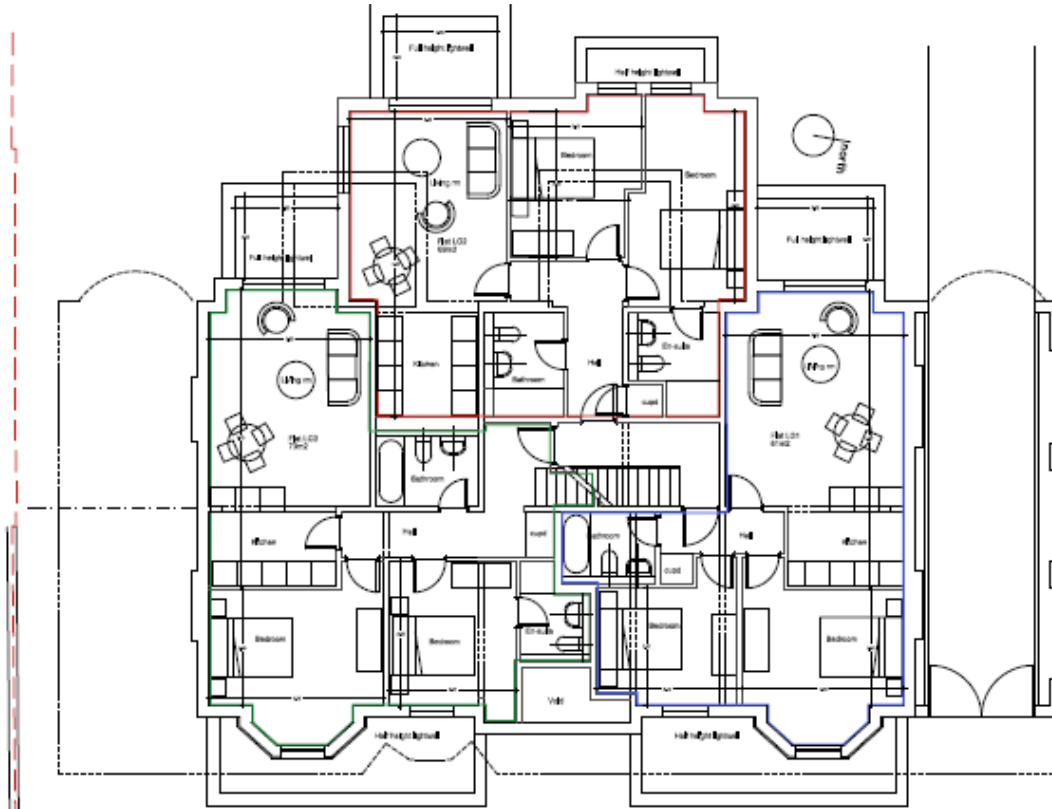


Proposed North elevation

As submitted consent was sought for the creation of 13 flats and one dwelling in the property. The scheme has been amended and the amount of accommodation proposed has been reduced to the scheme now proposed being 11 flats and one dwelling.

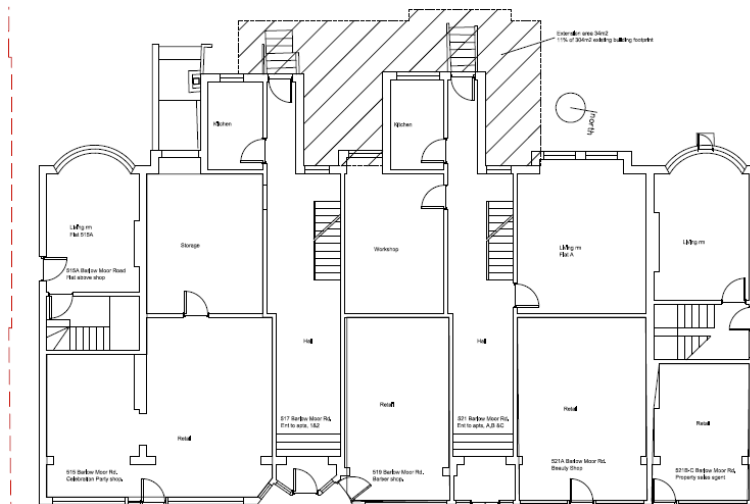


Existing basement

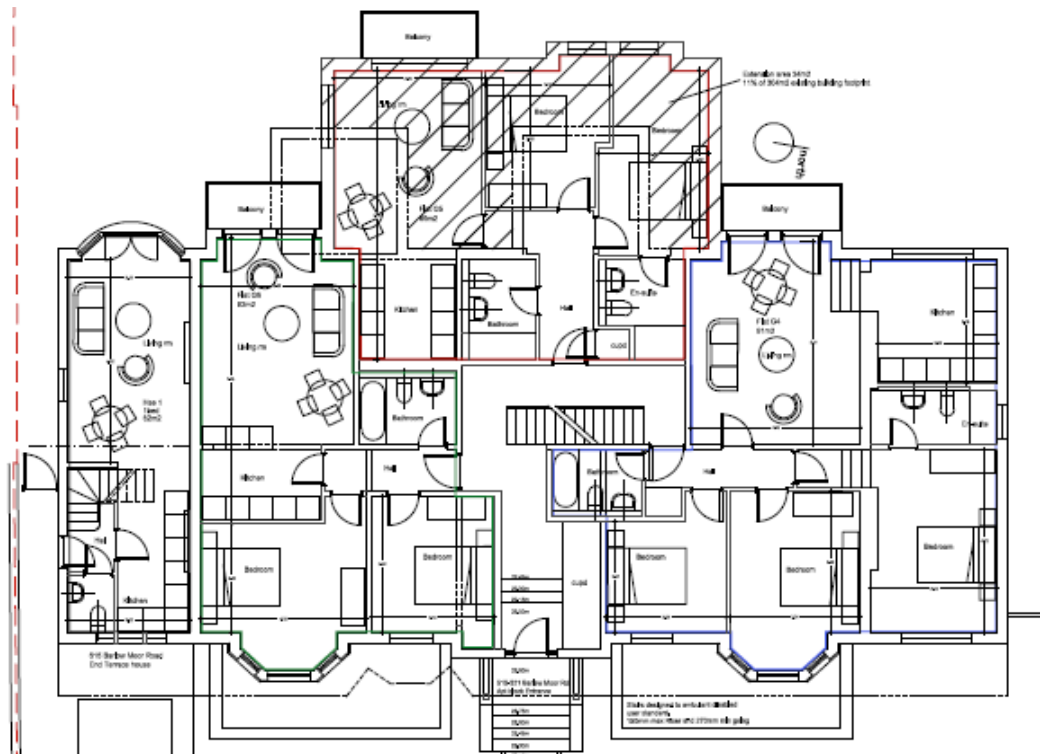


Proposed lower ground floor level.

On the lower ground level there would be three two bedroom flats each with an open plan living area. Each flat would have a sunken terrace at the rear and two of the flats would have half height lightwells at the front. The flats would be accessed from a central core.

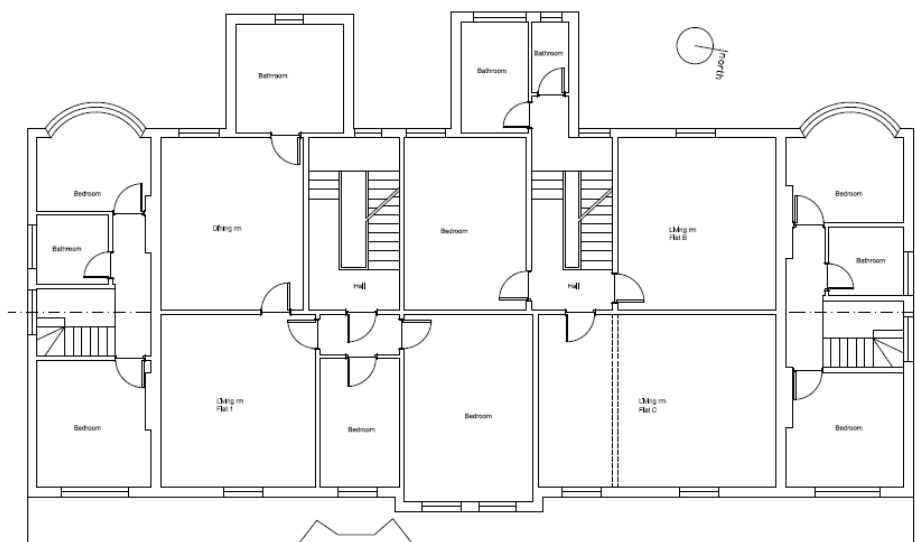


Existing ground floor

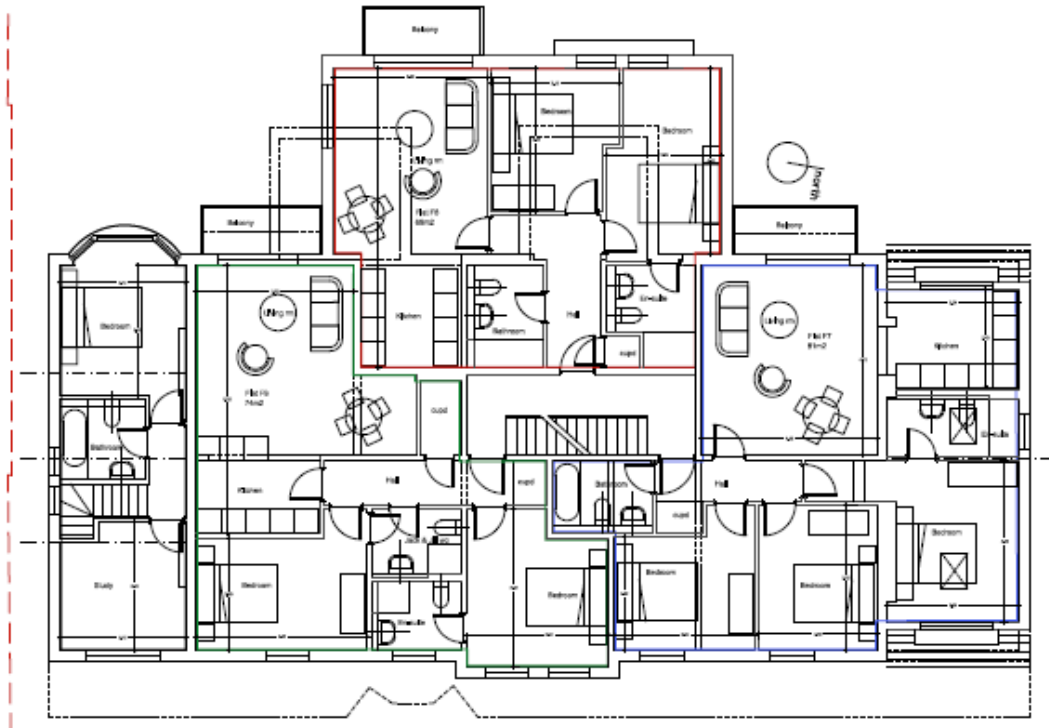


Proposed ground floor plans

On the ground floor in what was the original southern extension would be the lower floor of the proposed house and two, two bed and one three bed apartments again with open plan living areas. Each flat would have a balcony measuring approximately 3 metres wide and 1.2 metres deep on the rear elevation. The main entrance into the building would be at this level leading into a central core. The entrance to the house would be on the side elevation.

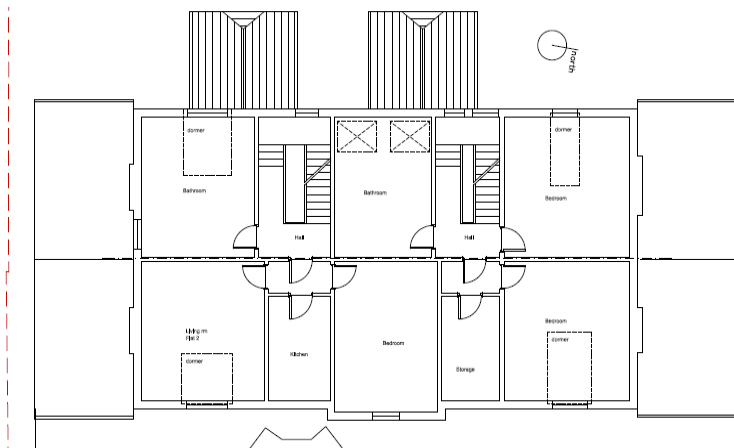


Existing first floor

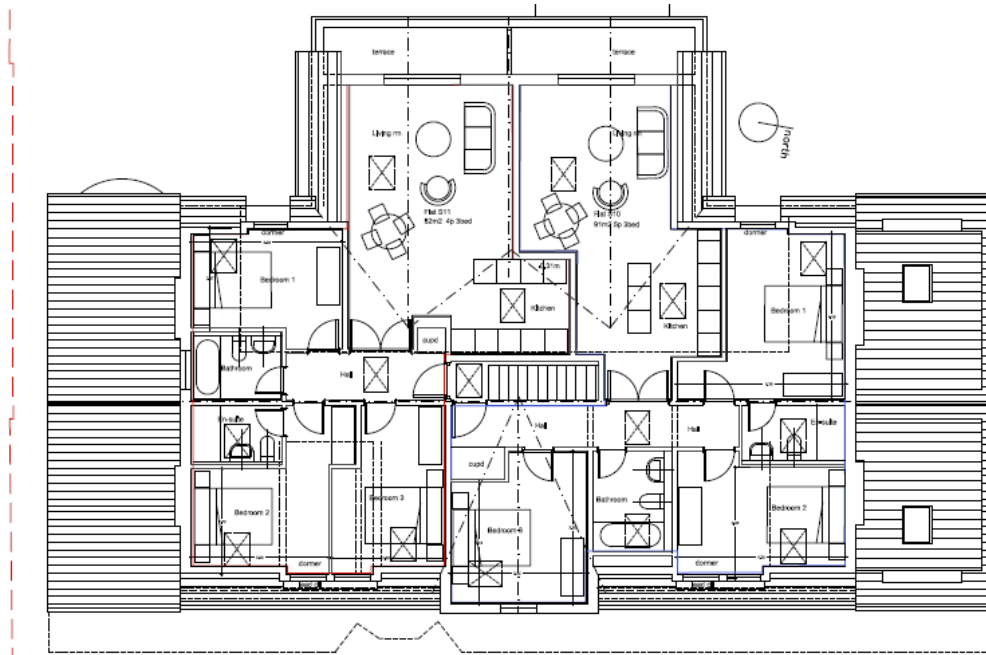


Proposed first floor

The first floor would contain a bedroom, study and bathroom to the proposed house, two, two bedroom flats, each with an open plan living area and a three bedroom flat with separate lounge and kitchen. Each flat would have a similar sized balcony on the rear elevation to those on the floor below.



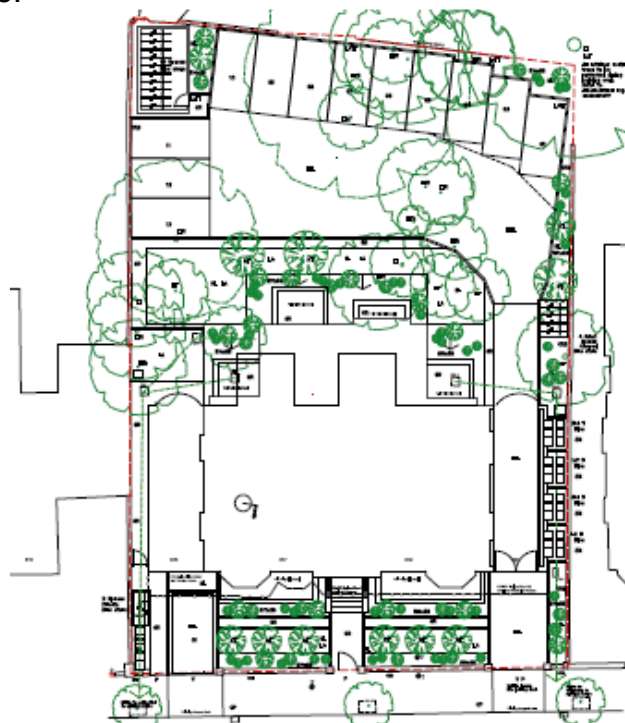
Existing second floor



Proposed second floor

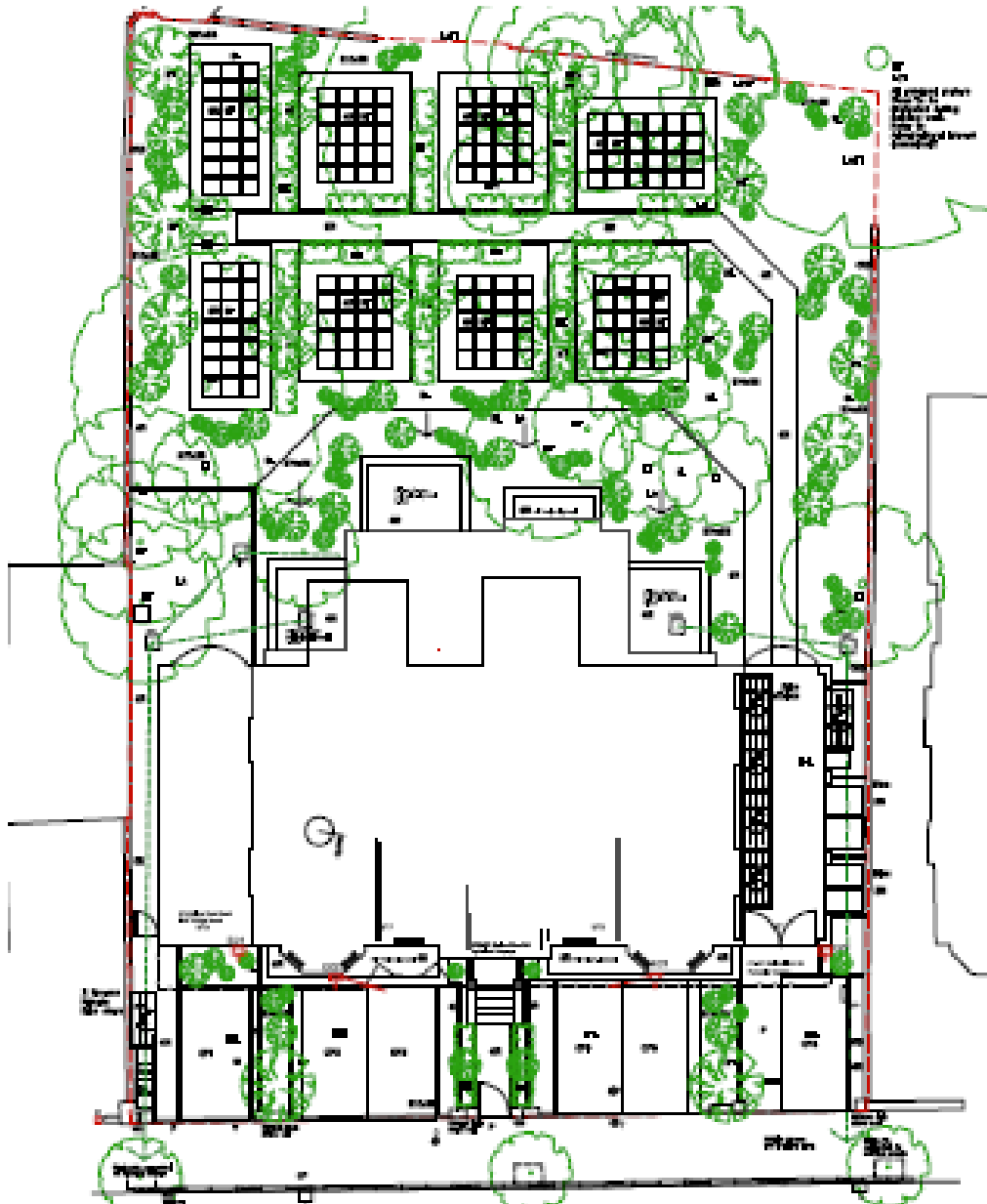
The proposed second floor would contain two three bed apartments with a terrace above the second floor of the proposed extension.

As originally submitted the proposed development sought to landscape the front forecourt with one parking space for the house, and to create a 12 space car park accessed beneath the existing norther extension from Barlow Moor Road in what is currently the rear garden. To facilitate the revised development 2 groups and 4 individual trees are proposed to be removed. A further 3 trees are proposed to be removed due to their condition. 9 new trees are included in the submitted landscaping scheme.



Site Layout as submitted

The site layout has been significantly amended and the car parking in the rear garden has been removed from the scheme and in its place eight flag and gravel patios enclosed by hedging created to provide semi private areas for the future residents of the development to use.



Parking would be relocated to the forecourt (similar to the existing situation), with six spaces provided broken up with areas of planting. Secure cycle and refuse storage for the flats would be located at the side of the property in what is in effect the basement of the northern original two storey side extension. A refuse and cycle store for the house would be located adjacent to the southern boundary of the site. In this revised scheme nine of the existing trees would be retained, four would be removed

and in addition to the hedging 6 new trees would be planted. All of the parking spaces would be provided with electric vehicle charging points.

An ecology report was submitted in support of the application. The application concludes:

- The building is considered to offer negligible bat roost suitability.
- No evidence of protected species was found on the wider site, and there are no protected species constraints. The habitats present are of limited ecological value. The vegetation on the site does offer suitable habitat for nesting birds. If any vegetation is to be removed, this should be done outside of the nesting bird season.
- Himalayan Balsam is present on the site. This is listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended), making it an offence to allow the plant to spread into the wild. It is therefore recommended this be removed prior to work commencing, using a suitable methodology.

Consultations

Ward Members

The ward members objected to the scheme as it was originally submitted. Their comments are summarised below.

- They can see that given the present day context there would be merit in reducing the amount of retail space, and by and large the plans and specification for the building look very impressive.
- They are unhappy about the way this proposal has been approached, which has misrepresented the site and the situation.
- They are also unhappy about the way in which such long standing tenants of the flats and commercial leaseholders have been treated. This proposal, if approved will lead to their eviction. They understand that this does not form part of the planning process but do sincerely hope that by highlighting this at this stage the developer will reassess their approach and treat the residents, the commercial leaseholders and the environment with more care.
- Lack of environmental impact assessment;
- Overdevelopment
- Impact on neighbours
- Members request a site visit.

In response to the current scheme Councillor Mandie Shilton-Godwin has raised the following objections to the proposed development on behalf of herself and Councillors Dave Rawson and Joanna Midgely.

- They remain very concerned about the proposal which they feel constitutes a significant overdevelopment, even though they recognise that the number of homes has been reduced since the previous iteration
- They recognise that objections raised to the tarmacking of the rear garden originally proposed to be used as a car park and they maintain that objection. They also acknowledge that they have been told that this space cannot be used for a car park. However if only six spaces are created at the front of the house then the development will not supply the number of car parking spaces that normally would be required for a such a development and this will create intolerable pressure on car

parking spaces in the neighbourhood where there are already really significant problems and where there is a segregated cycleway planned and due to be built in the next year right across the front of the property.

- They are concerned about the plans for hardstanding in the back garden and we really do worry that this is intended to be a car park by any other name and that is how it will be used once the focus on this goes away, after the work is done.
- There are inaccuracies in the report, there is a pond in the garden. They have stood beside it and cannot understand how an ecologist has missed this and it is very concerning for the accurate charting of the potential for wildlife loss that would be entailed by these plans.

Local Residents/businesses

Local residents and businesses have been notified on four occasions in respect of the development and the subsequent changes to it.

In response to the initial notification 15 letters were received objecting to the proposed development. The issues raised are summarised below.

- The proposed accommodation only meets the minimum space standards.
- The poor space standards will give rise to health and social problems.
- The development destroys open space
- The proposal goes against the ethos of creating a cycle route in Chorlton
- The development will contribute to a lack of visual amenity for neighbouring residents.
- It will destroy wildlife habitat - (bats, hedgehogs, insects.) and will impact on biodiversity & nature conservation
- There will be a loss of mature trees
- It contravenes MCC's declaration of a climate emergency as biodiversity and rewilding help to prevent and mitigate climate change. A car park means more reliance on cars which is in direct opposition to Chorlton's plans for the district centre to be an exemplar for cycling and walking.
- Residents have questioned the validity and findings of the Ecology report produced by the applicant. Bats have been seen in the evening, not during the day, there are nesting birds and the site contains a pond.
- The existing tenants have been in residence for in excess of 20 years and are a part of the community
- The proposal represents an overdevelopment of the site.
- Residents were given insufficient time to comment on the application.
- There are already countless flats and apartments for sale in and around this part of Chorlton; although perhaps not so many good quality 2 or 3 bedroom rental properties.
- The additional residents will overburden local services and facilities.
- There are a great many for sale or to let signs outside of existing flats in the area. Therefore, is there the demand for the flats.
- The development will increase noise and pollution.
- Doing away with the shops which are currently trading at the property would be yet another blow to Chorlton residents and visitors alike.
- Concern was expressed about the plotting of the trees on the plans.
- The car park in the rear garden will impact on residents in terms of noise and pollution.

- Loss of privacy.
- The development will affect trees outside of the site.

One letter was received supporting the proposed development. The writer made the following points.

- They are supportive of this proposal, dependent on the quality of finish.
- The current situation has a disjointed appearance and feels run down.
- The parking to the front of the shops is inappropriate and anti-social parking in the bike lane and onto the pavement occurs because of the placement of the shops.

The second and third notifications nine responses were received objecting to the proposed development. The issues raised are summarised below.

- The bike shed is no longer close to adjoining house wall
- The removal of one car parking space and additional planting in that corner would somewhat mitigate concerns about privacy, and directly overlooking the car park.
- The plans still involve felling of 26 mature trees, and loss of a pond, with resultant impacts on biodiversity.
- Concerned about the removal of an outbuilding which forms a boundary wall.
- Concerned about a loss of privacy and overlooking.
- The proposed flats just meet the minimum space standards and do not provide the spacious accommodation required for people's wellbeing.
- The development will destroy habitat and trees.
- There will be a loss of visual amenity to the surrounding residents
- Residents have seen bats in the garden.

One letter was received supporting the proposal for the following reasons

- The current situation has a disjointed appearance and feels run down.
- The parking to the front of the shops is currently inappropriate and anti social parking in the bike lane and onto the pavement occurs because of the placement of the shops.

In response to the most recent notification Two letters were received. The issues raised are summarised below. One of the representations is on behalf of the six residents in the existing property.

- There appear to be a number of unresolved issues and the information provided is vague.
- There are no dimensions on the drawings, yet it is evident that this is an overdevelopment of the site.
- There are 8 parking spaces shown on the drawings but no access to them.
- The latest plans show one parking space and 2 electric vehicle charging points for what could be up to 50 people.
- "Reinstate the 600mm stonework wall, gateposts and copings to match height and materials to 523 Barlow Moor Road". This is at the front of the building – in the car parking / bin collection area. In the available space between the wall and the railings in the front garden area of 523 Barlow Moor Road there is no space left for the smallest car.
- The existing drains in the road outside the property have been flooding for over 20 years. There are constant puddles in the road, particularly when it has been raining heavily.
- Consideration should be given to the ecological value of the site.

- It is questioned if there is sufficient secure cycle storage.
- Who will put out the bins which will be very heavy.
- The cycle and refuse storage will interfere with cars seeking to access the parking at the rear of the property.
- The apartments are undersized.
- There is no visitor parking spaces or service vehicles.
- There are insufficient electric vehicle charging points.
- Will electric gates slow down emergency services.
- Loss of independent shops that will impact on the areas economy.
- The bins will be an eyesore.
- No covered facilities for motorcycles.
- The extensions will result in the overlooking of adjacent residential properties.
- There will be an increase in noise.
- The building works will disturb neighbours.
- There is insufficient greenery in the proposed development for the wellbeing of the future residents.

Chorlton Voice

In response to the application as originally submitted -

- They support the principle of converting surplus retail floorspace to residential use in fringe shopping locations such as this, helping maintain the viability of the core shopping areas. However, in this case, all bar one of the shop premises are currently in use, and there has never been any difficulty in finding tenants.
- It is understood that the applicant has not engaged with any of the tenants prior to submission of the application and there is no evidence that there has been any attempt to find alternative accommodation. It is likely that the proposed conversion will lead to the loss of viable local businesses, detracting from the vitality of the local centre.
- They consider that the number of dwellings proposed for the site is excessive for the size of the site.
- The replacement of the existing rear gardens with car parking would detract from the amenity of the area. While the trees may not individually be of great quality, the garden area overall represents valuable green space and habitat.
- Given the highly accessible location, it is considered that it is not necessary to provide on-site parking, particularly if the number of dwellings were reduced.
- They are disappointed that the opportunity has not been taken to provide disabled access to the proposed properties.
- They consider that the threshold for providing affordable homes is too low and should be lowered at the next opportunity for review.

Greater Manchester Ecology Unit

The developer's ecological consultant identified no significant ecological issues. However, the residents of the building disagree. Whilst the likelihood of great crested newts being present is very low, the tenants information on bats is

such that it is recommend further information on bats is provided prior to determination. Issues relating nesting birds and Himalayan balsam could be resolved via condition.

Environmental Health

No objection in principle, however, conditions have been requested in respect of refuse storage, noise insulation and contaminated land.

Highways

Should parking to the rear be deemed inappropriate then highways consider it feasible to increase the forecourt parking to the front of the development. The provision of parking spaces to the front looks possible whilst maintaining clear pedestrian access to the development. They would recommend that the number of proposed secure cycle spaces is maintained and, given that less than 100% car parking would be provided Highways would require a travel plan to be conditioned as part of any approval. As they stand the Chorlton Cycleway proposals would not impact on any plans to introduce additional parking to the forecourt. A condition requiring the submission of a Construction Management Plan is also requested.

Neighbourhood Officer (Arboriculture)

In response to the original scheme said "The trees on this site would not support TPO status due to lack of visual amenity value and limited growing space.

The applicant has proposed to use a cellular confinement system in order to protect the root systems of the offsite trees.

Judging from the proposals there would be no scope within this site for mitigation planting.

In response to a specific question about putting a Tree Preservation Order on the trees The following comments were made.

-What is a large tree is subjective. 2 to 4 metres is not large particularly when referring to an Ash, Oak or Sycamore.

-None of the trees on the site meet are worthy of being made the subject of a Tree Preservation Order.

-When considering a tree for a preservation order consideration need to be given to its long term future, as it matures and what pruning pressure the tree may come under from neighbouring properties.

United Utilities

Have requested conditions in respect of drainage of surface and foul water. Information was also provided in respect of water management and United Utilities infrastructure which have been passed to the applicant.

Policies

Core Strategy

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

Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy 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

Policy C2 District Centres – says that Housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.

Policy EN9 Green Infrastructure - Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

Policy EN16 Air quality – says that the Council will seek to improve air quality in the City.

Unitary Development Plan 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 and conversion of the property into flats. 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).

Policy DC5 FLAT CONVERSIONS – Sets down the Council's approach to the conversion of properties into flats.

DC5.1 In determining planning applications to convert property to flats, the Council will have regard to:

- a. the standard of accommodation for the intended occupiers of the premises;
- b. effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;

- c. adequacy of car parking, off-street car parking being normally required where practicable, and essential where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created;
- d. general effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established feature of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;
- e. adequate private outdoor amenity space;
- f. the desirability of achieving easy access for all, including disabled people (as a minimum, access for disabled people will normally be required in conversions of ground floor accommodation);
- g. the satisfactory provision of refuse storage and collection facilities.

DC5.2 There will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock.

DC5.3 Notwithstanding policy DC5.2, the Council will normally refuse permission for any developments in this category which:

- a. do not provide accommodation to the Council's current approved standards;
- b. are in tightly-packed residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on-street congestion;
- c. involve conversion schemes without adequate private external amenity space;
- d. are schemes without satisfactory refuse storage and collection facilities.

Green Blue Infrastructure

The strategy lays the foundations for the preservation and improvement of green and blue infrastructure within the City. It is considered that gardens form an important part of this infrastructure. The Strategy advised that gardens play an important part in defining the character and attractiveness of an area.

Guide to Development In Manchester

The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development appropriate to Manchester. It seeks to retain the essential distinctiveness of its character areas, whilst not precluding new development.

National Planning Policy Framework

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.

Quality Design Standards

The Manchester Residential Quality Guidance was adopted as a policy of the Council in March 2017. The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all ensures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

Issues

Principle

The proposed development involves the conversion of a short parade of retail units with living accommodation over into a wholly flatted development. Whilst the site is located within Chorlton District Shopping Centre it is flanked to either side and to the rear by residential properties. Core Strategy policy C2 says that residential uses are acceptable in District Centre locations and amid concerns about the decline in the high street the Government is bringing forward proposals which make the conversion of retail to residential easier. On balance it is considered that the proposed development is therefore acceptable in principle subject to the satisfactory resolution of the issues outlined in the following sections.

Loss of retail

Chorlton is a linear shopping centre based on Barlow Moor Road/Manchester Road and Wilbraham Road. There are two distinct commercial areas at the northern end at the Barlow Moor Road/Manchester Road Wilbraham Road junction and on Barlow Moor Road to the south of High Lane/Sandy Lane. In between the centre comprises a mix of commercial and residential uses. The Council's 2019/20 District Centre Survey identifies 279 businesses in the centre with 29 vacant units, thus the vacancy rate is approximately 10%. This would suggest that prior to the pandemic Chorlton was a vibrant centre. This application relates to a small parade comprising five

commercial units, two of which at the time of the above survey were listed as vacant. The parade is outside of the two main commercial centres identified above and is adjoined on three sides by residential properties, and there are further residential properties facing the site across Barlow Moor Road.

It is the case that the loss of the retail units at this location would allow the further consolidation of the centre which would help with the continued viability and vitality of this important busy centre. The commercial uses are somewhat fragmented at this location within the wider centre with this small parade being somewhat isolated.

It must also be noted that commercial uses falling within Use Class E can change to residential through permitted development rights under the Prior Approval process without the need for the submission of an application for planning permission.

Planning permission is required in this instance as the proposed development involves the extension of the original building.

On balance it is therefore considered that the loss of the commercial element of the parade which is outside of the two main commercial cores of the centre would not significantly impact on the retail offer or the viability and vitality of the centre.

Amount of accommodation

The proposed development has been reduced in scale in terms of the amount of accommodation proposed from 13 flats to one house and 11 flats. This equates to less than three dwellings per property across the parade and it is considered that in the context of flat conversions this would not be excessive, subject to meeting the other criteria identified in the Council's policies. The development comprises a range of property sizes, one, two and three bed thus meeting the Council's requirements to provide a range of accommodation to meet differing needs.

Scale

The proposed rear extension would be 10 metres wide and project 4.5 metres, which replaces two outriggers each projecting 3 metres and 3.5 metres wide. The eaves level of the extension would match that of the existing property and the ridge would be approximately 1.5 metres lower than that of the main body of the house and tying into the proposed shed dormer on the rear roof slope. All of the shed dormers proposed for the front and rear elevations have been reduced in scale so that they now sit in the roof slope in the form of a true dormer rather than being a second floor extension. Having regard to the size of the existing property it is considered that the proposed extensions are subservient to the host property and that in scale terms they are on balance acceptable.

Standard of accommodation

The proposed development would result in there being seven, two bedroom apartments ranging in size from 61 to 74 square metres, four, three bed apartments ranging in size from 81 to 91 square metres and a two storey one bedroom house of 62 square metres. All of the units meet or exceed the relevant minimum floorspace

figures of 61 square metres for a one bedroom flat, 74 square metres for a three bedroom flat and 58 Square metres for a one bedroom two storey house. On balance it is considered that the proposed that the standard of accommodation meets the Council's current requirements.

Design

The design of the proposed alterations to the property is heavily influenced by how the original property would have looked. The existing shop fronts which sit forward of the upper floors would be removed and replaced with a new ground floor elevation in the same plane as the upper floor. The new front would result in the property having a double fronted appearance with a central entrance, two new ground floor bays would be created, and all new windows would have the large vertical proportions of the existing first floor windows. The shed dormers are an existing feature of the property and whilst larger and not considered to be excessively so. At the rear of the property the proposed extension is simpler in its design but will tidy up the current unsightly rear elevation. On balance it is considered that the design of the proposed alterations will enhance the appearance of the property.

Parking

As submitted it was proposed to create a car park using the majority of the green space at the rear of the property. In response to concerns regarding the unacceptable impact that the loss of the garden would have on the amenities of neighbouring occupiers and on the landscape character of the area in general, the scheme has been amended and now provides 6 spaces on the forecourt of the property. This is marginally in excess of 50 % provision, and below the Council's normal requirement of one space per dwelling. However, this is a sustainable location within one of the City's largest district centres, it is well served by buses and is within easy walk of two Metrolink stations and there are plans to improve cycle facilities within the area. On balance therefore it is considered that the provision of 50% parking is in this location acceptable.

In order to soften the impact of the parking in the street scene, the proposed development intersperses the parking bays with soft landscaping including trees. Hedging and shrubs. On balance it is considered that these works together with the improvements to the fenestration of the building would improve the appearance of the building in the street scene.

Cycles

The proposed development includes the provision of 5 secure cycle storage lockers each capable of accommodating three cycles and the lower ground level beneath the existing extension at the north end of the building. The storage lockers are behind a gate and are covered making them more attractive to use. A separate locker for two cycles would also be provided for the proposed house. It would be located adjacent to the house for ease of use. On balance the proposed cycle provision is considered to be acceptable.

Green infrastructure

The proposed development has been extensively revised in response to concerns about the loss of the rear garden. In the revised scheme the rear garden is retained and divided into 8 patios with a flat and gravel surface enclosed by a hedge to create semi private areas for use by the future residents.



The patios would be set within an enhanced landscaped setting which would incorporate new shrub and tree planting.

The submitted tree survey identifies 5 groups of trees and 11 individual trees within and adjacent to the site. The Council's Agriculturalist has identified that none of the trees are worthy of Tree Preservation Order status. The proposed development involves the removal of two groups of trees (one comprising 8 privets and the other five trees, namely Holly, Elm, Ash, Rowan and apple) and seven individual trees, three of which need to be removed due to their condition. All of the retained trees are Category B and represent the best specimens on the site. The retained trees include Horse Chestnut, Willow, Sycamore, Ash, Maple and Pear. The proposed development includes the provision of nine replacements, which given the limited size of the site and the need for trees to have space in which to develop is considered to be acceptable. In addition to the retention of the rear garden, albeit in a more formalised manner, it is proposed to introduce areas of soft landscaping to the forecourt of the premises in order to soften the setting of the proposed development. In that the existing forecourt is devoid of planting this is considered to be a positive step both in terms of the provision of green infrastructure and the appearance of the development in the street scene. A condition is proposed that requires the implementation of the landscaping and its initial maintenance.

On balance it is considered that the proposed development will not adversely impact on Blue Green Infrastructure, whilst providing adequate usable amenity space for the future residents.

Air Quality

The proposed development is in a very sustainable location with good access to local services, public transport and the cycle network. By providing 50% parking residents of the development would be encouraged to use alternative means of transport and a condition is proposed requiring the approval of a Travel Plan. As part of the development all of the proposed parking spaces would be provided with charging points, whilst the scheme also includes secure storage for cycles. It is therefore considered that the proposed development would make a positive contribution to improving air quality.

Ecology

Concern has been expressed about the impact of the development of the site on its ecology. In response the applicants commissioned an Ecology Report and this has been assessed by the Greater Manchester Ecology Unit. The unit concluded that “The developer’s ecological consultant identified no significant ecological issues. However, the residents of the building disagree. Whilst the likelihood of great crested newts being present is very low, the tenant’s information on bats is such that the Ecology Unit recommend further information on bats is provided. The survey is scheduled to be carried out on 2 June and it is therefore proposed to add a condition requiring the approval of the survey and the implementation of any recommendations. Issues relating nesting birds and Himalayan balsam could be resolved via condition”. Nesting birds are protected by separate legislation however, it is considered appropriate to attached conditions in respect of the protection of nesting birds and also the treatment of Himalayan Balsam which is present on the site.

The Greater Manchester Ecology Unit has indicated that it is unlikely that the pond would support Crested Newts and as such is of limited ecological value. As a pond in a private garden there are no requirements in respect of its retention unless it is home to a protected species.

On balance it is considered that the proposed development will not have a significant impact on the ecology of the area.

Refuse Storage

The proposed dwelling has its own refuse storage area adjacent to the southern boundary of the site. The refuse storage for the flats is located beneath the existing two storey extension at the northern end of the property, from where the bins can be taken to Barlow Moor Road for collection. In planning terms the refuse storage is acceptable. Confirmation is awaited from Environmental Health that capacity is acceptable. An appropriate condition is proposed regarding the provision and retention of the refuse storage arrangements. Dave – can you make it clear that there will be space for all four bin types

The kitchens within each of the residential units will contain a unit similar to that in the image below for the day to day storage of refuse and material for recycling before it is transferred to the larger communal bins.



Residential Amenity

In terms of the impact on residential amenity there are three areas of concerns, overbearing impact, privacy/overlooking and additional activity within the building and comings and goings.

Overbearing impact the proposed extension is located centrally on the rear elevation of the property. It would be approximately 8 metres from the northern boundary of the site, approximately 7.8 metres from the southern boundary and 17 metres from the rear boundary. In view of these distances it is considered that the proposed extensions would not have an overbearing impact on the adjacent properties.

Privacy/overlooking The proposed rear elevation to the building contains a number of French doors giving access to balconies on the rear elevation. There are three balconies each at ground and first floor levels and a second floor balcony across the full width of the proposed extension. The balconies are approximately 1 metre deep with four on the rear face of the original building and two on the rear of the extension. The rear of the balcony on the extension is approximately 16 metres from the rear boundary of the site. And those on the rear of the main building approximately 19 metres. As the properties to the rear on High Lane are at an oblique angle to the site there would be no direct overlooking into the properties. There is some potential for overlooking the rear gardens of the properties although given the distances involved this is unlikely to be significant. It would also be offset to a degree by the retained trees.

There are high level windows in the side elevations of the extensions however, as high level windows they are unlikely to create overlooking or privacy issues. The side of the balconies are approximately 5.7 metres from the northern boundary of the site, beyond which is the side elevation of a large block of flats and whilst there are some windows in this elevation some of them at least appear to be bathroom windows and therefore obscure glazed. Views from the balcony would be restricted by the rear face of the building and as the neighbouring property is approximately 8 metres away it is not considered that there would be any significant privacy issues in this direction. The balconies to the south are approximately 4'8 metres from the boundary and overlook a single storey side extension. Again it is not considered that there would be a significant loss of privacy to the south.

Additional activity and comings and goings, the proposed development would result in additional activity both within the due to the increase in the number of dwellings in the property although this is offset to a degree by the current use of part of the premises for retail purposes. Most activity in terms of coming and goings would centre on the front of the property where the main entrance and car parking are located. Barlow Moor Road is a busy/noisy route and it is considered that any additional activity is therefore unlikely to have a significant impact on the area. In terms of activity within the building, the whole development is detached from other properties and therefore any impact would primarily affect residents who have bought in to the development.

On balance it is considered that there would be no significant loss of amenity arising from the proposed development

Sustainability

This is a sustainable location with good access to transport links, local services and facilities. The development includes charging points for electric vehicles and provides secure storage for cycling to encourage it as an alternative means of transport. A condition is proposed requiring the approval of a travel plan to encourage the use of alternatives to the private car.

Rather than a new build the proposed development includes the retention and reuse of a substantial part of the existing building. Reclaimed materials will be used where appropriate for the refurbishment. Separate waste collecting bins will be provided within the kitchen design to encourage the separation of waste at source before it is placed in the recycling bins outside. The development will reduce the current level of energy consumption of the existing building. The proposal will improve the energy efficiency of the existing 6 flats adding insulation to the roof, all the floors and introducing modern highly efficient windows. Category A rated energy saving heating systems will be installed in each apartment. The bathrooms will feature water efficient showers and toilets. Category A appliances will be fitted into the kitchens. Energy saving lighting will be installed including motion sensor lighting in external and internal communal areas to reduce energy use. The applicant indicates that the combined energy consumption of the development will be less than the 6 existing homes.

Disabled access

As is typical in conversions of properties of this age it is not possible to achieve level disabled access, however the front step risers are shallow and would be accessible for an ambulant disabled person. Inside the doorways, hallway and stairs are wide, and the kitchen and bathroom layouts are simple, making them accessible for ambulant disabled users.

Tenants

The building owner has been in discussion with the tenants and they are aware that a development will take place. The tenants will be given more time than the period of time that is defined in their tenancy agreements.

In respect of the residential tenants a local Chorlton agent, has been appointed to work for the building owner to assist with the liaison and support of the tenants. The brief to the agent is to give the tenants as much time as possible and assist them with finding alternative accommodation. To give the tenants as much flexibility as possible the building owner intends to offer a 12 month notice period. This proposal is subject to planning, would be put in place a few months after obtaining planning, would effectively give the residents up to 1.5 years to find alternative accommodation.

For the commercial tenants arrangements are more commercially confidential. Arrangements will be made, using the same agent to offer the Business tenants as much time as possible. Tenants who do not have long term agreements with the building owner will be offered up to 12 months notice. Commercial tenants who have agreements that go beyond the 12/18month period, post planning permission, will be assisted to find alternative premises under terms to be agreed in due course.

The building owner has requested an extended period of time to execute the work, beyond the standard planning approval of 3 years, in order to be able to give the tenants more time. Whilst the Council can grant a longer period for the implementation of the development, the Government has previously reduced this period from five to three years in order to ensure that developments are carried out promptly and to stimulate development. On that basis is not considered appropriate to extend the three year period for commencing development should permission be granted

Conclusion.

The proposed development will reuse/repurpose an existing building in a prominent location on a major transportation route within an important District Shopping Centre. The development will add to the range of accommodation available within the area in a sustainable development. On balance it is considered that the proposed development accords with Council policy and is acceptable in all respects.

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

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

benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

Conditions to be attached to the decision

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

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

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

149-PL-GA1 revision A received 16 November 2020

149-PL-GA2 revision A received 16 November 2020

149-PL-GA3 revision A received 16 November 2020

149-PL-GA4 revision C received 14 December 2020

149-PL-GA5 revision C received 14 December 2020

149-PL-GL1 revision E received 12 May 2021

149-PL-EL1 revision C received 14 December 2020

149-PL-EL2 revision C received 14 December 2020

149-PL-EL3 revision C received 14 December 2020

149-PL-EL4 revision C received 14 December 2020

149-PL-OS1 revision A received 16 November 2020

149-PL-AD1 revision D received 12 May 2021

Tree Survey are Arboricultural Impact Assessment reference LTM0047.AIA.02 dated 3 May 2021 received 4 May 2021

Method Statement for working Close to Trees reference LTM0047.MS.02 dated 3 May 2021 received on 4 May 2021

Daytime Bat Survey and Ecological Scoping Survey August 2020 by Rachel Hacking Ecology received 24 September 2020

Waste Management Pro Forma received 12 May 2021

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 development hereby approved shall be constructed using the materials specified on the application forms and in the approved drawings.

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

4) The details of the approved scheme for the storage of refuse shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure that there are satisfactory arrangements for the storage of refuse pursuant to Core Strategy policy DM1.

;

5) No part of the development shall be occupied until the cycle storage provision shown on the approved drawings have been provided. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

6) Before the development hereby approved is first occupied the electric vehicle charging points shown on the approved drawings shall be installed and available for use.

Reason - To secure a reduction in air pollution from traffic in order to protect existing and future residents from air pollution pursuant to core Strategy policies EN16, SP1 and DM1

7) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 149-PL-GL1 revision E received 25 March 2021;, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

8) 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 part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, 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.

9) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

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

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

10) The car parking shown on the approved drawing shall be surfaced, demarcated and available for use before first occupation of the dwellings hereby approved.

Reason - To ensure that there are adequate arrangements for the parking of cars pursuant to Core Strategy policy DM1.

11) Before first occupation the windows in both side elevations 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.

12) A Construction Management Plan shall be submitted to and approved by the Council. This will contain a Noise & Vibration section (in addition to a dust emission section) that shall base the assessment on British Standard 5228, with reference to other relevant standards. It shall also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such out of hours works. Any proposal for out of hours works (as below) will

be submitted to and approved by this section, the details of which shall be submitted at least 4 weeks in advance of such works commencing. Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase. pursuant to Core Strategy policy DM1

13) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Barlow Moor Road shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB LA_{max,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

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

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

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

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

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

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies SP1, H1 and DM1 of the Core Strategy.

15) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

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

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

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

17) Prior to any vegetation clearance, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Himalayan Balsam. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To prevent the spread of Himalayan Balsam, which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

18) No clearance of vegetation or works to buildings or structures (including demolition) that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation or buildings for active birds' nests immediately before the vegetation is cleared or works to the buildings take place and written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site has been submitted to the local planning authority.

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

19) No demolition shall take place during March and October unless bats have been shown to be absent, or, a method statement for the demolition including for the protection of any bats 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).

20) Prior to the first use 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).

21) The garden at the rear of the property shall be used exclusively as amenity space for the future residents of the development hereby approved and shall not be used for the parking of vehicles.

Reason - To protect the amenity space and green infrastructure of the site for the benefit of residents pursuant to Core Strategy Policies Sp1, DM1 and EN9

22) (a) No demolition of buildings or structures shall take place until dusk emergence and/or dawn re-entry surveys to establish the presence / likely absence of roosting bats have been undertaken within the bat active period (May to September, inclusive) and the results, along with any associated mitigation measures, have been submitted for approval in writing by the City Council, as Local Planning Authority.

(b) Any agreed mitigation shall be implemented within a timescale to be agreed with the City Council, as Local Planning Authority, and verification of the implementation of the mitigation shall be submitted for approval in writing within one month of implementation. Any mitigation measures shall then be retained thereafter in accordance with the agreed details.

Reason - In order to determine the presence of bats and ensure appropriate mitigation is agreed in order to mitigate against the impact on bat habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 127241/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:

**Greater Manchester Ecology Unit
Highway Services
Chorlton Voice
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)**

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 : Dave Morris
Telephone number : 0161 600 7924
Email : dave.morris@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
121897/FO/2018	28th Nov 2018	03 June 2021	Moss Side Ward

Proposal Erection of second-floor extension and infill extensions to courtyard to provide prayer hall and classrooms

Location Unity House , 42 Great Southern Street, Manchester, M14 4EZ

Applicant Mr Abdullah , Manchester Somali Islamic Cultural Trust, 42 Great Southern Street, Manchester, M14 4EZ,

Agent Mohamed Muse, Muse Architects, 14 Gerry Wheale Square, Manchester, M14 4UY

Executive Summary

The application proposal relates to a three storey former mill/warehouse building bounded by Greater Southern Street, Crofton Street and Rutherford Avenue in a residential area of Moss Side.

21 nearby properties were notified of the proposal and objections have been received from 7 residents and 2 from local residents groups relating to: impact on residential amenity including noise and disturbance from additional visitors to the centre, overlooking and loss of light from the second floor extension, the development would exacerbate existing car parking and traffic issues in the area. Full consideration of these matters raised is set out with the detailed report.

The applicant has responded to issues raised by neighbours and provided additional documentation regarding the highway impacts of the scheme.

The proposal would assist in providing a prayer hall/youth centre and additional classrooms to an established community hub and place of worship.

A full report is attached for Members consideration.

Application site

The Al- Furquan Islamic Centre occupies a three storey mill building bounded by Greater Southern Street, Crofton Street and Rutherford Avenue in a residential area of Moss Side.

The Centre acts as a community hub and place of worship for the local community and has been in operation since 1997. The Centre currently employees 2 full time members of staff and 3 part-time members.

The Centre can currently accommodate up to 410 worshipers, who regularly attend Friday Jummah Prayer. In addition, daily prayers usually attract up to 120 worshippers.

In addition to prayer the Centre Educates up to 105 students in 7 classes between 10 and 15 students a week.



Photograph 1 View of the Site from the South West on the corner of Great Southern Street and Crofton Street



Photograph 2 View of the site looking North West from the corner of Crofton Street and Great Western Street



Photograph 3 View of the site looking South West from Great Southern Street

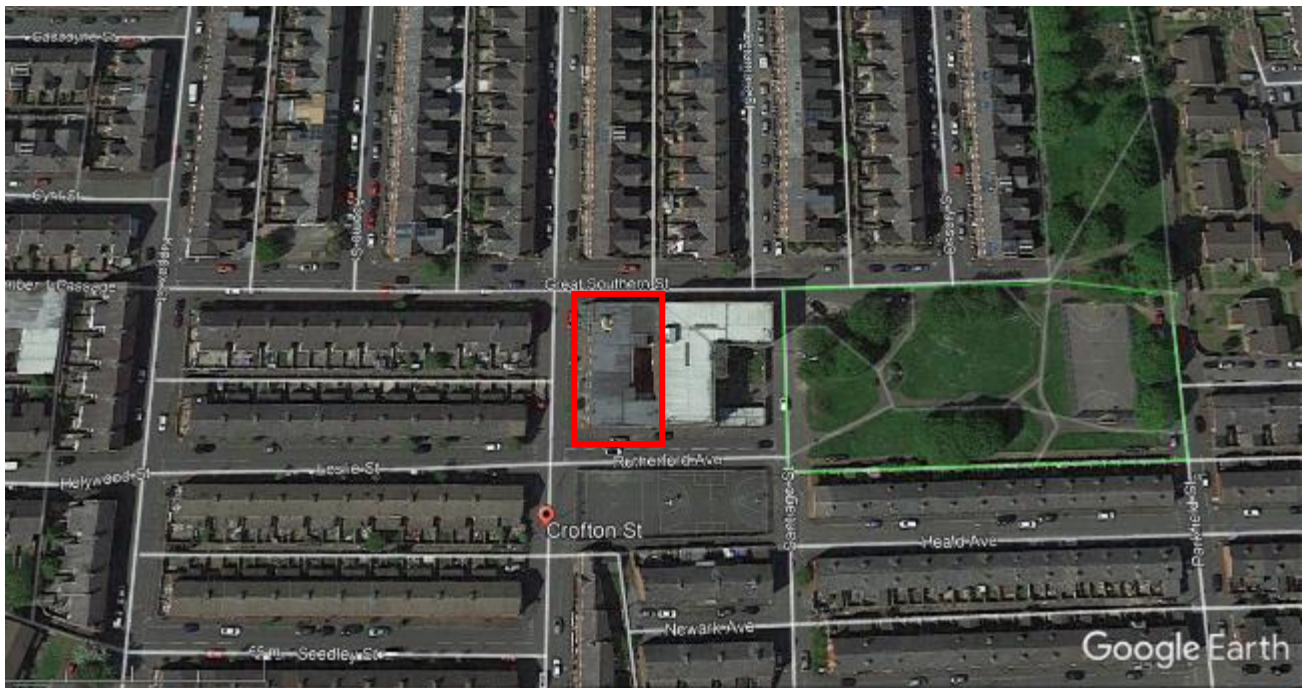


Image 1 Application site marked in red.

Planning History

There has only been one previous application on this site and that was in 2011 for a single storey extension on Crofton Street elevation to provide a means of escape under planning reference: 096010/FO/2011/S1 and was approved In July 2011.

Description of proposed development

The applicant is seeking improvements to the centre to provide services and facilities for the youth, women and engaging modern after school education facilities to support children with their education. In addition, the centre seeks to improve access for elderly and disabled by modernising and improving the building.

The applicant seeks to achieve this by erecting a roof extension and a two storey infill extension to the courtyard to provide additional floor space for the users identified above. This extra floor space would allow for the provision of a prayer hall/youth centre which would be connected to the existing prayer hall on the ground floor by 3 interconnecting doors.

At first floor the additional floor space could be subdivided with bi-folding doors which would allow the floor to be either 1 large classroom or 4 smaller classrooms.

The proposed roof extension would provide an additional floor that would allow 6 classrooms, male and female toilets, an office and a small kitchen area with a break area.

Consultations

Local Residents – A total of seven representations were received from local residents objecting to the application, a summary of their comments are as follows:

- There is no car parking provided at the mosque;
- Whilst the role of the Al Furqan centre plays in the local community is recognised the proposal would lead to an increase in on street car parking making it difficult for residents to park near their homes
- The proposal would increase traffic congestion and highway obstructions;
- The additional floor would be overbearing removing natural light and it is out of character compared to the existing building;
- The proposed opening hours and additional people attending the mosque would have a detrimental impact on mental health and wellbeing;
- An increase in activity and users would lead to increased noise and disturbances as a result of car doors opening and closing, vehicle movements and talking particularly later at night;
- Also concerned about the possibility of increased litter associated with the proposed increase in number of visitors.
- One representation expressed concern that the notification catchment was not wide enough to notify all that would be affected by the works.

Platt Claremont Residents Association – Object to the planning application and have also provided photographs of the car parking on neighbouring streets.

- Prior to the application submission the resident's association had received a number of complaints from local residents (Crofton Street, Great Southern Street and Santiago Street) regarding the number of cars blocking pavements and parking close to the mosque especially on Fridays,

- The proposal would significantly increase footfall and the use of the mosque and would exacerbate this problem further.
- Concerned that there is sufficient number of refuse provision from the Mosque which also caters for large events such as meals at Ramadhan.
- There is a disparity between the planning statement and the opening and closing times.
- It is unclear how many existing people visit the mosque and it is unclear how many additional people will be able to attend as a result of the works.
- The proposal will allow for an increase number of visitors for key festival times;

Rusholme & Fallowfield Civic Society – Object to the application.

- Highlight that there are differences between the opening hours on the application form and those provided in the planning statement. Later opening hours would result in far more disturbance to local residents.
- Drawing AF14 is titled incorrectly and none of the plans show the orientation which would have been helpful.
- Not all rooms are labelled on the proposed roof plan drawing AF08. This room would provide views into peoples back yards and there is a potential for noise break out from this room.
- It is unclear how many classes will be per day and the number of attendees per class.
- Proposed numbers are stated of people who will be attending, however there is no indication of existing numbers attending.
- The Society also raised concerns that the notification catchment was not wide enough to notify all that would be affected by the proposal.
- There is pressure on local parking when the mosque meets too.
- There have been three separate car accidents on Crofton Street and near to the Great Southern Street junction and indicates that street is unsuitable for larger influxes of people arriving all at once on several occasions throughout the day.
- The surrounding streets already experience on street car parking problems due to commuters and pressures from car ownership from Houses in Multiple Occupation (HMOs).
- The proposal would have a detrimental effect on the nearby houses due to the increased noise and activity from the building. The Society highlights that singing could be hear clearly from Ossory Street and a more intensive use would leave to unacceptable levels of noise that will affect residential amenity.
- Not aware of any current restrictions on opening hours and the number of people who will be able to attend.
- Question the adequacy of the waste provision.

Highway Services – The following comments have been received.

The adopted highway extends to the back of the footway and there is no kerbside restrictions in the vicinity of the site. A 20mph speed restriction is in place on all roads surrounding the proposed development site.

Highways noted that the planning statement provided details on the number of visitors to the Centre which increase for Friday prayers and that educational classes will be provided for 15 people. However, highways sought further information regarding the opening hours, the existing numbers of visitors and the use of the site at full capacity in terms of vehicle trip generation and what impact this will have on the local highway network. This information was provided within a Transport Statement.

The proposal does not offer any off-street car parking and there is likely to be an increase demand for on-street car parking, Highways have recommended that a condition is applied to ensure that the applicant develops a Full Travel Plan in order to encourage sustainable modes of travel to and from the site and will also ensure that visitors are informed of where to park to minimise the impact on existing residential parking in the area.

Highways have also recommended that the applicant provide cycle parking.

Highways are satisfied with the waste collection arrangements.

A Transport Statement was submitted by the applicant following discussions with officers regarding the proposal which included a travel survey to assess the impacts of the development on the local highway network.

Highway Services have reviewed the Travel Statement and recommend that parking management strategy is developed which includes traffic marshalling during Friday Prayer and at large gathering such as weddings, funerals etc.

Environmental Health – Environmental Health did not objection to the proposed development and they have recommended conditions requiring that the premises is acoustically insulated and treated to limit the break out of noise and that any external mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Both conditions will require a verification and post completion report to ensure that the works meet the standards required.

Policy

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

Manchester Core Strategy

The adopted Core Strategy contains several planning policies relevant to the consideration of the application proposals. These are set out below:

Policy T1 - Sustainable transport

This policy embeds the delivery of a high-quality integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. It indicates support for proposals that: improve choice by delivering alternatives to the car; promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services; improve access to transport services and facilities for all; improve pedestrian routes and the pedestrian environment; facilitate modes of transport that reduce carbon emissions; reduce the negative impacts of road traffic.

Policy EN1 - Design Principles and Strategic Character Areas

Developments in Manchester are expected to follow the seven principles of urban design and have regard to the strategic character area in which the development is located. The application site is located in the southern character area where development is expected to retain the identity and focus of activity associated with the historic district centres and along the radial routes should be commensurate in scale with the prominence of its location.

The application proposals have been designed to reflect the context and character of the area. Consideration of this matter is set out in more detail within the issues section of this report.

Policy DM1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

Appropriate siting, layout, scale, form, massing, materials and detail.

Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Vehicular access and car parking.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green Infrastructure including open space, both public and private.

The use of alternatives to peat-based products in landscaping/gardens within development schemes.

Flood risk and drainage.

Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms

of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

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

Year 2010 - Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

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

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

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

It is considered that the proposal is consistent with the policies contained within the UDP and more consideration of these matters is set out within the Issues section of this report.

The National Planning Policy Framework (February 2019)

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

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

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Section 14 (paragraphs 148 to 169) of the NPPF is titled 'Meeting the challenge of climate change, flooding and coastal change'. It emphasises the role of the planning system in support the transition to a low carbon future. It should help shape places to reduce greenhouse gas emissions, minimise vulnerability and improve resilience. In addition, the Chapter sets out that development in areas of at risk of flooding should be avoided.

Other legislative requirements

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

Principle – The applicant seeks to provide additional prayer hall/youth centre and classrooms in connection with the existing use of the site as an Islamic Centre. The consideration of the impacts of the proposals in relation to these matters is set out and considered in more detail below.

Scale, Design and Appearance – The submitted application proposes to erect a roof top extension and infill extensions to courtyard to provide prayer hall and classrooms and a kitchen area.

The proposed roof extension would be the same height as the current tallest part of the building at 10.86 metres (photograph 1) and leave a minimum gap of 1.74 metres to the adjoining 3 storey factory building at 44 Great Southern Street.

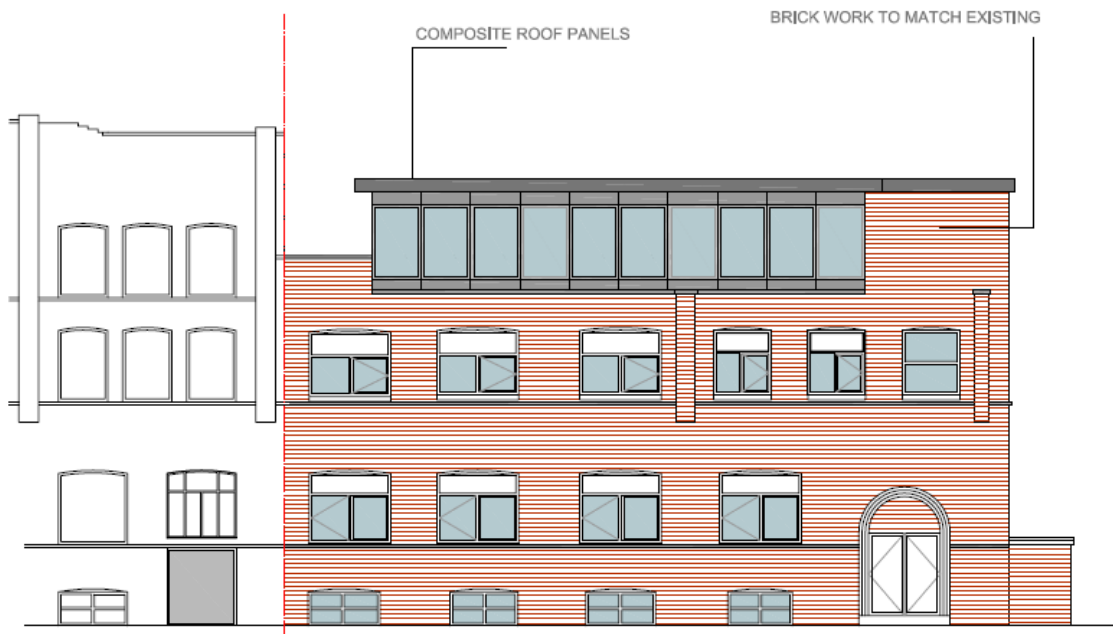


Figure 1 Proposed Elevation as viewed from Great Southern Street

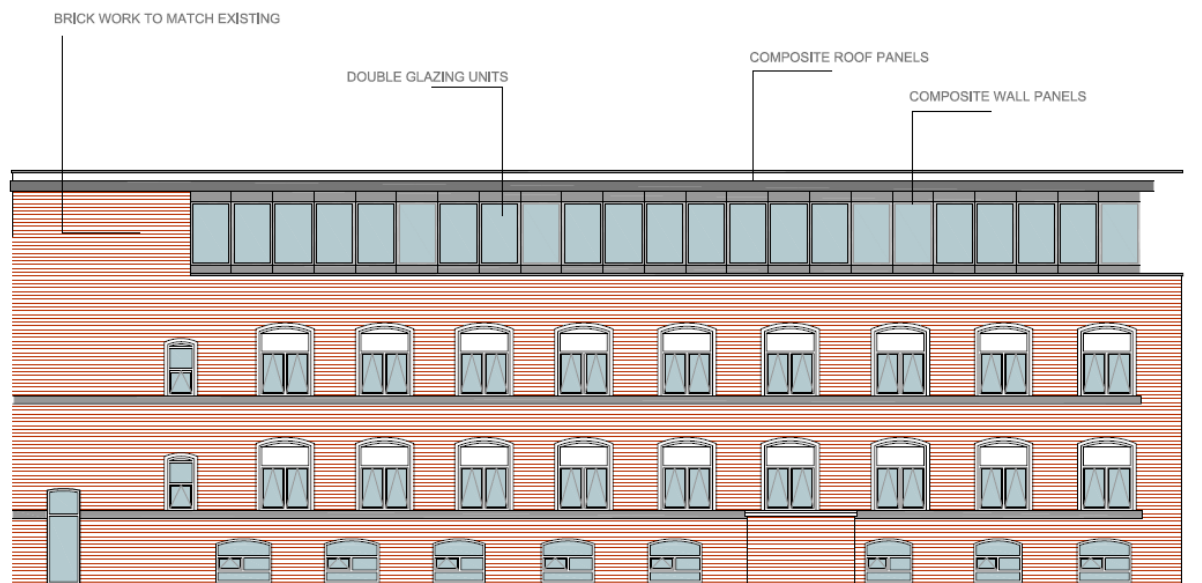


Figure 2 Proposed Elevation as viewed from Crofton Street

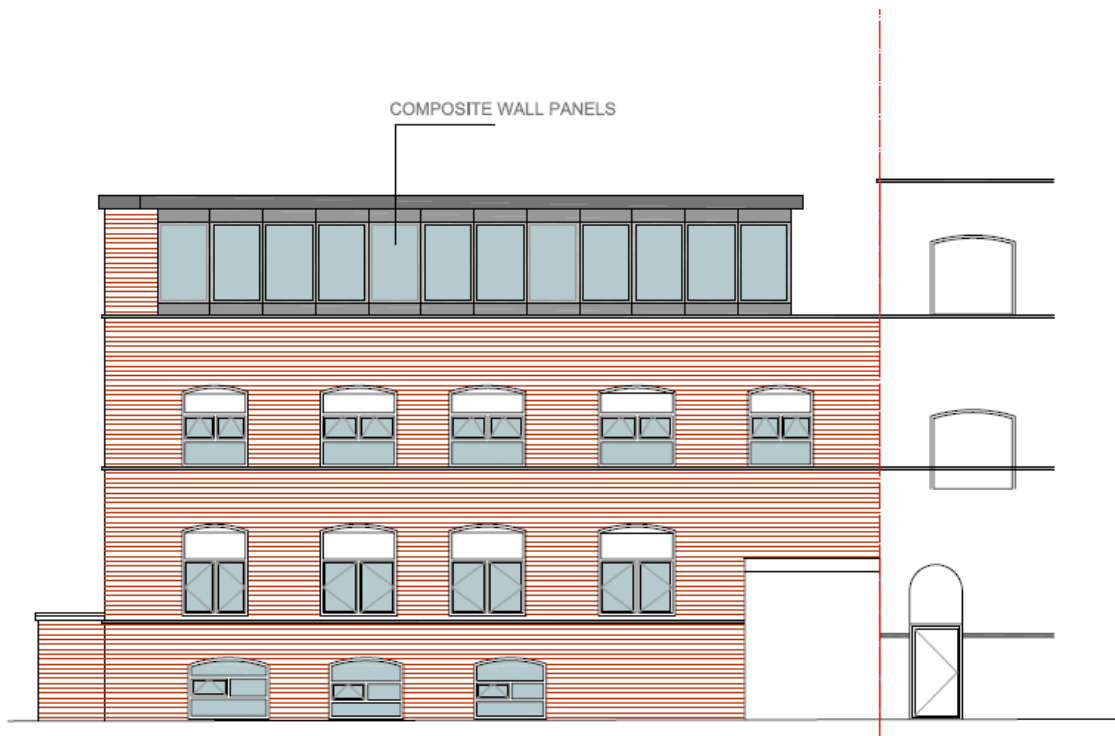


Figure 3 Proposed Elevation as viewed from Rutherford Avenue

As shown in figures 1 and 3 the proposal would be lower in height than the adjoining building No.44 Great Southern Street. The extension to the roof would be set back by 1 metre from the edge of the building which will help to ensure that the extension on roof appears subservient to the host building. The nearest residential properties are to the North and West of the Centre separated by approximately 14 and 16 metres as shown on figure 4.

The properties to the north are no.37 Crofton Street (photographs 4 and 5) and no 38 Deramore Street. As seen in the photographs no.37 Crofton Street presents its gable end to Great Southern Street and there are no windows in this elevation, the first floor side window in the rear outrigger is obscurely glazed and appears to be a bathroom window, at the ground floor there is a door and a large window to what appears to be a kitchen area. Therefore no habitable rooms would be impacted upon should the application approve and together with the separation distances and scale/mass of the extension as described above it is considered that there would not be an undue loss of amenity or light to the current and future occupiers of the property.

The impact on No.38 Deramore Street is large mitigated by the obtuse angle towards the application site and the scale/mass of the development together with the distance would ensure that there would not be an undue loss of amenity or light to the current and future occupiers of the property.



Photograph 4 and 5 No. 37 Crofton Street and No. 38 Deramore Street as viewed from the application site



Photograph 6 and 7 40 Great Southern Street and 44 Crofton Street

Both the gable end of No.40 Great Southern Street and front elevation No.44 Crofton Street are east facing and therefore any impact on light to these properties would not be a result of loss of direct sunlight from the roof extension. In addition, No.40 Great Southern Street is a side elevation with secondary windows, the principal elevation faces towards the north.

Although there would be a greater mass than the existing building, the proposal would be similar to the taller elements on the existing roof of the building and adjacent factory. Furthermore an adequate distance would be maintained between the proposed roof extension and the houses to the north and west of the Centre, and it is not considered that the proposal would have an unacceptable overbearing and unduly detrimental visual impact upon the occupiers of these properties on Great Southern Street and Crofton Road.

The roof extension is of simple contemporary design and is proposed to be constructed of a metal frame with linear composite panels which would contrast with the red brick of the building but would present a modern and light weight addition to the former factory/warehouse building. As shown in figure 1, the proposed extension would still be lower than the height of the adjoining building and with the setback from the edge of the building, therefore would reduce the massing on the streetscene.

The overall design and scale of the building is therefore considered to be appropriate in this location and when viewed in the context of the street scene the proposal would have a similar visual impact. Final materials would be dealt with by means of a condition to ensure that they are appropriate for the building.

In addition to the roof extension the applicant also seeks a two storey extension within the courtyard area to provide additional floor space to the ground and first floor for classrooms and a prayer hall.

There are no concerns with the siting of the infill extensions to the ground and first floor as they will be obscured from the view of the public highway by the existing building and would not have an impact on residential properties.

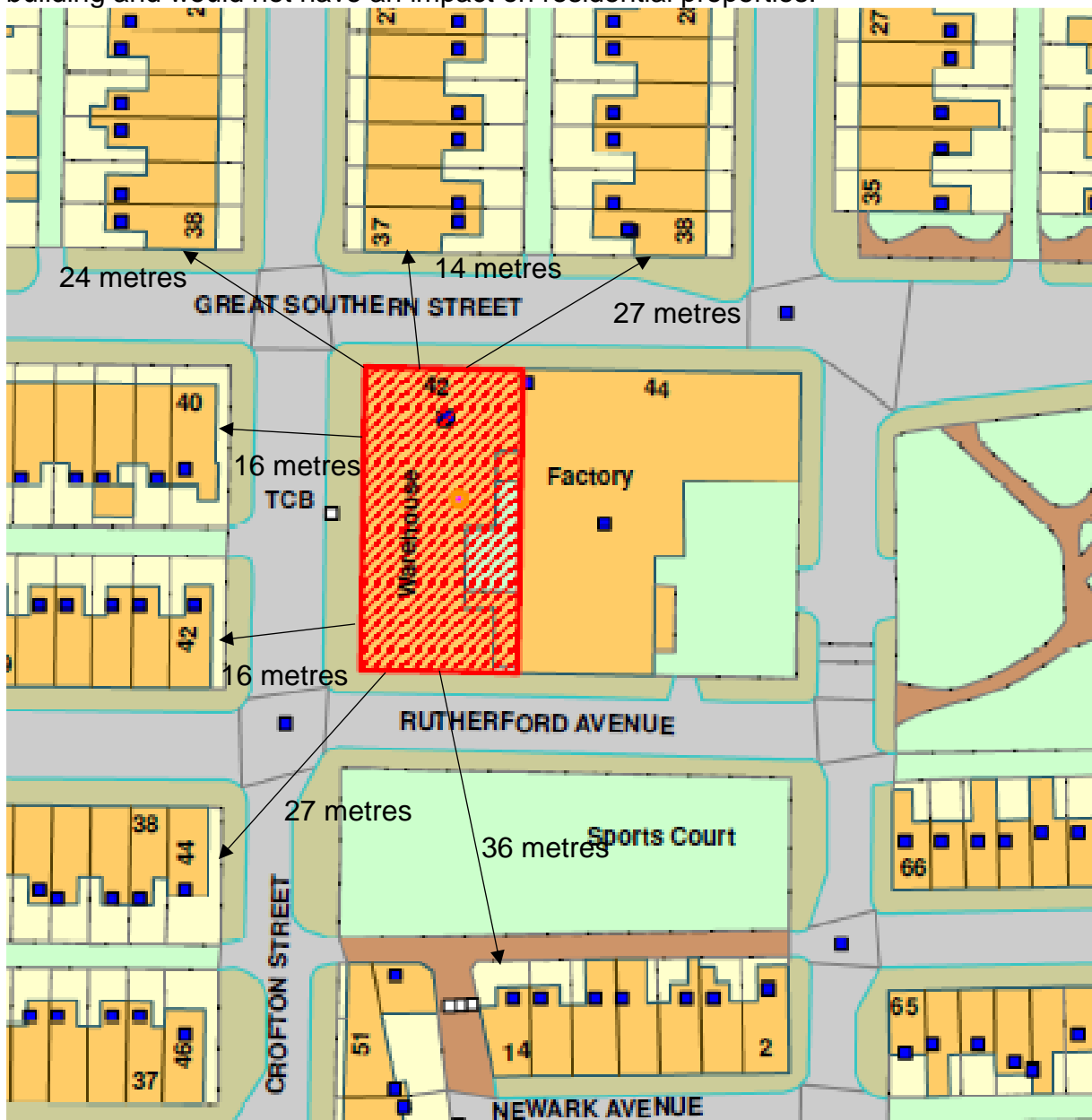


Figure 4 Distance (approximate) to the nearest residential properties

Residential Amenity – From the representations received it is clear that the use of the building does have some impact upon the residential amenity of the nearby

residential occupiers, in particular as a result of car parking and traffic which in addition to the commuter parking does result in associated disturbance to the nearby residents. Concerns have also been raised regarding noise emanating from the building and the potential for overlooking from the roof extension.

The proposed roof extension (figure 5) contains windows within the elevations especially to Great Southern Street and Crofton Street and as they would be an elevated position, despite the separation distances discussed in the section above, there is the potential for overlooking, the applicant has agreed to obscurely glaze the roof extension windows which would ensure that there is no overlooking to the nearby residential properties which would protect and safeguard the amenity of residents.

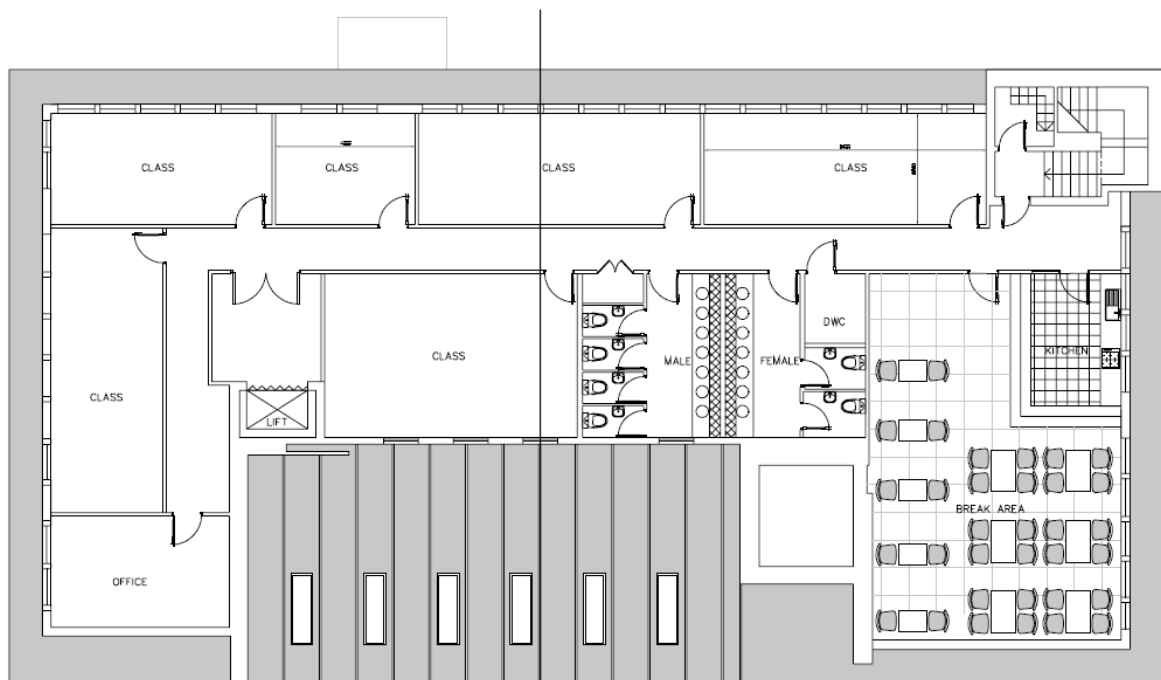


Figure 5 Proposed roof extension floor plan

Environmental Health have recommended conditions to minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site have also been inserted.

Conditions requiring a travel plan and a car parking management strategy would help to minimise the existing and future impacts from car parking problems. These will be discussed in more detail in the section below.

A number of concerns have been raised regarding the proposed hours of opening but it is important to note that there are currently no restrictions in place to restrict the opening hours for the Class F1 (place of worship) use. During the application officers have discussed with the applicant in respect of hours and to better understand how the centre is used as a place of worship. It is understood that there are differences to the opening hours between summer and winter and to simplify opening times the centre has proposed opening hours of 8am to 9pm.

Therefore, as a condition of the approval the hours are recommended to be restricted to 8am to 9pm Monday to Sunday which will be an improvement on the current circumstances where the Centre is allowed to be open at any time. This would protect residents from early morning and late-night disturbances.

Traffic Impacts/Car Parking – Residents are concerned that an increase, in the size of the building, would naturally lead to an increase in the demand for car parking on the surrounding streets together with associated noise, disturbance from people and cars and controlling this element of the development is considered to be key in determining whether the proposed development can co-exist with the existing adjoining residential properties.

A Transport Statement was submitted by the applicant following discussions with officers regarding the proposal which included a travel survey to assess the impacts of the development.

The travel survey reveals that 54% of visitors walk to the Islamic Centre, with a further 5% cycling which could be an indication of the local community the Centre serves. 37% travel by car with an average car carrying 1.9 passengers per vehicles.

Both the planning statement and travel statement indicate that the proposal would allow the following increase in visitors to the Centre. Although it is the case that there are no restrictions on the existing capacity of the premises and numbers visiting could increase. The grant of planning permission would allow conditions to be imposed which would mitigate existing impacts. The following information has been submitted:

- Friday Jummah Prayer – 550 worshippers, an increase of 140 on present numbers;
- Daily prayer – 150-200 worshipers, an increase of 30-80 on present numbers; and;
- A total of 150 students across the week, an increase of 45-80 on present numbers.

Therefore, based on 37% person travelling by car with 1.9 passengers then it would suggest that there is an existing requirement for 78 vehicles (at present) requiring parking for a typical Friday increase by 27 vehicles to 105 vehicles as a result of the proposed development. Highway Services have reviewed the Travel Statement and recommend that parking management strategy is developed which includes traffic marshalling during Friday Prayer and at large gathering such as Eid, weddings, funerals etc.

From discussions with the applicant it is understood that there is already traffic marshalling during Friday Prayer and any large gathering such as weddings and funerals are carried out by the Centre except in Ramadan (month of fasting) where they commission a private company to oversee this task. The applicant has agreed to formalise car parking management and it is considered that this would create an improvement upon the existing situation, for residents particularly on Fridays and other celebrations where it is acknowledged that demand for car parking could place pressure on the local highway network, however, it is considered that, with the use of

car parking management strategy including use of wardens and a travel plan any potential impact upon residents can be minimised.

The travel plan would set firm objectives and targets to encourage more people to move away from car travel and towards public transport, walking, cycling and car sharing by raising awareness of the advantages and potential for travel by more sustainable means. This in turn will reduce the traffic generated by the Centre and reduce the demand for car parking around the centre especially at the busier times for the Centre.

A Travel Plan Co-Ordinator would also be appointed to oversee, acting as point of contact for visitors and make key-decision regarding the travel plan.

The attached travel plan condition would require that within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to a commitment to surveying the travel patterns of visitors during the first three months of use of the development and thereafter from time to time. The accompanying travel statement indicates that the travel plan would be update every 3 years thereafter, this will allow the Centre to adapt to any changes in visitors numbers.

It is therefore considered that the proposal would not have an unduly harmful impact upon local residents and would not exacerbate on-street parking issues or traffic difficulties in the vicinity of the site.

Additional cycle parking should be provided to provide alternatives means of transport to the centre and a suitable condition has been attached to the end of the report.

Accessibility – The entrance on Rutherford Avenue would be retained as the main access into the building is via a ramp that is accessed from the internal courtyard. The building has an existing lift that allows access to all floors and the roof extension, the applicant has confirmed that the lift would be improved to accommodate and allow for disabled access.

Sustainability – The proposed extensions would allow for the adaptation and continued use of the building, rather than demolition and new build. The applicant has confirmed that materials for construction would be sustainably sourced and that they will be seeking further improvement in the future such as solar panels following an environmental assessment to seek how the centre can improve its performance and efficiency in terms of energy, waste and water usage.

Lastly, the travel plan would also encourage sustainable travel to the centre as discussed above.

Waste Management – There have been concerns raised regarding waste and whether they're sufficient for the proposal, however the drawings clearly show that the bins would be stored within the site with access to a dedicated bin store from Rutherford Avenue.

Highway Services and Environmental Health have not raised any concerns with refuse storage at the site.

Air Quality – Air quality surrounding the site will be improved by the travel plan which will encourage visitors to use alternative means of sustainable transport to the centre, thus helping to reduce private motor vehicles and associated emissions.

Notification – Two representations raised concerns regarding the notification, however as shown by the map at the end of this report all adjoining neighbours were notified of the application as prescribed by the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Conclusion – The proposed development would allow for an increase in numbers of visitors to the Islamic Centre but it is the case that this is a well established community use with no planning controls in place at the present time. The scheme proposed includes the recommendation of conditions which would mitigate against existing impacts as well as proposed potential impacts. The proposed scheme would also allow the centre to improve the services it provides to the local community located close to that community.

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 and/or issues arising in relation to dealing with the application have been communicated to the applicant.

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:

AF05, AF06, AF07, AF12, AF13 and AF14 stamped as received by the City Council as Local Planning Authority, on the 20.11.2018

AF08 B stamped as received by the City Council as Local Planning Authority, on the 06.03.2021

Waste Management Strategy stamped as received by the City Council as Local Planning Authority, on the 22.11.2018

Transport Statement VN201784 stamped as received by the City Council as Local Planning Authority, on the 09.12.2020

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

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

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

4) No development that is hereby approved shall commence unless and until the extensions hereby approved are acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

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

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

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

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

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

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of visitors during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

7) Car parking at the site shall only operate in accordance with a car parking management strategy that shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority prior to the first use of the extensions hereby approved. For the avoidance of doubt this includes the staggering of gatherings, marshals during Friday Prayer and any large gatherings or events such as weddings and funerals. The site shall thereafter operate in accordance with this approved car parking management strategy.

Reason

To ensure the effective management of car parking at the site and in order to reduce levels of on-street parking in the vicinity of the site, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

8) Before first occupation the roof extension windows in the Great Southern Street and Crofton Street elevations 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.

9) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

10) Prior to the commencement of development a Construction Management Plan shall be submitted and approved in writing by the City Council as local planning authority. The Construction Management Plan shall include:

- Detail the quantification/classification of vehicular activity associated with the construction including commentary on types and frequency of vehicular demands together with evidence (appropriate swept-path assessment);
- Details of the location and arrangements for contractor parking;
- Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

The development shall be carried out in accordance with the agreed details.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy Development Plan Document.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 121897/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

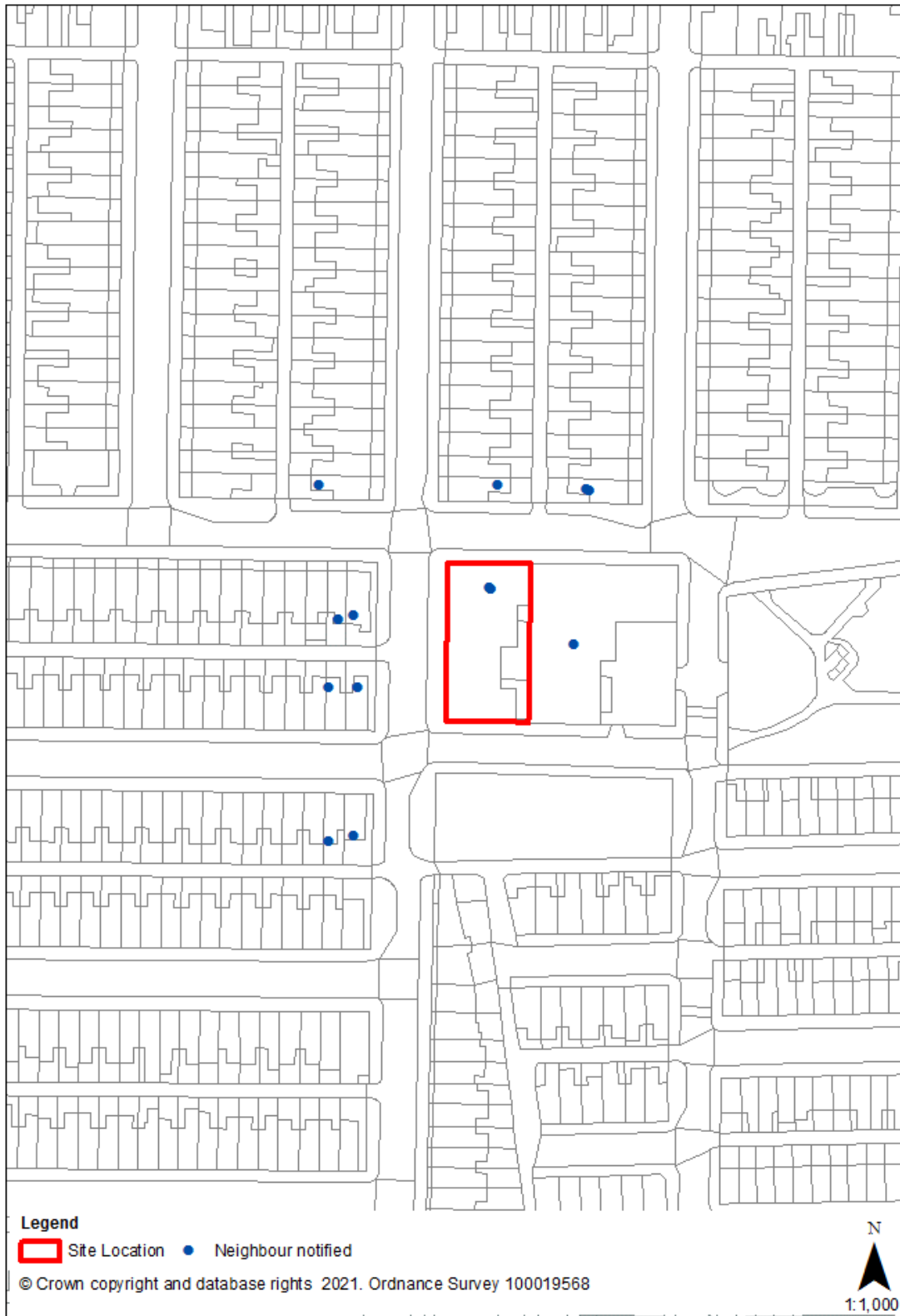
**Highway Services
Environmental Health
Greater Manchester Police**

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

Representations were received from the following third parties:

Highway Services
Environmental Health

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



Application Number	Date of Appln	Committee Date	Ward
127016/FO/2020	3rd Jun 2020	3 rd June 2021	Withington Ward

Proposal Erection of two storey rear extension to create 9no. self contained flats together with various other works including internal alterations, the rebuilding of gate piers, the laying out of car parking area and the provision of a cycle store and refuse store

Location 363 Wilmslow Road, Manchester, M14 6XU

Applicant Feltham Management Limited , 20 Aldwych Avenue, Manchester, M14 5NL,

Agent Alyn Nicholls, Alyn Nicholls & Associates, 140 Denby Lane, Upper Denby, Huddersfield, HD8 8UN

Executive Summary

Proposal – This planning application relates to an end of terrace Grade II Listed Building which was formerly used as GP Surgery from the late 1970s until 2010. Planning approval and listed building consent were granted in 2015 to convert and extend the property to form 9 no. self-contained apartments. Works were subsequently undertaken to convert the property but these did not conform to the planning and listed building consents granted. Whilst those unauthorised works are subject to Enforcement action following the dismissal of planning appeals for their retention, the applicant has submitted further applications subject of this report. The proposals seek the erection of a basement plus two storey rear extension with associated works subject to the buildings conversion to form 9 no apartments. An accompanying report for listed building consent application relating to this planning application also appears on the agenda for this committee meeting.

Public Interest – Withington ward members have written to object to the proposals and to support the residents objections. 3 objections from residents have been received and a further objections have been received from Withington Civic Society, South East Fallowfield Residents Group and the Fallowfield Community Guardians. The concerns raised relate to the proposals not improving the social and environmental conditions of the area, and, that the two storey rear extension fails to preserve the Grade II designated heritage asset, causing harm that does not benefit the neighbourhood.

Principle – The Council has previously determined that the conversion and extension of the Grade II Listed property to form self-contained apartments is acceptable through the granting of planning and listed building consent references 107448/FO/2014/S1 and 107449/LO/2014/S1. The adopted local planning policies these previous applications were determined under remain up-to-date and unchanged. As set out within this report and that accompanying the listed building consent application the principle of the development is considered acceptable and in

accordance with the adopted local plan policies and the National Planning Policy Framework.

A full report is attached for Members consideration.

Background information

The applicant has undertaken works to convert and extended the application property to form ten residential apartments. As will be set out in the planning history section below, whilst planning and listed building consent was granted in 2015 for the conversion and extension of the property to form nine apartments (application references 107448/FO/2014/S1 and 107449/LO/2014/S1), the works subsequently undertaken were not in accordance with those approvals. The works undertaken increased the number of apartments at the property to 10 in total (a net gain of one apartment), the rear extension constructed is larger and works, to both the interior and exterior of the listed building went beyond that approved in 2015. In addition, alterations and removal of original listed fabric was undertaken which is more significant and intrusive than was envisaged as part of the 2015 permissions.

As such the use and the extensions undertaken are unauthorised and are subject to an enforcement notice seeking the use of the property as apartments to cease and the rear extension to be removed and the rear of the listed building to be reinstated in its original condition.

In order to regularise the unauthorised development that had been undertaken the applicant submitted planning and listed building consent applications in July 2018 references 120505/FO/2018 and 120506/LO/2018. These applications were refused in October 2018 for the following reasons:

The extension the subject of this application by reason of its excessive size, design and detailing fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12(Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment)of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

The installation of in total 11 roof lights on the front and rear elevations fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12(Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment)of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

The removal of original fabric to facilitate the conversion of the property fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester.

The use of unsympathetic materials in the construction of the extension and the conversion of the property fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester.

An appeal into those decisions was subsequently made by the applicant and these appeals were subject to a Public Inquiry held in May 2019 with the appeals being subsequently dismissed by an independent Planning Inspector in July 2019.

The current application proposals set out below seek to overcome the previous reasons for refusal.



Unauthorised rear extension as viewed from neighbouring property



Unauthorised extension as viewed form rear of application property



Unauthorised rear extension as viewed from Besford Close



The unauthorised extension when viewed from Wilmslow Road

Enforcement

An Enforcement Notice and Listed Building Enforcement Notice were issued on 14 August 2017; these notices required the cessation of the use of the property as flats and removal of the unauthorised rear extension and remain extant. The recommendation of this application would have no effect on these notices.

The notices were amended to allow for an alternate period for compliance to that originally imposed, this requiring the flats use to cease by 2 February 2020 and then for the demolition of the rear extension by 17 July 2020. All evidence suggests that the property owner complied with the first stage of the notice by the deadline. However, the secondary element was impacted by the Covid-19 pandemic and to allow for the application process to continue without unnecessary hindrance. Officers have taken that further opportunity to continue to work with the applicant and secure a proposal that can now be supported.

The proposal the subject of this application, if granted, would allow the applicant to either implement this scheme or under the terms of the Enforcement Notice and Listed Building Enforcement Notice, restore the land and building to its condition before the breach took place, namely, to demolish the currently unauthorised extension and reinstate the original elevations.

The Council is mindful that the Covid-19 measures have not yet fully eased and that in the event of this application being granted it would take time for the applicant to begin its implementation, the Enforcement Notice and Listed Building Enforcement Notice would be amended to allow until 31 March 2022 to achieve compliance with those outstanding elements.

Description

The application property is a grade II listed building, having been formally designated in 1974, and forms an end property of a short terrace row of three buildings known as 'Norton Place'. The property was originally constructed as a dwellinghouse, along with the other two buildings in the row. Predominately two storey in height, the property benefited from a basement area, two-storey outrigger to the rear and attic accommodation.



View of the front of 363 Wilmslow Road

The front of the property has two ground floor bay windows with central entrance door way and steps. The bays and doorway have distinctive decorative detailing as do the eaves of the property. The upper floor windows have vertical sash windows, with vertical glazing bars, and a more simple stone surround.

The side gable wall to the property has a similar bay window as the front elevation with decorative features and an upper floor window, which again follows the same style and features as the front elevation.

The rear elevation of the property was once characterised by a two-storey outrigger. This was similar to the outriggers, which remain evident within the remainder of the terrace row at properties 359 and 361 Wilmslow Road known as 'Norton Place'.

A low boundary wall and gate post mark the entrance to the front curtilage of the property which once formed the front garden and now consists of hardstanding for car parking. To the rear of the property is a landscaped garden area with cycle store and bin store.

The list description for the property indicates it was in use in 1974 as offices and the planning history for the property indicates it was used as a medical centre from 1979

to 2010. There appears to have been an education use in the building subsequently prior to it becoming vacant.

The surrounding area is mixed use in nature. The application property, together with the other properties in the terrace that form Norton Place, retain their residential character.

Development Proposals

The applicant seeks planning permission for the erection of basement and two storey rear extension to create 9no. self-contained flats together with other works including internal alterations, the rebuilding of gate piers, the laying out of car parking area and the provision of a cycle store and refuse store. The applicants supporting statements indicate that the proposals subject of this application conform closely to the proposals for the conversion and extension of the property to form 9 no. apartments granted planning and listed building consent in 2015.

The application proposals are for four one-bed duplex apartments on the ground level and basement, two one-bed flats on the first floor, a two-bed flat in the attic and two two-bed flats in the extension to create a total of nine apartments. The applicants submitted information indicates that each duplex apartment would occupy one of the original rooms on the ground level and the corresponding space in the lower ground floor. The first floor apartments would each occupy two rooms, front to back, while the two-bed apartment would occupy the three existing rooms on the upper level. The rooms located towards the front of the building on the ground and first floor have been refurbished and returned to close to their original size. The applicant indicates that the number of partition walls introduced have been kept to a minimum throughout the existing building. The extension has two storeys and a floorplate of about 60m² per floor. The extension would be constructed traditionally, with loadbearing brick-faced cavity using salvaged bricks, slate roof. Windows and doors are to be of painted timber.

A separate listed building consent application (reference 127017/LO/2020) has also been submitted and is subject to a separate report appearing on the Committee agenda.

Relevant Planning History

March 2001 - Application for Planning permission 061665/FO/SOUTH1/01, Part single part two storey rear extension, new entrance at side of property with access ramp and parking at rear. Approved June 2001.

March 2001- Application for Listed Building Consent 061666/LO/SOUTH1/01, LISTED BUILDING CONSENT Part single part two storey rear extension, new entrance at side of property with access ramp and parking at rear and internal alterations. Approved June 2001.

May 2008 -Planning application 086507/FO/2008/S1 Erection of a part single/part 2 storey extension at rear of property and entrance ramp and new entrance at side of

property. Provision of parking spaces in rear garden with associated landscaping. Approved July 2008.

May 2008 - Application for Listed Building Consent 086581/LO/2008/S1 LISTED BUILDING CONSENT for the erection of a part single/part 2 storey rear extension, new access ramp and side entrance, car parking in rear garden and associated landscaping Approved July 2008.

July 2014 - Planning application 106424/FO/2014/S1 Erection of part single, part two-storey rear extension to existing building together with excavation of rear garden to create nine flats, with landscaping and parking Approved September 2014.

July 2014 - Application for Listed Building Consent 106425/LO/2014/S1 Listed Building Consent for the erection of part single, part two-storey rear extension to existing building together with excavation of rear garden and internal alterations in association with the creation of nine flats, Approved September 2014.

March 2015 -Planning application 107448/FO/2014/S1 Erection of part single, part two-storey rear extension to existing building together with excavation of rear garden to create 9no. self contained flats with landscaping and parking, Approved May 2015.

March 2015- Application for Listed Building Consent 107449/LO/2014/S1 Listed Building Consent for the erection of part single, part two-storey rear extension to existing building together with excavation of rear garden and internal alterations in association with the creation of 9no. flats, Approved May 2015.

June 2017 Planning application 116773/FO/2017, Change of Use from doctors surgery to create 10no. self contained flats including the erection of a basement and two storey rear extension to existing building together with excavation of rear garden with associated landscaping and parking, Refused August 2017

June 2017 -Application for Listed Building Consent 116774/LO/2017, Listed Building Consent for the erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking ,Refused August 2017

July 2018 - Planning application 120505/FO/2018, Erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking, Refused October 2018.

July 2018 - Application for Listed Building Consent 120506/LO/2018, Listed Building Consent for the erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking. Refused October 2018.

Appeal against refusal of Planning permission 120505/FO/2018 and 120506/LO/2018 dismissed following Public Enquiry in July 2019.

Consultations

The application was subject to notification letters sent to neighbouring properties and statutory consultees, and also by way of notice posted at the site, and advertisement in the Manchester Evening News as an application affecting a Listed Building. The following responses to these notifications were received:

Councillor Chris Wills – Has written to object. This is a listed building which has recently been subject to a planning inquiry for building a two storey rear extension which was not built according to planning permission. The appeal was dismissed. This was a positive outcome for both local residents and Councillors.

The proposed application does not improve the social and environmental conditions of the area, nor comply with the development plan. Therefore, it does not comprise sustainable development. The two storey rear extension fails to preserve the Grade II designated heritage asset, causing harm that does not benefit the neighbourhood.

Planning permission for a rear extension at 359 Wilmslow Road (part of Norton Place Listed Building) was refused in July 2017. The large rear extension proposed at 363 Wilmslow Road is out of keeping due to its size and bulk and proximity to family gardens in Besford Close at the rear. The proposed extension is very large, almost as large as the footprint of the original building.

If an extension at the rear of 359 Wilmslow Road which forms part of the Norton Place listed building, then equally the proposed extension at 363 Wilmslow Road should be refused for the same reasons.

There is loss of amenity caused by the loss of the front garden to car parking spaces, and at the rear due to the large extension. There is only a proposed small lawn, and an absence of soft landscaping. Residents are especially concerned at the trend for developers in the local area to concrete over front gardens, and this would exacerbate that trend.

This is an important listed building and adding a large rear extension and more flats in the basement is not considered appropriate especially considering former planning breaches and all the expense this has caused for the Council. I would therefore ask that this application be refused.

Councillor Rebecca Moore – Has written to support the objections of residents.

3 Letters of objection were received from residents, a summary of the comments made is set out below:

- The proposals constitute a totally disproportionate and ugly addition to a fine listed building;
- The revised plans only differ from the originals by a couple of metres and the top storey off the extension.
- The previous reasons for refusal remain valid.
- The refused extension at number 359 was much smaller than that proposed.

- The application has nothing to do with desperately needed housing otherwise it would be aimed at those who currently can not afford to buy their own house, it is purely a commercial enterprise.
- The application is a direct challenge to the Planning Inspectorate (and therefore Central Government) and our local authority. The developer, his architect and his advisors on planning law knew perfectly well that in going ahead with the building of the extension he was breaking the original planning guidelines. Since the Inspectors ruling the developer has refused to comply with that ruling.
- The impertinence of a further application, greatly increasing both tenants and income, is a direct challenge to the authority of local government and the planning system and to the residents who live here.
- The timing of the application at a time of great social upheaval which distracts from the original condition that has not complied with the appeal ruling. The application must be refused and the Inspectors decision implemented.
- There is no further need for residential flats in this area.
- The developer removed a beech hedge which has created a loss of privacy to the residents on Besford Close. Residents of the flats are able to view over the gardens at the rear of Besford Close.

Withington Civic Society – Much store is now placed by the applicant in seeking approval to the present applications on the 2015 approval and the similarity between the approval now sought and what was granted in 2015. This similarity may be correct, though clearly there are differences and the WCS would urge these to be considered carefully.

South East Fallowfield Residents Group - The refusal of listed building consent at the public enquiry found that the extension was too dominant in relation to the main building. The extension was completely out of character with UPVC windows, plastic drainpipes, additional roof lights and the original front steps had been removed from the front of the building etc. Internally the 'restoration' also involved the removal of period cornicing, skirting boards and picture rails and a general loss of spaciousness which would have typified a Victorian villa of these proportions and design.

The new plans that have been submitted appear to address many of the concerns that were raised but we still strongly believe that this application represents an overdevelopment of this site and that the new extension is much too large for this plot. This building is the only listed building in our area, it is in a very prominent position on the South Manchester corridor and objections from community groups and neighbours illustrate how important - and valued - it is by the local community.

The current application seems to attach weight to the fact that these plans for the extension works are similar in scale to the plans submitted in 2015 which were approved. We would like it noted that our community group (and other local groups we have spoken to) were not informed about the 2015 application and had we been notified (as is normally the case), we would definitely have objected at that time.

We are now 6 years on and the local - and national - situation is quite different. There is no need for extra accommodation in the area, and especially in light of

Covid 19, there is likely to be surplus accommodation available in the months and years ahead.

The developers may argue that the size of this development is necessary for the viability of the project however we would maintain that a simple and good quality development of the main building would have yielded a large enough return and that the extra costs accrued in the previous applications and enquiry should not be factored in, in any assessment.

Car Parking - The application is for 9 flats and yet there are only 7 car parking spaces (including 1 disabled parking space). This is wholly insufficient bearing in mind that around 20+ people could potentially live here and that it isn't possible to park on Wilmslow Road. To provide extra spaces would take up valuable outside amenity and again shows this is an overdevelopment of the site. MCC's core strategy makes mention that developments should have 'appropriate parking facilities'.

Garden - The communal garden area seems very small relative to the number of flats and this is mainly because of the size of the extension. The lay out of the garden with steps leading up from the area around flat 6 mean that it is likely that the remaining flat dwellers will be left with the small area of top lawn. Moreover the garden itself is completely devoid of soft landscaping, this barren and exposed landscape would make it an unattractive place for residents to use and there would be very limited wildlife. In light of Covid 19, we think that garden areas are more important than ever to local people and those with children, in particular, will find this extremely difficult.

Size of the flats - Many of the very small flats are unusually arranged over two floors and although they just about conform to the nationally described space standards (37m² for a one bedroom), it looks like the stairways have been included, if we remove this from the equation they are very small indeed.

Bin storage - Is this sufficient bearing in mind the potential numbers living in this block and the need for recycling.

Fencing or hedging - We are unclear what plans, if any, have been made for the boundaries, especially those along the back which adjoin other housing. This is necessary from both a noise and privacy point of view to all residents and neighbours and anything which would further help buffer sound and aid privacy would be welcomed.

We would like to request that if planning permission is granted for this new development (and we hope that it will not be) that a condition of any consent should be that the flats should not be let as short term Airbnb accommodation, or similar. We would like to encourage long term residents to this area and we believe this is in line with the council's strategy to create 'sustainable neighbourhoods of choice'.

Fallowfield Community Guardians - Strongly feel that the planning process needs to protect the amenity of the local area and the creation of more flats in the basement

and the addition of a large two storey rear extension would create more bedspaces in an area which is already oversaturated with flats. The proposed application does not improve the social and environmental conditions of the area nor comply with the development plan and therefore does not comprise sustainable development. The two storey rear extension fails to preserve the Grade II designated heritage asset causing harm that does not benefit the neighbourhood. The amenity space is considerably reduced by the loss of front garden to car parking spaces and the rear because of the large extension. The loss of this amenity space is considered inadequate for nine flats with twelve bedrooms.

Highway Services – Raise no objections to the proposals on highway or pedestrian safety grounds. The provision of 7 car parking spaces, one of which is a disabled space accessed via an existing vehicle crossover together with the provision for up to 10 secure cycle storage spaces is considered to be acceptable.

Environmental Health – Recommend that conditions are attached to any permission relating to construction/demolition hours; acoustic insulation, and final details of the waste management of the site being agreed.

Cadent Gas – Have identified that gas pipelines serve the property.

United Utilities – Request conditions be attached to any approval relating to the submission and approval of surface water drainage scheme.

Policy

The development plan consists of the:

- Manchester Core Strategy Development Plan Document (Adopted July 2012); and
- The extant Unitary Development for the City of Manchester (Adopted 1995)

The Manchester 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). The Core Strategy 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 development plan unless material considerations indicate otherwise.

The relevant policies to in considering this application are as follows:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice all in a distinct environment. The proposals would allow the conversion and occupation of a designated heritage

asset in the form of flats contributing towards the provision of a range of residential dwellings in a distinct environment.

Policy EN1 '*Design principles and strategic character areas*'. The proposals have taken into account the sites location on a major radial route and have had regard to the character of the area in which the development is located.

Policy EN3 '*Heritage*'. The proposals have been presented as, enhancing the historic environment, the character, setting and accessibility of the listed building.

Policy H1 '*Overall Housing Provision*' sets out the requirement for new housing over the plan period. It states that new developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works.

Policy H6 '*Housing in South Manchester*' directs high density development to district centres. The proposals are located on the edge of Fallowfield district centre and provide a high quality conversion of a designated heritage asset to provide residential accommodation.

Policy EN 14 '*Flood Risk*' - Policy EN 14 states that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application site is located in Flood Zone 1 and therefore there is no requirement for additional attenuation against flood risk.

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 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 by the applicant to the siting design and scale of the development together with the proposed materials and detailing to reflect the designated heritage asset that it relates to.

For the reasons set out 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 was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which remain part of the development plan and the starting point for decision making pursuant to section 38 (6) of the Planning and Compulsory Purchase Act. The below saved policies are considered relevant.

Saved policy DC1 '*Residential Extensions*' states that this policy is applicable to extensions to properties in use as flats (part DC1.6).

Saved policy DC1 outlines a number of general criteria which is considered relevant in the determination of residential extensions it provides the considerations when determining applications including that extensions should not be excessively large or bulky; extensions should not be out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details. The proposals have been designed to be subservient to the main building in both scale and design response.

Saved policy DC5 '*Flat conversions*' states at DC5.2 that there will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock. The application proposals seek the re-use of an old property that had been previously vacant for some time for residential use.

Saved policy DC19 '*Listed Buildings*' states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, 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. The application proposals would secure a permanent long term residential use of the listed building.

For the reasons set out within the main body of the report, it is considered that the development is consistent with the policies contained within the UDP.

The National Planning Policy Framework (NPPF- 2019) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

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

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

Paragraph 192 in Section 16 (Conserving and enhancing the historic environment) states that in determining planning applications, local planning authorities should take account of:

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

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

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

Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

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

Paragraph 200 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Other material considerations

Manchester Residential Quality Guidance 2016 - Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016 as a material consideration in the Council's decision making as a Local Planning Authority.

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester.

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

The Manchester Green and Blue Infrastructure Strategy (G&BIS) - sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city.

Legislative Requirements

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of the power to determine planning applications for any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Issues

Principle – As set out within the preceding parts of this report planning approval has previously been granted for the conversion of the application property to 9 no. self-contained apartments facilitated by the erection of a rear extension. In granting the planning approvals in 2015 this established that the principle for residential use of the building was acceptable. These decisions were made in the context of the same local planning policy context as the current applications presented in this and the accompanying listed building consent report. As such, the principle for the conversion and extension to this property to provide self-contained apartment residential accommodation is considered to be acceptable.

Residential Amenity – The proposed two storey rear extension would extend between approximately 8.5 metres from the principle rear wall of the property and have an overall height of 7.5 metres and a width of 8.7 metres. The rear garden where the extension is located is set lower than the ground level towards the front of the property.

The nearest residential properties are located on Besford Close to the rear of the application site, to the south in the neighbouring apartment block at number 365 Wilmslow Road and to the north in the adjoining Grade II listed property at 361

Wilmslow Road. Whilst there is no planning history relating to number 361 Wilmslow Road it is assumed to be in residential use. There are other residential properties in the form of three storey flats approximately 30 metres to the south east from the original rear wall of the property.

Number 13 Besford Close is a three-storey semi-detached property to the east of the application site, it has a rear conservatory, and side and rear garden. The gable wall facing towards the application site is approximately 18 metres from the rear wall of the proposed extension at number 363 Wilmslow Road. There are two side windows serving what is believed to be the staircase of that property according to plans associated with previous planning approvals relating to it. Given this relationship and the orientation of the proposed extension it is not considered that the proposals would give rise to unacceptable impacts on the residential amenity of this property in respect of loss of privacy, overshadowing or loss of daylight. The relationship between the proposed extension and this property would not result in an overbearing or over dominant built form.



View south west from the head of Besford Close cul-de-sac towards rear of application property edged red



View north west from Clifton Avenue towards the rear of the application property edged red

The apartments at 365 Wilmslow Road are located to the south of the application site. This property has been extended in the past and has a three-storey extension set back from the main frontage of the property. The gable wall closest to the application site does not contain any windows and is approximately 6.5 metres from the side wall of the proposed extension. There are six proposed side windows facing towards the gable wall of 365 Wilmslow Road (3 at ground and 3 at first floor) given this distance it is not considered that this relationship would give rise to unacceptable impacts on the residential amenity of occupiers of the flats at number 365 Wilmslow Road and would provide some natural surveillance of this area.

The rear extension would extend approximately 8.5 metres from the rear wall of the application property closest to the adjoining property at number 361 Wilmslow Road and would be sited 2.5 metres from the boundary with that property. The rearward projection of the extension is greater than normally accepted under saved Unitary Development Plan policy DC1 for residential extensions (3.65 metres), but which is still relevant in considering extensions to flats. The application property historically had a three storey outrigger set in a similar distance from the boundary, whilst this was not as deep as currently proposed, this outrigger would have had a similar impact on light into the rear windows of number 361 particularly in the mid to late afternoon given the orientation of the properties. In this instance given the height of the rear extension being a storey lower than previously refused proposals, and the stand off space with the boundary of the adjoining property it is considered that the rearward projection of the extension is not considered to give rise to unacceptable impacts on the residential amenity of occupiers of the adjoining property that would warrant refusal of the proposals. The side facing windows in the extension serve a stairway and bathroom and these would be subject to a condition to ensure they

were obscurely glazed to reduce the potential for overlooking of the neighbouring property and its amenity space.

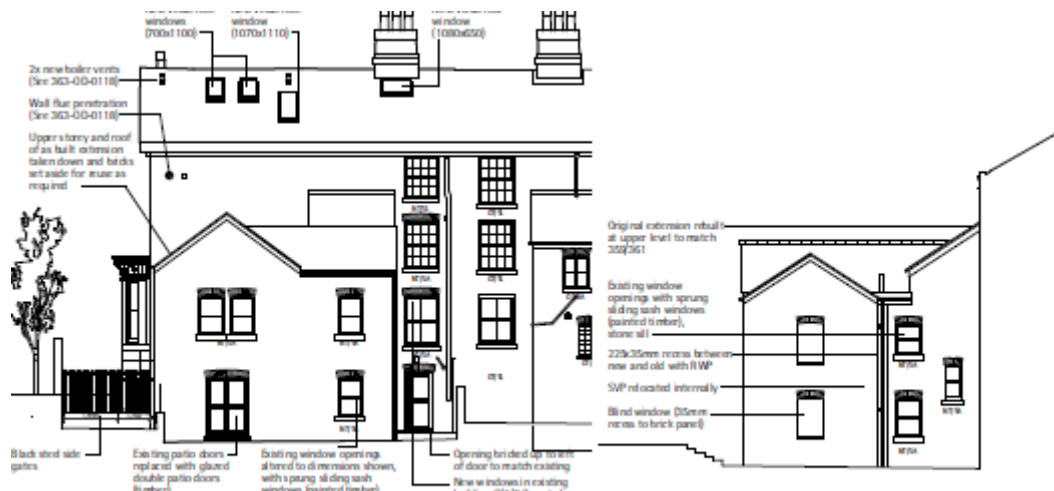


Rear of application property – the unauthorised extension is to the left - showing relationship with windows in adjoining 361 Wilmslow Road

In this instance regard must also be had to the previous planning permissions granted to extend the property under reference 107448/FO/2014/S1. The rearward projection, height of the extension and distance from the boundary with the adjoining property is similar to that approved in 2015 under planning permission reference 107448/FO/2014/S1 . There have been no changes to the local plan policies since that approval and the relationships to adjoining properties and their uses are as they were during consideration of those proposals. It is considered that the previous approvals are a material consideration in determining this application and provide a precedent for the acceptance of proposals that are similar in nature and form to those previously granted planning permission.



Previously approved rear and side elevation (reference 107448/FO/2014)



Proposed rear and side elevation (as viewed from number 361 Wilmslow Road)

In terms of the residential amenity of future occupiers of the property, whilst the property is located on a busy road frontage close to the main commercial areas associated with Fallowfield District Centre it is recognised that immediate surrounding uses are residential in nature and the use of the property for a residential use would not be unusual or considered to be unacceptable in this regard. Whilst recommendations have been made by the Council’s Environmental Health team with regards to acoustic insulation of the property, the rear extension is located away from the road and wider proposals incorporate double glazed heritage style sash windows to the front elevation. Given the potential for further intrusive works to the internal fabric of the listed building to incorporate further acoustic insulation measures in this instance the application proposals approach is considered acceptable.

As set out above it is considered that the application proposals are acceptable in terms of residential amenity and would not give rise to impacts that would warrant refusal of the proposals subject of this application.

Design, scale and appearance – The proposed rear extension has an overall height of 7.5 metres to ridge, and a width of approximately 8.7m and depth of 8.5 metres from the ground levels at the rear of the site. The application proposals are set down significantly below the eaves level of the original property. This reduction in height from the unauthorised extension constructed allows the extension to read as a subservient addition to the property in terms of its scale. Given the differences in ground levels between the front and rear of the site of approximately 1 metre, the eaves line of the proposed extension would sit below the top of the side bay window of the property. These relationships together with the proposed roof slope and gable arrangement would further assist in ensuring views of the extension from Wilmslow Road and properties on Besford Close would be limited.

The proposals have been amended since they were first submitted to introduce more detailing to the treatment of windows including brick segmental arches above to better reflect the historic Norton Place properties. These details will assist in the assimilation of the extension together with the use of bricks and slates retained following the removal of the unauthorised extension which are considered acceptable.

It is considered that the design, scale and appearance of the extension is acceptable, consideration of the impacts of the extension and other works on the listed building are considered further below and in the associated listed building consent report.

Effects on the listed building - The frontage of Norton Place presents a grand and broadly symmetrical Italianate style elevation to Wilmslow Road. The stucco rendering, deep eaves with ornate bracketing, central feature gable, Corinthian pilaster doorways, canted bay windows and stone quoining at either end, serve to create a visually prominent and distinctive local landmark. Whilst the side gables are less detailed, they are considered to have been designed as part of the overall aesthetic of the terrace of properties that forms Norton Place. The rear elevations of the properties on Norton Place are more subservient of stock brick construction and considered utilitarian in appearance, and were more modest in terms of materials and of windows openings but together demonstrate the historic development of the area and the age in which they were built. The principle significance of the Grade II listed building at 363 Wilmslow Road are the front and side elevations with the rear elevation reflecting the character of more modest detailing and finishes.

The Historic England (HE) Listing of Norton Place indicates that an interior inspection of the property was not undertaken at the time of its listing in 1974. The guidance of HE is that listing descriptions were not intended to be a comprehensive or exclusive record of the special interest or significance of a building. It is fact that the whole of a listed building is covered by its designation, including its interior. In this instance the internal configuration of the building was previously compromised by small scale unsympathetic alterations and additions that were undertaken in association with its previous usage over a period of time. However, evidence available indicates that prior to the unauthorised works having taken place, there were present within the interior of the building decoration and finishes that contributed towards the appreciation of the original construction of the building. These included flagstones, decorative plasterwork, skirtings and architraves, timber

panelling and shutters to bay windows and original doors. It is considered therefore that the interior of the building did contribute to the special interest and significance of the building and the proposals impacts on the significance of the interior is required.

The proposed extension - In terms of the proposed extension, it is located to the rear of the building behind the more distinctive front and side of the building, this does result in a less prominent appearance of the proposal which is further reduced from the extension constructed given the full reduction of a storey in height. The reduction in height and inclusion of a more traditional roof profile to the extension would assist in reducing its bulk and visual dominance that was apparent in the built extension previously refused and upheld at public inquiry. In addition, the inclusion within the application proposals of window sizes and styles more reflective of the original rear elevation, together with segmental arch features more closely reflect the rear elevations of the group of properties forming the listed Norton Place. As such it is considered that the proposed rear extension does reflect the hierarchy of significance of the listed building in continuing to reflect a more modest and subservient built form to the more significant front and side elevations. It is considered that the proposed extension would result in harm to the listed building, as the front and side elevations of the application property would remain largely intact as a result of the proposal the level of harm is considered to be of less than substantial harm.

Other works - In addition to the rear extension the proposals incorporate a number of other works to the building that would replace elements installed as part of the unauthorised works to the property these include:

- The replacement of uPVC windows and doors with timber sliding sash windows;
- The installation of three no. rooflights to the front roof plane (instead of the 6 installed) and 4 no rooflights to the rear roof plane (instead of 5 installed)
- The replacement of uPVC rainwater goods with heritage cast iron downpipes and guttering
- Removal of boiler vents and alarm boxes from the side gable wall
- Reinstatement of stone gateposts
- Reinstatement of stone flight of steps to front entrance

The re-introduction of traditional timber framed windows to the existing building together with more appropriately sized timber windows to the proposed extension and rear elevation are considered to reduce the degree of harm of the loss of the original windows from the building.

The installation of 3 no. rooflights reflects the position approved under the 2015 consent, they have been sited to balance and line through the first floor front windows. The installation of the roof lights in the rear roof slope are not prominent. It is considered that these elements are less harmful additions and would allow the conversion of the property to residential use.

The de-cluttering of the side gable of unauthorised flues/vents and alarm boxes would improve the visual appearance of this element of the building.

Internal works – The proposed conversion of the listed property encompasses a range of works to ensure it is suitable for habitation and provide a safe environment for future occupiers. The application proposals have been modified since they were originally submitted to incorporate and replace lost features undertaken as part of the unauthorised works. It is also noted that some of the works undertaken at the property have had heritage benefits such as the removal of some previously installed elements, cabling etc.

The internal works comprise:

- The installation of internal staircases for the duplex apartments,
- The re-instatement of timber panelling to the bay windows to ground floor rooms;
- The provision of replacement ceiling coricing, picture rails and moulded skirting boards;
- Re-instatement of acanthus design console brackets within hall.
- Raising of part of the ground floor;
- Insertion of suspended ceilings in the ground floor spaces to meet fire and sound insulation requirements.

It is considered that these works, whilst acknowledging that they correct previous unauthorised works, would benefit the building and that these together with other works, would have modest heritage benefits.

When considering the overall harm to the listed building, the proposal would not lead to ‘substantial harm’ or the total loss of the significance of the designated heritage asset, that being number 363 Wilmslow Road and the group of Grade II Listed Buildings identified as ‘Norton Place’. However, the erection of the extension is considered to lead to less than substantial harm to the significance of a designated heritage asset. Therefore in accordance with Paragraph 196 of the NPPF *‘where a development proposal will lead to a less than significant harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal, including securing its optimum viable use’*.

Implementation of any scheme approved – The proposals subject of this and the accompanying listed building consent application would require the removal of an unauthorised extension and repair/refurbishment works to the interior of the designated heritage asset in order that they are implemented. The Council is cognisant of the requirement and potential impacts of these works on the building. Whilst these are subject to separate enforcement action, as detailed elsewhere, it is considered essential that these matters are also addressed. It is considered that works to remove those elements that have been identified as harmful through the previous appeal process will need to be undertaken carefully to avoid further harm or damage to the designated heritage asset. Whilst some details have been provided with the application further detailed method statements for those works will be required and conditions of any approval would deal with these matters.

Public Benefit - The improvements to the front and side elevation of the property together with the proposed works to replace the stone steps and gate posts, together with the renewal of the front forecourt parking area would derive a direct and visible public benefit given the significance of these elevations within the immediate area.

The proposals would result in the re-use of an designated heritage asset and secure its long term use whilst contributing to the overall stock of residential dwellings in a highly sustainable location. This is considered to be of a major public benefit, difficult to convert older buildings are at more risk of deterioration and neglect if not in use. A residential use would secure the longer-term future of this designated heritage asset.

The key features of the heritage asset, that being the front and side elevations of number 363 Wilmslow Road would remain broadly unchanged, although alterations are to be made to the internal fabric of the application property. Any potential identified harm to the building therefore, is to the rear elevation and the proposed internal works required to facilitate the conversion of the property.

In this instance it is considered that the public benefits deriving from the proposals and allowing the re-use and occupation of the designated heritage asset in residential use outweigh the identified less than substantial harm.

It is also considered that the principles established through the 2015 planning permission in terms of scale, footprint and height of the rear extension in terms of harm are still relevant and were taken at a time when the tests of harm in heritage terms had been established in the National Planning Policy Framework (2012). Whilst the NPPF has been refreshed since 2012 most recently in February 2019 it is considered that the conclusions reached in approving that scheme are material to the conclusions set out above.

Residential Space Standards – The proposals are for 4no. one-bed duplex apartments on the ground level and basement, 2 no. one-bed flats on the first floor, 1 no. two-bed flat in the attic and 2no. two-bed flats in the extension to create a total of nine apartments.

In this instance one of the 1 bedroom apartments is slightly under the Manchester Space Standards at 38 sqm rather than 39 sqm and one 2 bedroom apartment is under the standard for this size of apartment at 57 sqm rather than 61 sqm. The other apartments are slightly above or equal to the relevant space standards.

Given the difficulty in converting existing buildings particularly those that are listed it is considered that a deviation from the space standards in this instance is acceptable given the need to ensure the building can be suitably converted and that the proposed extension is of a scale that is acceptable.

Accessibility – The main entrance to the property is via a stepped access this reflects the internal floor levels where the ground floor level is set approximately 1.2 metres above the external ground level. Given the differences in levels it is not possible to provide a ramped access to this building without significant interventions or amendments to the frontage of the building. In response to this the application proposals are to amend the steps to improve access to the front door by making the rise in the steps more comfortable and less steep, and to unify the front facade appearance by co-ordinating the handrail/metalwork with that of the front lightwells.

Transport – The application site is within a sustainable highly accessible location. Wilmslow Road at this point has dedicated segregated cycle lanes travelling north and south connecting with the east/west Manchester Cycleway (Fallowfield Loop) link to Chorlton to the west and Gorton to the east. The proposals incorporate a secure bicycle store for 10 bikes and is considered to be adequate level of provision for the proposals. Wilmslow Road is also served by high frequency bus services travelling north and south providing future occupiers means of travel not reliant on the private motorcar. However, to accommodate the potential need there are 7 car parking spaces (1 space dedicated as a disabled persons parking space) to the front of the property. This level of provision is considered acceptable in this location.

Waste arrangements – The proposals incorporate a dedicated bin store for the apartments within the rear yard. The store is accessible via a ramped hard surface to the side of the property and would allow for bins to be brought to the Wilmslow Road frontage for collection as per arrangements for other properties in the vicinity. The final details of waste management are to be secured by way of appropriately worded condition

Sustainability – The proposals would re-use and bring into long term use a designated heritage asset that had been vacant for some time and was in need of works to secure its long term future. Given the majority of the building fabric would be retained to facilitate its use, whilst incorporating more modern insulation, electrical and heating systems, it is considered that this together with its location in a highly sustainable location would result in a sustainable development that would contribute positively to the area in which it is located.

Amenity space – The proposals incorporate a part grassed and part hard surfaced amenity area within the rear garden. The overall rear external area excluding the bike and bin store is approximately 140 sqm in area. The Manchester Residential Design Guide recommends between 5 sqm for a 1 bedroom flat; and 9 sqm for a 3 bedroom flat of external amenity space. This area would be accessed by residents via a side gate and is considered to provide an adequate level of private amenity space for residents.

Car park - The front forecourt is currently a hard surfaced area given over to car parking, this surfacing has been renewed as part of the unauthorised works that have occurred. The hard surfacing arrangement does reflect its historic use dating back to when the property was in use as a GP surgery and photographs from 1976 show the area as car parking to the front of the property. However, it is noted that as part of the unauthorised works a front boundary hedge was removed, whilst such works would not in themselves have required planning permission the 2015 approval had attached a landscaping scheme condition for full details of the landscaping scheme to be submitted for approval. As such whilst the submitted drawings put forward a simple landscaping scheme to the front and rear it is considered necessary to seek greater enhancements particularly to the front boundary to enhance the setting of the listed building. This is to be secured by way of appropriately worded condition.

Other matters- Reference has been made by objectors to the refusal of a single storey rear extension to number 359 Wilmslow Road which is the end terrace of the

listed Norton Place. Number 359 is a long standing House in Multiple Occupation and the proposals subject of refusal in 2017 (reference 116015/FO/2017) were considered to give rise to issues of intensification of the HMO use in an area of the City which already had a high concentration of such uses. The accompanying listed building application was also refused due to the proposals not being justified in terms of public benefit. As such the proposals refused at 359 Wilmslow Road differed in type and are not considered to set a precedent for the current application proposals for extending the property to provide self-contained accommodation.

Concern has been raised regarding the potential for the development, if approved, to be used on the basis of short term lets including holiday lets. Given the assessment of harm and public benefit arising from the provision of residential accommodation in this area and the City more generally it is considered reasonable in this instance to attach a condition to any approval to ensure that the dwellings created contribute to the overall housing supply required in the City as identified within the adopted Core Strategy and policy H1 and H6 in particular.

Conclusion – As set out within this report, the current applications are the culmination of an unhappy period for this designated heritage asset. The scheme now presented whilst following the general principles of that granted approval in 2015 in terms of the scale, height and footprint of the rear extension does provide further improvements including to the sizes and design of the windows to be incorporated into the extension together with further internal works to replicate some of the historic features lost as part of the unauthorised works, including timber panelling and shutters to the ground floor front rooms. As such the proposals are considered to be acceptable and the public benefit of the residential use of the building together with the other improvements outlined outweigh the less than substantial harm identified.

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.

Proposed conditions to be attached to 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:

363-OD-0102 01 Proposed and Existing site plan - as received on the 28th May 2020

363-OD-0110 Rev 02 Cross Section (As Proposed)

363-OD-0111 Rev 02 Interior Details (Sheet 1)

363-OD-0112 Rev 02 Interior Details (Sheet 2)

363-OD-0113 Rev 02 Window Details (Sheet 1)

363-OD-0114 Rev 02 Window Details (Sheet 2)

363-OD-0115 Rev 02 Front Steps Details

363-OD-0116 Rev 02 External Works Details

363-OD-0117 Rev 01 Window Details (Sheet 3)

363-OD-0119 Rev 01 Replacement Window Shutters

363-OD-0120 Rev 01 Window Shutters (View)

363-OD-0121 Rev 01 Suspended Ceiling Datasheets

All as received via email on the 14th September 2020

363-OD-0109 Rev 03 Elevations (As Proposed)

363-OD-0118 Rev 02 Roof Details – both as received via email on the 17th October 2020

363-OD-0108 Rev 04 Floor Plans (As Proposed)- as received via email on the 20th May 2021

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

3) No development shall commence (including any demolition or site set up works) until a method statement for the construction works to be undertaken to implement the approval have been submitted to and approved in writing by the City Council as local planning authority. The submitted statement shall include methods to protect the listed building whilst works are being carried out on the building and at the site.

The development shall be subsequently carried out in accordance with the agreed details.

Reason - To ensure that the construction works associated with the development of the extension to this Grade II Listed Building are undertaken in an appropriate manner pursuant to policies EN3, SP1 and DM1 of the Core Strategy, saved Unitary Development Plan policy DC19 and the National Planning Policy Framework.

4) No development that is hereby approved shall commence unless and until samples and specifications of all materials including mortar specification to be used on all external elevations of the development and including: gate posts; front steps; and, all hard landscaping materials have been submitted to and approved in writing by the City Council as local planning authority. The development shall be subsequently carried out in accordance with the agreed materials.

Reason - To ensure that the appearance of the extension to this Grade II Listed Building 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 EN3, SP1 and DM1 of the Core Strategy and saved Unitary Development Plan policy DC19.

5) Within one month of the date of the development hereby approved commencing the detailed scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to 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 - To ensure that there is satisfactory provision for the storage of refuse pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC5.

6) Notwithstanding the approved plans, within one month of the commencement of development a hard and soft landscaping treatment scheme including frontage hedgerow planting shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN3, EN9 and DM1 of the Core Strategy and saved UDP policy DC19.

7) The car parking as indicated on the approved site layout drawing, shall be laid out and demarcated prior to the first occupation of the development hereby approved and shall be retained thereafter for sole use by the occupiers of the development.

Reason - To ensure that adequate car parking provision is available for the occupiers of the development pursuant to saved UDP policy DC5 and adopted Core Strategy policy DM1.

8) The bicycle store indicated on the approved plans shall be installed prior to the first occupation of the development hereby approved and shall remain in situ whilst the development is in use.

Reason – To ensure adequate access to secure cycle parking facilities by occupiers of the development pursuant to policy T1 and DM1 of the adopted Core Strategy.

9) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties 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) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3, H1, H6 and H11 of the Core Strategy for Manchester and the guidance contained within National Planning Policy Framework including section 16.

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: 127016/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
South East Fallowfield Residents Association
Rusholme, Fallowfield & Moss Side Civic Society**

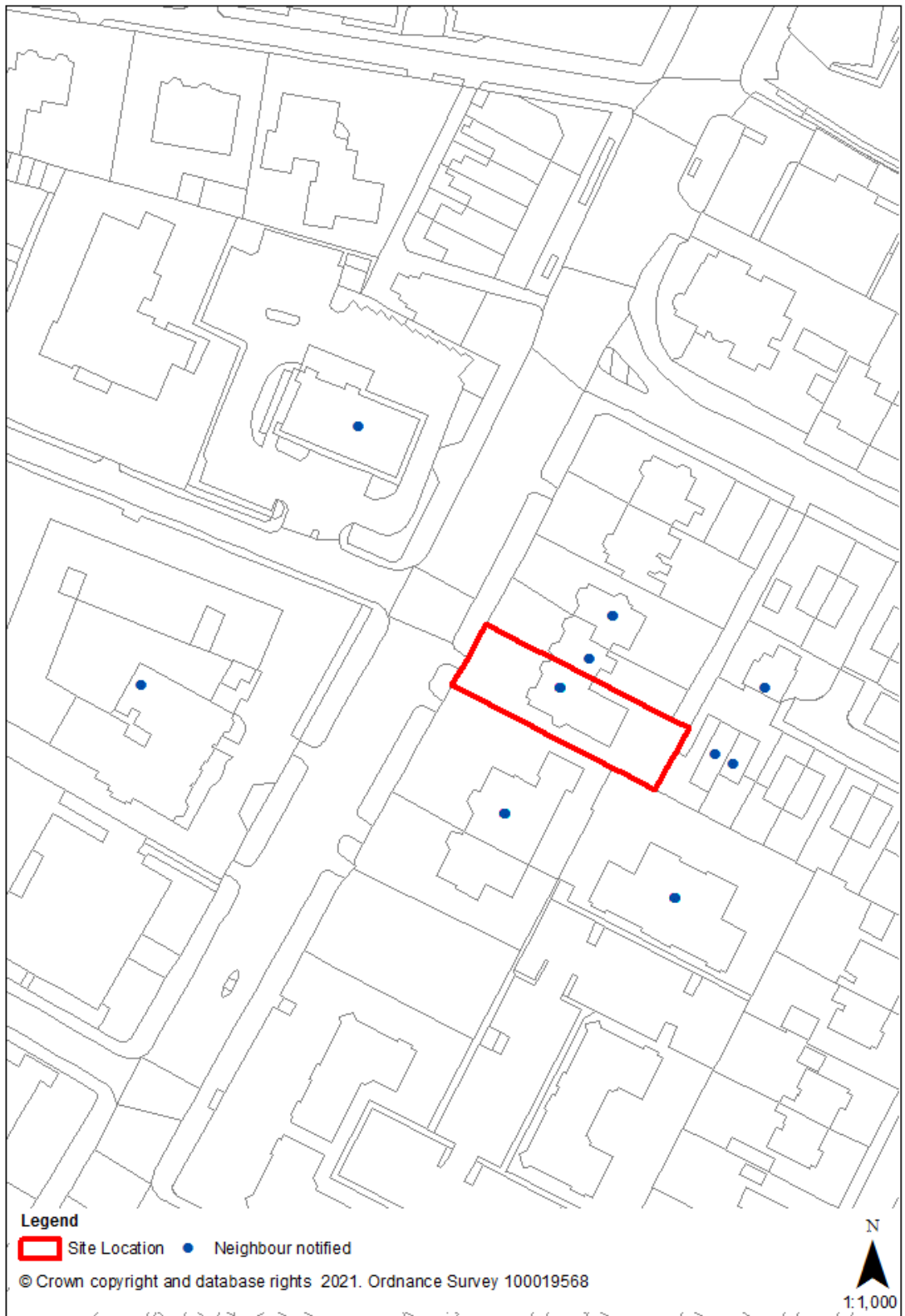
A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

South East Fallowfield Residents Group
Fallowfield Community Guardians
Withington Civic Society

Councillor Chris Wills
Councillor Rebecca Moore
Cadent Gas
MCC Environmental Health
MCC Highway Services
United Utilities
2A Egerton Road, Manchester, M14 6XW

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : robert.griffin@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
127017/LO/2020	3rd Jun 2020	3 rd June 2021	Withington Ward

Proposal Listed building consent for the erection of two storey rear extension to create 9no. self contained flats together with various other works including internal alterations, the rebuilding of gate piers, the laying out of car parking area and the provision of a cycle store and refuse store

Location 363 Wilmslow Road, Manchester, M14 6XU

Applicant Feltham Management Limited , 20 Aldwych Avenue, Manchester, M14 5NL,

Agent Alyn Nicholls, Alyn Nicholls & Associates, 40 Denby Lane, Upper Denby, Huddersfield, HD8 8UN

Executive Summary

This listed building consent application relates to an end of terrace Grade II Listed Building which was formerly used as GP Surgery from the late 1970s until 2010. Listed building consent was granted in 2015 to facilitate the conversion and extension of the property to form 9 no. self-contained apartments. Works were subsequently undertaken to convert the property, but these did not conform to the planning or listed building consents granted. Whilst those unauthorised works are subject to Enforcement action following the dismissal of planning appeals for their retention, the applicant has submitted further applications subject of this report. The proposals seek the erection of a basement plus two storey rear extension with associated works subject to the buildings conversion to form 9 no apartments. This report accompanies that also appearing on this committee agenda in relation to planning application reference 127016/FO/2020.

Public Interest – Withington ward members have written to object to the proposals and to support the residents objections. 3 objections from residents have been received and a further objections have been received from Withington Civic Society, South East Fallowfield Residents Group and the Fallowfield Community Guardians. The concerns raised relate to the proposals not improving the social and environmental conditions of the area, and, that the two storey rear extension fails to preserve the Grade II designated heritage asset, causing harm that does not benefit the neighbourhood.

Principle – The Council has previously determined that the conversion and extension of the Grade II Listed property to form self-contained apartments is acceptable through the granting of planning and listed building consent references 107448/FO/2014/S1 and 107449/LO/2014/S1. The adopted local planning policies these previous applications were determined under remain up-to-date and unchanged. As set out within this report and that accompanying the planning application the principle of the development is considered acceptable and in

accordance with the adopted local plan policies and the National Planning Policy Framework.

A full report is attached for Members consideration.

Background information

The applicant has undertaken works to convert and extended the application property to form ten residential apartments. As will be set out in the planning history section below, whilst planning and listed building consent was granted in 2015 for the conversion and extension of the property to form nine apartments (application references 107448/FO/2014/S1 and 107449/LO/2014/S1), the works subsequently undertaken were not in accordance with those approvals. The works undertaken increased the number of apartments at the property to 10 in total (a net gain of one apartment), the rear extension constructed is larger and works, to both the interior and exterior of the listed building went beyond that approved in 2015. In addition, alterations and removal of original listed fabric was undertaken which is more significant and intrusive than was envisaged as part of the 2015 permissions.

As such the use and the extensions undertaken are unauthorised and are subject to an enforcement notice seeking the use of the property as apartments to cease and the rear extension to be removed and the rear of the listed building to be reinstated in its original condition.

In order to regularise the unauthorised development that had been undertaken the applicant submitted planning and listed building consent applications in July 2018 references 120505/FO/2018 and 120506/LO/2018. These applications were refused in October 2018 for the following reasons:

The extension the subject of this application by reason of its excessive size, design and detailing fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12(Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment)of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

The installation of in total 11 roof lights on the front and rear elevations fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12(Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment)of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

The removal of original fabric to facilitate the conversion of the property fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester.

The use of unsympathetic materials in the construction of the extension and the conversion of the property fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester.

An appeal into those decisions was subsequently made by the applicant and these appeals were subject to a Public Inquiry held in May 2019 with the appeals being subsequently dismissed by an independent Planning Inspector in July 2019.

The current application proposals set out below seek to overcome the previous reasons for refusal and reinstate internal features that were lost as part of the unauthorised works.

Enforcement

An Enforcement Notice and Listed Building Enforcement Notice were issued on 14 August 2017; these notices required the cessation of the use of the property as flats and removal of the unauthorised rear extension and remain extant. The recommendation of this application would have no effect on these notices.

The notices were amended to allow for an alternate period for compliance to that originally imposed, this requiring the flats use to cease by 2 February 2020 and then for the demolition of the rear extension by 17 July 2020. All evidence suggests that the property owner complied with the first stage of the notice by the deadline. However, the secondary element was impacted by the Covid-19 pandemic and to allow for the application process to continue without unnecessary hindrance. Officers have taken that further opportunity to continue to work with the applicant and secure a proposal that can now be supported.

The proposal the subject of this application, if granted, would allow the applicant to either implement this scheme or under the terms of the Enforcement Notice and Listed Building Enforcement Notice, restore the land and building to its condition before the breach took place, namely, to demolish the currently unauthorised extension and reinstate the original elevations.

The Council is mindful that Covid-19 measures have not yet fully eased and that in the event of this application being granted it would take time for the applicant to begin its implementation, the Enforcement Notice and Listed Building Enforcement Notice would be amended to allow until 31 March 2022 to achieve compliance with those outstanding elements.

Description

The application property is a grade II listed building, having been formally designated in 1974, and forms an end property of a short terrace row of three buildings known as 'Norton Place'. The property was originally constructed as a dwellinghouse, along with the other two buildings in the row. Predominately two storey in height, the property benefited from a basement area, two-storey outrigger to the rear and attic accommodation.



View of the front of 363 Wilmslow Road

The front of the property has two ground floor bay windows with central entrance doorway and steps. The bays and doorway have distinctive decorative detailing as do the eaves of the property. The upper floor windows have vertical sash windows, with vertical glazing bars, and a more simple stone surround.

The side gable wall to the property has a similar bay window as the front elevation with decorative features and an upper floor window, which again follows the same style and features as the front elevation.

The rear elevation of the property was once characterised by a two-storey outrigger. This was similar to the outriggers, which remain evident within the remainder of the terrace row at properties 359 and 361 Wilmslow Road known as 'Norton Place'.

A low boundary wall and gate post mark the entrance to the front curtilage of the property which once formed the front garden and now consists of hardstanding for car parking. To the rear of the property is a landscaped garden area with cycle store and bin store.

The list description for the property indicates it was in use in 1974 as offices and the planning history for the property indicates it was used as a medical centre from 1979 to 2010, there appears to have been an education use in the building subsequently prior to it becoming vacant.

The surrounding area is mixed use in nature. The application property, together with the other properties in the terrace that form Norton Place, retain their residential character.

Development Proposals

The applicant seeks listed building consent permission for the erection of basement and two storey rear extension to create 9no. self-contained flats together with other works including internal alterations, the rebuilding of gate piers, the laying out of car parking area and the provision of a cycle store and refuse store. The applicants supporting statements indicate that the proposals subject of this application conform closely to the proposals for the conversion and extension of the property to form 9 no. apartments granted planning and listed building consent in 2015.

The application proposals are for 4 no. one-bed duplex apartments on the ground level and basement, 2no. one-bed flats on the first floor, 1 no. two-bed flat in the attic and 2 no. two-bed flats in the extension to create a total of nine apartments. The applicants submitted information indicates that each duplex apartment would occupy one of the original rooms on the ground level and the corresponding space in the lower ground floor. The first floor apartments would each occupy two rooms, front to back, while the two-bed apartment would occupy the three existing rooms on the upper level. The rooms located towards the front of the building on the ground and first floor have been refurbished and returned to close to their original size. The applicant indicates that the number of partition walls introduced have been kept to a minimum throughout the existing building. The extension has two storeys and a floorplate of about 60m² per floor. The extension would be constructed traditionally, with loadbearing brick-faced cavity using salvaged bricks, slate roof. Windows and doors are to be of painted timber.

A separate planning application (reference 127016/FO/2020) has also been submitted and is subject to a separate report appearing on the Committee agenda.

Relevant Planning History

March 2001 - Application for Planning permission 061665/FO/SOUTH1/01, Part single part two storey rear extension, new entrance at side of property with access ramp and parking at rear. Approved June 2001.

March 2001- Application for Listed Building Consent 061666/LO/SOUTH1/01, LISTED BUILDING CONSENT Part single part two storey rear extension, new

entrance at side of property with access ramp and parking at rear and internal alterations. Approved June 2001.

May 2008 -Planning application 086507/FO/2008/S1 Erection of a part single/part 2 storey extension at rear of property and entrance ramp and new entrance at side of property. Provision of parking spaces in rear garden with associated landscaping. Approved July 2008.

May 2008 - Application for Listed Building Consent 086581/LO/2008/S1 LISTED BUILDING CONSENT for the erection of a part single/part 2 storey rear extension, new access ramp and side entrance, car parking in rear garden and associated landscaping Approved July 2008.

July 2014 - Planning application 106424/FO/2014/S1 Erection of part single, part two-storey rear extension to existing building together with excavation of rear garden to create nine flats, with landscaping and parking Approved September 2014.

July 2014 - Application for Listed Building Consent 106425/LO/2014/S1 Listed Building Consent for the erection of part single, part two-storey rear extension to existing building together with excavation of rear garden and internal alterations in association with the creation of nine flats, Approved September 2014.

March 2015 -Planning application 107448/FO/2014/S1 Erection of part single, part two-storey rear extension to existing building together with excavation of rear garden to create 9no. self contained flats with landscaping and parking, Approved May 2015.

March 2015- Application for Listed Building Consent 107449/LO/2014/S1 Listed Building Consent for the erection of part single, part two-storey rear extension to existing building together with excavation of rear garden and internal alterations in association with the creation of 9no. flats, Approved May 2015.

June 2017 Planning application 116773/FO/2017, Change of Use from doctors surgery to create 10no. self contained flats including the erection of a basement and two storey rear extension to existing building together with excavation of rear garden with associated landscaping and parking, Refused August 2017

June 2017 -Application for Listed Building Consent 116774/LO/2017, Listed Building Consent for the erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking ,Refused August 2017

July 2018 - Planning application 120505/FO/2018, Erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking, Refused October 2018.

July 2018 - Application for Listed Building Consent 120506/LO/2018, Listed Building Consent for the erection of basement and two storey rear extension to existing

building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking. Refused October 2018.

Appeal against refusal of Planning permission 120505/FO/2018 and 120506/LO/2018 dismissed following Public Enquiry in July 2019.

Consultations

The application was subject to notification letters sent to neighbouring properties and statutory consultees, and also by way of notice posted at the site, and advertisement in the Manchester Evening News as an application affecting a Listed Building. The following responses to these notifications were received:

Councillor Chris Wills – Has written to object. This is a listed building which has recently been subject to a planning inquiry for building a two storey rear extension which was not built according to planning permission. The appeal was dismissed. This was a positive outcome for both local residents and Councillors.

The proposed application does not improve the social and environmental conditions of the area, nor comply with the development plan. Therefore, it does not comprise sustainable development. The two storey rear extension fails to preserve the Grade II designated heritage asset, causing harm that does not benefit the neighbourhood.

Planning permission for a rear extension at 359 Wilmslow Road (part of Norton Place Listed Building) was refused in July 2017. The large rear extension proposed at 363 Wilmslow Road is out of keeping due to its size and bulk and proximity to family gardens in Besford Close at the rear. The proposed extension is very large, almost as large as the footprint of the original building.

If an extension at the rear of 359 Wilmslow Road which forms part of the Norton Place listed building, then equally the proposed extension at 363 Wilmslow Road should be refused for the same reasons.

There is loss of amenity caused by the loss of the front garden to car parking spaces, and at the rear due to the large extension. There is only a proposed small lawn, and an absence of soft landscaping. Residents are especially concerned at the trend for developers in the local area to concrete over front gardens, and this would exacerbate that trend.

This is an important listed building and adding a large rear extension and more flats in the basement is not considered appropriate especially considering former planning breaches and all the expense this has caused for the Council. I would therefore ask that this application be refused.

Councillor Rebecca Moore – Has written to support the objections of residents.

3 Letters of objection were received from residents, a summary of the comments made is set out below:

- The proposals constitute a totally disproportionate and ugly addition to a fine listed building;

- The revised plans only differ from the originals by a couple of metres and the top storey off the extension.
- The previous reasons for refusal remain valid.
- The refused extension at number 359 was much smaller than that proposed.
- The application has nothing to do with desperately needed housing otherwise it would be aimed at those who currently can not afford to buy their own house, it is purely a commercial enterprise.
- The application is a direct challenge to the Planning Inspectorate (and therefore Central Government) and our local authority. The developer, his architect and his advisors on planning law knew perfectly well that in going ahead with the building of the extension he was breaking the original planning guidelines. Since the Inspectors ruling the developer has refused to comply with that ruling.
- The impertinence of a further application, greatly increasing both tenants and income, is a direct challenge to the authority of local government and the planning system and to the residents who live here.
- The timing of the application at a time of great social upheaval which distracts from the original condition that has not complied with the appeal ruling. The application must be refused and the Inspectors decision implemented.
- There is no further need for residential flats in this area.
- The developer removed a beech hedge which has created a loss of privacy to the residents on Besford Close. Residents of the flats are able to view over the gardens at the rear of Besford Close.

Withington Civic Society – Much store is now placed by the applicant in seeking approval to the present applications on the 2015 approval and the similarity between the approval now sought and what was granted in 2015. This similarity may be correct, though clearly there are differences and the WCS would urge these to be considered carefully.

South East Fallowfield Residents Group - The refusal of listed building consent at the public enquiry found that the extension was too dominant in relation to the main building. The extension was completely out of character with UPVC windows, plastic drainpipes, additional roof lights and the original front steps had been removed from the front of the building etc. Internally the 'restoration' also involved the removal of period cornicing, skirting boards and picture rails and a general loss of spaciousness which would have typified a Victorian villa of these proportions and design.

The new plans that have been submitted appear to address many of the concerns that were raised but we still strongly believe that this application represents an overdevelopment of this site and that the new extension is much too large for this plot. This building is the only listed building in our area, it is in a very prominent position on the South Manchester corridor and objections from community groups and neighbours illustrate how important - and valued - it is by the local community.

The current application seems to attach weight to the fact that these plans for the extension works are similar in scale to the plans submitted in 2015 which were approved. We would like it noted that our community group (and other local groups we have spoken to) were not informed about the 2015 application and had we been notified (as is normally the case), we would definitely have objected at that time.

We are now 6 years on and the local - and national - situation is quite different. There is no need for extra accommodation in the area, and especially in light of Covid 19, there is likely to be surplus accommodation available in the months and years ahead.

The developers may argue that the size of this development is necessary for the viability of the project however we would maintain that a simple and good quality development of the main building would have yielded a large enough return and that the extra costs accrued in the previous applications and enquiry should not be factored in, in any assessment.

Car Parking - The application is for 9 flats and yet there are only 7 car parking spaces (including 1 disabled parking space). This is wholly insufficient bearing in mind that around 20+ people could potentially live here and that it isn't possible to park on Wilmslow Road. To provide extra spaces would take up valuable outside amenity and again shows this is an overdevelopment of the site. MCC's core strategy makes mention that developments should have 'appropriate parking facilities'.

Garden - The communal garden area seems very small relative to the number of flats and this is mainly because of the size of the extension. The lay out of the garden with steps leading up from the area around flat 6 mean that it is likely that the remaining flat dwellers will be left with the small area of top lawn. Moreover the garden itself is completely devoid of soft landscaping, this barren and exposed landscape would make it an unattractive place for residents to use and there would be very limited wildlife. In light of Covid 19, we think that garden areas are more important than ever to local people and those with children, in particular, will find this extremely difficult.

Size of the flats - Many of the very small flats are unusually arranged over two floors and although they just about conform to the nationally described space standards (37m² for a one bedroom), it looks like the stairways have been included, if we remove this from the equation they are very small indeed.

Bin storage - Is this sufficient bearing in mind the potential numbers living in this block and the need for recycling.

Fencing or hedging - We are unclear what plans, if any, have been made for the boundaries, especially those along the back which adjoin other housing. This is necessary from both a noise and privacy point of view to all residents and neighbours and anything which would further help buffer sound and aid privacy would be welcomed.

We would like to request that if planning permission is granted for this new development (and we hope that it will not be) that a condition of any consent should be that the flats should not be let as short term Airbnb accommodation, or similar. We would like to encourage long term residents to this area and we believe this is in line with the council's strategy to create 'sustainable neighbourhoods of choice'.

Fallowfield Community Guardians - Strongly feel that the planning process needs to protect the amenity of the local area and the creation of more flats in the basement and the addition of a large two storey rear extension would create more bedspaces in an area which is already oversaturated with flats. The proposed application does not improve the social and environmental conditions of the area nor comply with the development plan and therefore does not comprise sustainable development. The two storey rear extension fails to preserve the Grade II designated heritage asset causing harm that does not benefit the neighbourhood. The amenity space is considerably reduced by the loss of front garden to car parking spaces and the rear because of the large extension. The loss of this amenity space is considered inadequate for nine flats with twelve bedrooms.

Policy

The development plan consists of the:

- Manchester Core Strategy Development Plan Document (Adopted July 2012); and
- The extant Unitary Development for the City of Manchester (Adopted 1995)

The Manchester 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). The Core Strategy 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 development plan unless material considerations indicate otherwise.

The relevant policies to in considering this application are as follows:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice all in a distinct environment. The proposals would allow the conversion and occupation of a designated heritage asset in the form of flats contributing towards the provision of a range of as residential dwellings in a distinct environment.

Policy EN1 '*Design principles and strategic character areas*' . The proposals have taken into account the sites location on a major radial route and have had regard to the character of the area in which the development is located.

Policy EN3 '*Heritage*'. The proposals have been presented as, enhancing the historic environment, the character, setting and accessibility of the listed building.

Policy DM1 '*Development Management*' consideration has been given by the applicant to the siting design and scale of the development together with the

proposed materials and detailing to reflect the designated heritage asset that it relates to.

For the reasons set out 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 was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which remain part of the development plan and the starting point for decision making pursuant to section 38 (6) of the Planning and Compulsory Purchase Act. The below saved policies are considered relevant.

Saved policy DC5 '*Flat conversions*' states at DC5.2 that there will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock. The application proposals seek the re-use of an old property that had been previously vacant for some time for residential use.

Saved policy DC19 '*Listed Buildings*' states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, 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. The application proposals would secure a permanent long term residential use of the listed building.

For the reasons set out within the main body of the report, it is considered that the development is consistent with the policies contained within the UDP.

The National Planning Policy Framework (February 2019)

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

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

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 192 in Section 16 (Conserving and enhancing the historic environment) states that in determining planning applications, local planning authorities should take account of:

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

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

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

Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d. the harm or loss is outweighed by the benefit of bringing the site back into use.

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

Paragraph 200 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Legislative Requirements

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of the power to determine planning applications for any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Issues

Principle – As set out within the preceding parts of this report listed building consent approval has previously been granted for the conversion of the application property to 9 no. self-contained apartments facilitated by the erection of a rear extension. In granting the planning approvals in 2015 this established that the principle for residential use and extension of the building was acceptable. These decisions were made in the context of the same local planning policy context as the current applications presented in this and the accompanying listed building consent report. As such, the principle for the conversion and extension to this property to provide self-contained apartment residential accommodation is considered to be acceptable.

Effects on the listed building - The frontage of Norton Place presents a grand and broadly symmetrical Italianate style elevation to Wilmslow Road. The stucco rendering, deep eaves with ornate bracketing, central feature gable, Corinthian pilaster doorways, canted bay windows and stone quoining at either end, serve to create a visually prominent and distinctive local landmark. Whilst the side gables are less detailed, they are considered to have been designed as part of the overall aesthetic of the terrace of properties that forms Norton Place. The rear elevations of the properties on Norton Place are more subservient of stock brick construction and considered utilitarian in appearance, and were more modest in terms of materials and of windows openings but together demonstrate the historic development of the area and the age in which they were built. The principle significance of the Grade II listed building at 363 Wilmslow Road are the front and side elevations with the rear elevation reflecting the character of more modest detailing and finishes.

The Historic England (HE) Listing of Norton Place indicates that an interior inspection of the property was not undertaken at the time of its listing in 1974. The guidance of HE is that listing descriptions were not intended to be a comprehensive or exclusive record of the special interest or significance of a building. It is fact that the whole of a listed building is covered by its designation, including its interior. In this instance the internal configuration of the building was previously compromised by small scale unsympathetic alterations and additions that were undertaken in association with its previous usage over a period of time. However, evidence available indicates that prior to the unauthorised works having taken place, there were present within the interior of the building decoration and finishes that contributed towards the appreciation of the original construction of the building. These included flagstones, decorative plasterwork, skirtings and architraves, timber panelling and shutters to bay windows and original doors. It is considered therefore that the interior of the building did contribute to the special interest and significance of the building and the proposals impacts on the significance of the interior is required.

The proposed extension - In terms of the proposed extension, it is located to the rear of the building behind the more distinctive front and side of the building, this does result in a less prominent appearance of the proposal which is further reduced from the extension constructed given the full reduction of a storey in height. The reduction in height and inclusion of a more traditional roof profile to the extension would assist in reducing its bulk and visual dominance that was apparent in the built extension previously refused and upheld at public inquiry. In addition, the inclusion within the application proposals of window sizes and styles more reflective of the original rear elevation, together with segmental arch features more closely reflect the rear elevations of the group of properties forming the listed Norton Place. As such it is considered that the proposed rear extension does reflect the hierarchy of significance of the listed building in continuing to reflect a more modest and subservient built form to the more significant front and side elevations. It is considered that the proposed extension would result in harm to the listed building, as the front and side elevations of the application property would remain largely intact as a result of the proposal the level of harm is considered to be of less than substantial harm.

Internal works – A number of internal alterations were undertaken to the property to facilitate its conversion to residential flats. The removal of original fabric included flagstones, decorative plasterwork, skirtings and architraves, timber panelling and shutters to bay windows and original doors. Reconfiguration included the insertion of staircases between the basement and ground floors of the duplex flats, some removal of previous partitions and the insertion of new partitions, including those to create lobbies at the flat entrances, the insertion of suspended ceilings on the ground and first floors and the raising of the ground floor. Some of these works have had a beneficial impact on the property through the removal of later additions or interventions.

Whilst the listed building consent of 2015 envisaged some internal alterations to facilitate its conversion, the works undertaken including removal of original fabric were not granted consent. The applicant has indicated that many of these works such as the installation of false ceilings and vestibules at flat entrances were introduced for fire safety purposes and to assist in acoustic and thermal insulation. At the time of the appeal inquiry into the refusal of application 120506/LO/2018 the Inspector noted that “there is no evidence in this case that the alterations undertaken were necessary to meet building regulations”. The provision of these false ceilings was identified as having hidden both original lathe and plaster ceilings and original cornice detailing whilst diminishing the character and proportion of the higher status ground floor rooms in the property.

As part of consideration of this application the applicant has provided further evidence and specialist advice including options appraisals with regards to the provision of the false ceilings to the ground floor rooms to ensure that they meet fire standards and building regulations whilst improving the appreciation of the ground floor rooms. As such the option considered to be most acceptable would see the suspended ceiling raised by approximately 80mm to the bottom of the existing cornice. This would enable the development achieving Building Regulations compliant fire separation and Building Regulations acoustic separation; and the opportunity to record and preserve in-situ the existing lathe and plaster ceiling (the

suspended ceiling is reversible and can be removed in the future). Whilst this option would still not allow the existing ceiling and cornice to be visible it would allow the reproduction of a cornice below. These works would give rise to some loss of appreciation of the proportions of the ground floor rooms which have been considered to be of a higher status in the building and contained original fabric and features. However, the raising of the false ceiling together with the incorporation of a recreated cornicing detail would assist in reducing the impact of the works to convert the property.

In addition to the above the proposals also seek:

- the re-instatement of timber panelling to the bay windows to the ground floor rooms
- detailed drawings of these features have been submitted as part of the application.
- The provision of replacement picture rails and moulded skirting boards;
- Re-instatement of acanthus design console brackets within hall.



Cornice and Hallway console brackets to be reinstated



Wooden panelling to ground floor bay windows that were removed and are to be replaced with replica panels and shutters

The programme and full details for these works would be secured via appropriately worded conditions.

The current proposals seek to resolve and replace the lost original fabric in the form of faithful recreations. The Council does have evidence available through previous applications, together with the supporting information for this application of the features and fabric lost through the unauthorised works undertaken such as wooden panelling and shutters to the principle ground floor rooms. This information and evidence provides a reasonable basis in which to have a degree of confidence that any works approved could be successfully undertaken and whilst not being of original fabric would help to set an appreciation of the character and proportions of the higher status rooms which have been identified on the ground floor and had been previously lost.

It is considered that these works, whilst acknowledging that they correct previous unauthorised works, would benefit the building and that these together with other works, would have modest heritage benefits.

Other works - In addition to the rear extension the proposals incorporate a number of other works to the building that would replace elements installed as part of the unauthorised works to the property these include:

- The replacement of uPVC windows and doors with timber sliding sash windows;
- The installation of three no. rooflights to the front roof plane (instead of the 6 installed) and 4 no rooflights to the rear roof plane (instead of 5 installed)
- The replacement of uPVC rainwater goods with heritage cast iron downpipes and guttering
- Removal of boiler vents and alarm boxes from the side gable wall
- Reinstatement of stone gateposts
- Reinstatement of stone flight of steps to front entrance

The re-introduction of traditional timber framed windows to the existing building together with more appropriately sized timber windows to the proposed extension and rear elevation are considered to reduce the degree of harm of the loss of the original windows from the building.

The installation of 3 no. rooflights reflects the position approved under the 2015 consent, they have been sited to balance and line through the first floor front windows. The installation of the roof lights in the rear roof slope are not prominent. It is considered that these elements are less harmful additions and would allow the conversion of the property to residential use.

The de-cluttering of the side gable of unauthorised flues/vents and alarm boxes would improve the visual appearance of this element of the building.

When considering the overall harm to the listed building, the proposal would not lead to 'substantial harm' or the total loss of the significance of the designated heritage

asset, that being number 363 Wilmslow Road and the group of Grade II Listed Buildings identified as 'Norton Place'. However, the erection of the extension is considered to lead to less than substantial harm to the significance of a designated heritage asset. Therefore in accordance with Paragraph 196 of the NPPF '*where a development proposal will lead to a less than significant harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal, including securing its optimum viable use*'.

Implementation of any scheme approved – The proposals subject of this listed building consent application would require the removal of an unauthorised extension and repair/refurbishment works to the interior of the designated heritage asset in order that they are implemented. The Council is cognisant of the requirement and potential impacts of these works on the building. Whilst these are subject to separate enforcement action, as detailed elsewhere, it is considered essential that these matters are also addressed. It is considered that works to remove those elements that have been identified as harmful through the previous appeal process will need to be undertaken carefully to avoid further harm or damage to the designated heritage asset. Whilst some details have been provided with the application further detailed method statements for those works will be required and conditions of any approval would deal with these matters.

Public Benefit - The improvements to the front and side elevation of the property together with the proposed works to replace the stone steps and gate posts, together with the renewal of the front forecourt parking area would derive a direct and visible public benefit given the significance of these elevations within the immediate area.

The proposals would result in the re-use of an designated heritage asset and secure its long term use whilst contributing to the overall stock of residential dwellings in a highly sustainable location. This is considered to be of a major public benefit, difficult to convert older buildings are at more risk of deterioration and neglect if not in use. A residential use would secure the longer-term future of this designated heritage asset.

The key features of the heritage asset, that being the front and side elevations of number 363 Wilmslow Road would remain broadly unchanged, although alterations are to be made to the internal fabric of the application property. Any potential identified harm to the building therefore, is to the rear elevation and the proposed internal works required to facilitate the conversion of the property.

In this instance it is considered that the public benefits deriving from the proposals and allowing the re-use and occupation of the designated heritage asset in residential use outweigh the identified less than substantial harm.

It is also considered that the principles established through the 2015 planning permission in terms of scale, footprint and height of the rear extension in terms of harm are still relevant and were taken at a time when the tests of harm in heritage terms had been established in the National Planning Policy Framework (2012). Whilst the NPPF has been refreshed since 2012 most recently in February 2019 it is considered that the conclusions reached in approving that scheme are material to the conclusions set out above.

Conclusion – As set out within this report, the current applications are the culmination of an unhappy period for this designated heritage asset. The scheme now presented whilst following the general principles of that granted approval in 2015 in terms of the scale, height and footprint of the rear extension does provide further improvements including to the sizes and design of the windows to be incorporated into the extension together with further internal works to replicate some of the historic features lost as part of the unauthorised works, including timber panelling and shutters to the ground floor front rooms. As such the proposals are considered to be acceptable and the public benefit of the residential use of the building together with the other improvements outlined outweigh the less than substantial harm identified.

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.

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:

363-OD-0102 01 Proposed and Existing site plan - as received on the 28th May 2020

363-OD-0110 Rev 02 Cross Section (As Proposed)
363-OD-0111 Rev 02 Interior Details (Sheet 1)
363-OD-0112 Rev 02 Interior Details (Sheet 2)
363-OD-0113 Rev 02 Window Details (Sheet 1)
363-OD-0114 Rev 02 Window Details (Sheet 2)
363-OD-0115 Rev 02 Front Steps Details
363-OD-0116 Rev 02 External Works Details
363-OD-0117 Rev 01 Window Details (Sheet 3)
363-OD-0119 Rev 01 Replacement Window Shutters
363-OD-0120 Rev 01 Window Shutters (View)
363-OD-0121 Rev 01 Suspended Ceiling Datasheets
All as received via email on the 14th September 2020

363-OD-0109 Rev 03 Elevations (As Proposed)
363-OD-0118 Rev 02 Roof Details – both as received via email on the 17th October 2020

363-OD-0108 Rev 04 Floor Plans (As Proposed)- as received via email on the 20th May 2021

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

3) No development shall commence (including any demolition or site set up works) until a method statement for the construction works to be undertaken to implement the approval have been submitted to and approved in writing by the City Council as local planning authority. The submitted statement shall include methods to protect the listed building whilst works are being carried out on the building and at the site. The development shall be subsequently carried out in accordance with the agreed details.

Reason - To ensure works are undertaken to protect designated heritage assets, pursuant to policy EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan.

4) No development that is hereby approved shall commence unless and until samples and specifications of all materials including mortar specification to be used on all external elevations of the development and including: gate posts; front steps; and, all hard landscaping materials have been submitted to and approved in writing by the City Council as local planning authority. The development shall be subsequently carried out in accordance with the agreed materials.

Reason - To ensure that the appearance of the extension to this Grade II Listed Building 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 EN3, SP1 and DM1 of the Core Strategy and saved Unitary Development Plan policy DC19.

5) Prior to the installation of the new false ceiling to the ground floor of the property, a detailed method statement for its installation including: details of the types, fixing method and position of supporting structures and ceiling in relation to existing heritage features; materials and finishes of the ceiling; details of the refurbishment and repair of original fabric to be concealed by the ceiling including a full record of the original fabric to be concealed; together with the details of the new cornicing to be installed to the new ceiling including moulding specifications and design, shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be installed in accordance with the agreed details prior to the first occupation of the development hereby approved.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

6) No rainwater goods nor pipes shall be installed nor affixed other than rainwater goods and pipes constructed of cast iron and coloured black. All such goods shall kept coloured and be in situ prior to the first occupation of the development hereby approved.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1; of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

7) No works, to install the timber panelling and shutters to ground floor windows as shown on the approved drawings shall commence until details of the work has been submitted to and approved in writing by the City Council as local planning authority. The details shall include method statements for installation; details of materials and finishes; and fixtures and fittings required for installations. The development shall be subsequently carried out in accordance with the agreed details prior to the first occupation of the development hereby approved.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

8) The details of the picture rails, moulded skirting boards, acanthus design console brackets within hall, as indicated on the approved drawings shall be installed prior to the first occupation of the development hereby approved.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 127017/LO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

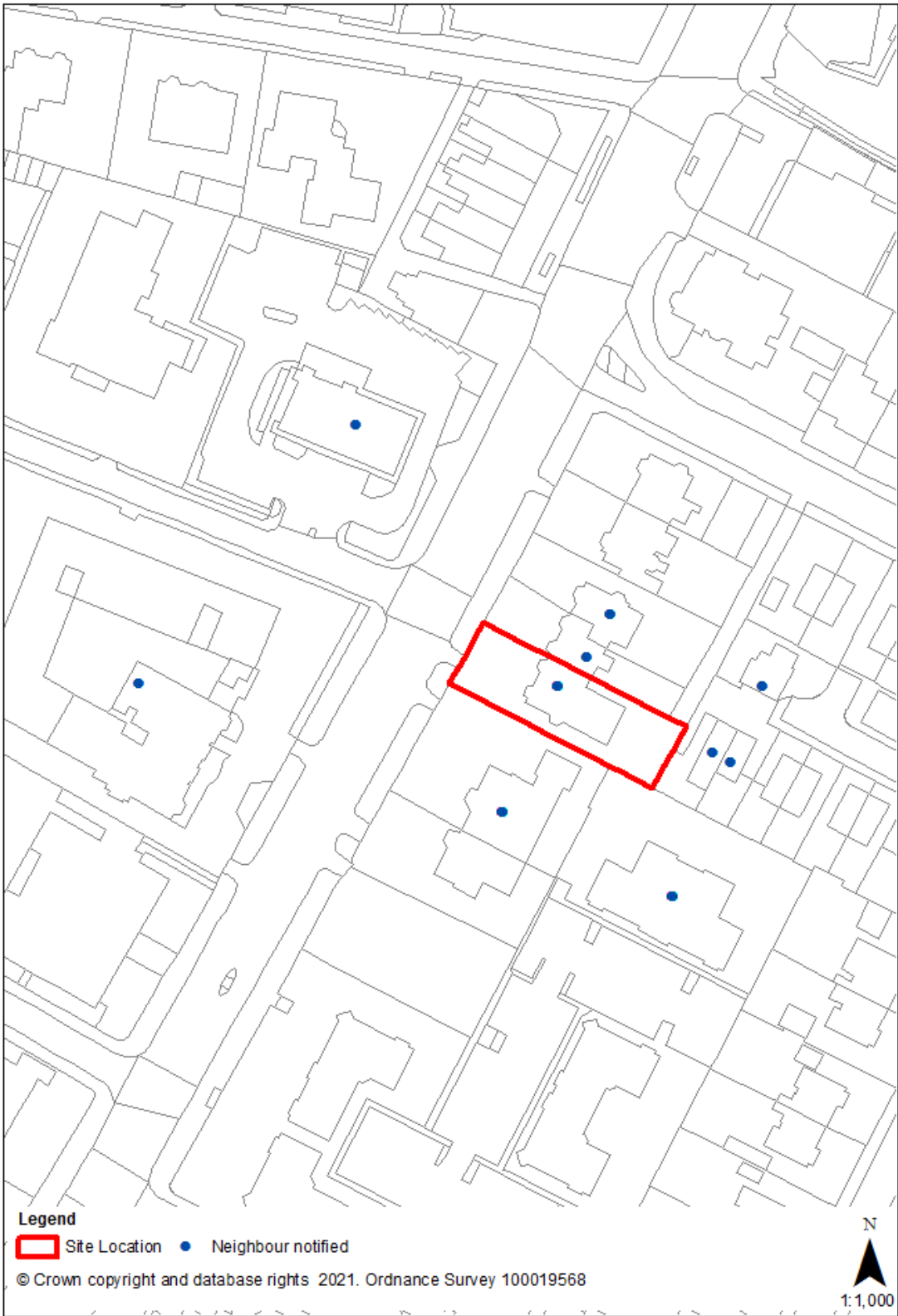
Rusholme, Fallowfield & Moss Side Civic Society

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:

South East Fallowfield Residents Group
 Fallowfield Community Guardians
 Withington Civic Society
 Councillor Chris Wills
 Councillor Rebecca Moore
 2A Egerton Road, Manchester, M14 6XW

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : robert.griffin@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
129835/JO/2021	25th Mar 2021	03 June 2021	Northenden Ward

Proposal Application to remove Condition numbers: 1 (time period for operation), 2 (personal consent) and 8 (External Seating Area) from planning approval 124313/FO/2019 to allow the business to operate permanently, remove the personal consent and allow the property to be operated by any operator, and to allow an external seating area, and the variation of Condition 4 (opening hours) to amend the opening hours to allow opening between 10am to Midnight 7 days a week and to allow the operation of an external seating area between the hours of 10am and 9pm. Permission is also sought to amend Condition 9 (Management Plan) to reflect changes in management relating to the external seating area.

Location Untapped, 67 Church Road, Manchester, M22 4WD

Applicant Mr Lee Duplex, DLD Properties Ltd, Village View, 994 Burnage Lane, Manchester, M19 1TD

Agent Ms Justine Entezari, Icen Projects, This Is The Space, 68 Quay Street, Manchester, M3 3EJ

Executive Summary

The applicant is seeking to remove and vary conditions that were placed on planning consent granted in 2019 for the change of use of 67 Church Road in Northenden to a café/bar A4.

The main issues are whether or not consent can now be granted for the use on a permanent basis, whether the premises should have a personal consent or whether or not the management plan would place sufficient controls over the operation of the premises for any operator, whether or not the introduction of an external seating area is appropriate and whether or not an increase in hours of operation into the evening would be acceptable.

The application is brought before the committee due to the original application being determined by committee and having regards to the significant amount of public interest that has been expressed with regards to the application (7 objections and 352 emails of support). A local ward member and former member have also commented on the scheme.

A full report is attached for Members consideration.

Description

This application relates to the ground floor of a two-storey end terrace property with

cellar. The property lies at the end of a commercial parade in a predominately residential area c. 125m east of Northenden District Centre on the junction of Church Road and Consul Street. The site lies within Northenden Conservation Area.

The site has historically been used as an off licence (Class A1), a hairdressers (Class A1) and an unauthorised yoga studio.

There were two applications submitted relating to the premises early in 2019, one application was for a change of use to offices (Class B1a) which was approved under reference 123464/FO/2019 and the second was for a change of use to cafe bar (Class A4) and installation of rear fire escape door which was refused under delegated powers under reference 123465/FO/2019.

Application 124313/FO/2019 was submitted on the 30th July 2019 for the change of use of ground floor to café/bar class A4 and installation of rear fire escape door together with sundry ancillary alterations. This application was reported to Planning and Highways Committee on the 17th October 2019 and was approved subject to ten conditions, the wording of the conditions to be removed or varied are set out below:

1. The permission hereby granted is for a limited period of 18 months only, expiring on 18 April 2021.

Reason - In order to assess the suitability of the use and in the interests of residential amenity and highway and pedestrian safety, pursuant to policy DM1 of the Core Strategy.

2. The change of use granted is for the temporary period set out in condition one and can only be implemented by DLD Properties Limited.

Reason - In order to assess the suitability of the use and in the interests of residential amenity and highway and pedestrian safety, pursuant to policy DM1 of the Core Strategy.

4. The premises shall not be open outside the following hours:-
Sunday to Wednesday 10am to 10pm and Thursday to Saturday 10am to 11pm.

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

8. There shall be no external seating area provided in association with the use hereby approved.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy.

9. The details of the submitted Management / Operation Statement received 15 October 2019 shall be implemented when the development commences and shall remain in operation whilst the use or development is in operation.

Reason - To ensure a satisfactory development and in the interests of amenity and traffic safety pursuant to Policies SP1 and DM1 of the Core Strategy.

This application initially sought to:

Remove Condition numbers: 1 (time period for operation) and 2 (personal consent) and Vary Condition 4 (opening hours) from planning approval 124313/FO/2019 to allow the business to operate permanently, remove the personal consent and allow the property to be operated by any operator; and, to amend the opening hours to allow opening between 10am to Midnight 7 days a week.

The application was then amended to:

Remove Condition numbers: 1 (time period for operation), 2 (personal consent) and 8 (External Seating Area) from planning approval 124313/FO/2019 to allow the business to operate permanently, remove the personal consent and allow the property to be operated by any operator, and to allow an external seating area, and the variation of Condition 4 (opening hours) to amend the opening hours to allow opening between 10am to Midnight 7 days a week and to allow the operation of an external seating area between the hours of 10am and 9pm. Permission is also sought to amend Condition 9 (Management Plan) to reflect changes in management relating to the external seating area.



Consultations

Notification letters were sent out to an extensive area of neighbouring properties for both notification processes associated with this application.

Local residents – Objections in relation to the original notification

Letters of objection have been received from 4 properties on Consul Street and 1 property on Church Road in close proximity to the application site. (5 objections)

Some residents on Consul Street state that the applicant has provided a great bar and that they support them personally, however, they state that there are people with young families and that they do not believe opening times until midnight will suit residents of Church Road or Consul Street, they believe there is a fine line between a subtle enjoyable bar and significant antisocial behaviour and disruption from noise and traffic at late night to residents. They support their current opening times.

One resident on Consul Street states that the existing operation causes problems with parking on Consul Street, noise from customers leaving at closing and from the clearing up after closing and makes the further comment that customers outside during lockdown have been causing an obstruction on the street and that the resident feels intimidated and is not the only sole female living on Consul Street who feels this way. They feel that the street used to be a quiet residential street and that any amendment to the previous consent is not conducive to the residential nature of the area.

One further resident on Consul Street outlines that the business should operate within the constraints of their original consent, they reference the problems associated with the seating area being within 3m of a neighbouring property, they comment that patrons cause noise disturbance, traffic makes the junction dangerous, they state that Untapped has no fire escape and that they have no commercial waste removal and utilise residents bins to get rid of rubbish. The resident also states that they have already converted the rear parking area for the above flat into a prospective beer garden.

The resident on Church Road states that the increase in hours will increase noise and traffic which will disrupt the sleep of residents. They state they are an essential worker who has had their sleep patterns disrupted associated with the existing hours of operation. They refer to the noise and disturbance at closing time. They refer to another essential worker moving out of tenanted accommodation above the parade of shops due to the impact of noise disturbance.

Local residents – Objections in relation to the renotification

Two further letters of objection (2 objections) were received from residents on Consul Street and Church Road in relation to the further alterations to the conditions on the scheme to accommodate external seating. The objection is on the basis that:

- There should be no seating located on Church Road due the footpath only being 2m wide and that this may impact on people utilising wheelchairs and mobility scooters, walking dogs.
- There should be no seating located on Consul Street due to the footpath only being 1.7m wide. Users of seating in either location would be subject to breathing in fumes from passing cars.
- Cars frequently partially park on pavements on Church Road and Consul Street reducing the width of pavements further.
- The area designated for the seating area appears to be a small back yard which is only accessible by exiting the bar through the front door and walking down Consul

Street to get to it. The opening to the back yard is on Consul Street between a wall and the building which would only serve to project the sound into Consul Street directly opposite property. This would impact on residents ability to open their windows during the summer months greatly impacting upon amenity and upon young families on Consul Street. There would also be overlooking from up to 15 patrons within the external seating area to windows of residents opposite for 11 hours a day.

- Where will customers be dispersed to after 9pm if the bar itself is at full capacity.
- One objector queries the compliance of the applicant with regards to the placement of tables on Consul Street in Summer 2020 which led to problems with customers impeding access to residents vehicles. They state that this is a very quiet street of 12 terraced properties and it is difficult to understand why it was considered appropriate for a bar to be located here when placement in Northenden centre would have been more appropriate.

Local residents – At the time of writing this report 352 emails of support have been received

The grounds for support are as follows:

Excellent small friendly covid compliant family owned bar with good procedures and well behaved clientele, respectful of local residents. The right sort of atmosphere and license controls for a good bar adding benefit to the Northenden community. The business contributes to many local charities regularly holding charity events to support the local community, donates to foodbanks, makes women and families feel welcome and safe and is supportive of the LGBTQ+ community hosting a local pride. A valuable contributor to Northenden during difficult times.

Councillor Mary Monaghan - Wishes to support the application for Northenden Untapped to continue to trade as a bar. They have enhanced the area, attracted both local customers and attracted new ones from nearby neighbourhoods. They have improved the immediate area with a nice looking and attractive premises. They have engaged well with the community, they have contributed to the continuing success of the district centre and continually raise money for a local food project in Benchill. Customers love it and support it. In a time when many centres are losing bars and hospitality, we need to keep this popular and well managed bar and support this business. States that only ever personally received one concern raised and the owners dealt with it speedily. The business will close without support. I ask this application is approved please. We need more like this in Northenden.

Former Sharston Member Madeline Monaghan - Would like it noted that she fully supports the opening of Northenden Untapped, Church Road, Northenden. Fully supports the application for a pavement licence on Consul Street. Fully supports the application for a small beer garden in the rear of the property.

Northenden Untapped is a small family owned and family run Bar on the corner of Church Road and Consul Street in Northenden. It is owned and operated by Lee & Debbie Duplex.

It originally opened 18 months ago, with some restrictions, but has remained closed during Lockdown. It has fully complied with every condition and request made by

MCC and its agents. The Family are seeking to reapply for its Licence, hopefully with none of the restrictions previously made.

It is an extremely well run Bar, is a valuable asset to our local community and adds to the local offer. It contributes to many local charities, regularly holding Charity Events to support our local community.

As a local woman and resident, she finds it a very safe place for women.

Environmental Health

Comments can be summarised as follows –

When the initial planning consent was submitted for this property, refusal was recommended as it was felt that this was not a suitable location for this type of use. The application site is on the end of a small parade of shops, but there are residential properties on Consul Street, which runs down the side of the property; residential properties on Church Street to the right of the property, flats above the shops in the parade and a flat above the proposed café bar.

A temporary consent was granted “In order to assess the suitability of the use and in the interests of residential amenity and highway and pedestrian safety, pursuant to policy DM1 of the Core Strategy” but the premises only operated for a few months until the lockdown / regional tier restrictions meant it had to close.

The applicant has confirmed that the premises was open to customers during the summer months of 2020, and no complaints were received, they would therefore support the premises operating as a café/bar.

However, the applicant now wishes to operate an external seating area in the rear yard from 10am-9pm each day. The proposed external seating area / beer garden is approximately 10m away from the nearest residential garden, 3m away from the nearest dwelling and there is a flat above the proposed application site which would also be affected by noise from the external seating area.

A beer garden is for people to remain in the same location to drink and socialise which could result in a constant disturbance rather than a transient one. The applicant has stated that there would be no more than 12-15 people in the outside seating area at any one time, but noise from 12-15 customers drinking and socialising has the potential to be disruptive.

Would want to ensure that should planning choose to approve the external seating area then there was still a waste storage area within the curtilage of the premises.

Support the operation of the premises to operate as a café/bar with the extended hours, but raise concern relating to noise from the external seating area which could have some detrimental impacts on the amenity of residents above the premises and in the close vicinity.

Highway Services

No highways issues are likely to arise as a consequence of this proposal.

Northenden Civic Society

Any comments received will be reported to Committee

Northenden Village Partnership

Any comments received will be reported to Committee

Policy

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

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted. Paragraph 185 of the Framework stipulates that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

Paragraph 189, requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. 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 190 states Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

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

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

Core Strategy

Policy DM1 is relevant to this application as it seeks to protect the amenity of an area from the adverse impact of development. The policy states all development should have regard to the following specific issues, amongst others:

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Community safety and crime prevention.

Design for health.

Refuse storage and collection.

Vehicular access and car parking.

Policy C10 Sets down the criteria to be considered in determining applications that impact on the evening and night time economy. The policy states new development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact – in areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
2. Residential amenity – the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.
3. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area. When considering the impact of a proposed bar or hot food take away regard will be had to the above policy and also:
 - The existing number of similar establishments in the immediate area and their proximity to each other;
 - The type and characteristics of other uses, such as housing, shops and public houses;
 - The existence of vacant shop units and the condition of the unit;
 - The importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community;
 - The character of the centre and its frontage, and the nature of the use proposed;
 - The potential impacts of the proposal on the wider community; and
 - Any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

Policy EN3 – Heritage - States that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including listed buildings and conservation areas. The application relates to a site within the Northenden Conservation Area as set out within this report.

Unitary Development Plan

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

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

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

DC10.3 Development will not normally be permitted where:

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

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

Policy DC26 says that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider the effect of new development proposals which are likely to be generators of noise; b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Saved policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv. the effect of signs and advertisements;

- v. any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance or character of the area.
- d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Legislative requirements

Section 72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a Conservation Area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Issues

Removal of Condition 1 – Time Period for Operation

Planning permission was granted under reference 124313/FO/2019 at Planning and Highways Committee on the 17th October 2019 which established the principal of the use in this location for a temporary 18 month period expiring on the 18th April 2021, this permission was implemented.

18 months have now expired, this application for removal of and alteration of conditions attached to that consent being lodged prior to the expiration of the temporary consent on the 25th March 2021.

The unit is not far removed from the District Centre, being only c. 125m east of the District Centre boundary. During the 18 months since consent was granted the applicant has operated the use in a limited way due to the imposition of COVID-19 related restrictions, operating a click and collect and home delivery service.

The applicant points towards success in relation to their operation with regards to waste management, abiding by the restricted operating hours, restricting background music, not laying out street furniture and operating in accordance with the management and operation statement submitted, specifically within periods between November 2019-March 2020 (inclusive of Christmas 2019) and 4th July to 5th November 2020 (inclusive of Summer 2020 when restrictions were eased). A significant amount of support has been expressed for the applicant and their operations, specifically stating that the business has contributed positively to the community of Northenden at this difficult time. A number of objections received to this application include within them support for the current operations and the applicant.

Planning and Highways Committee in October 2019 recommended a temporary consent to test the impacts of granting consent. Due to the extraordinary circumstances which have been faced in the last 14 months there has been limited opportunity to assess the impacts of the proposal operating as the original approval anticipated. However, it is agreed that the applicant has operated within two busy timeframes within that period, for c. 8.5 months and have abided by the terms of their restrictive consent. The applicant has also operated in accordance with a management plan and the future use would also be in accordance with a strict management plan. Environmental Health are satisfied that the premises were open to customers and that no complaints were received and support the premises operating as a café/bar.

There is therefore no objection to the removal of Condition 1 attached to planning permission 124313/FO/2019 and that planning permission is granted for the permanent use of the premises. This also provides confidence in continued operations and investment in the premises and that this is not restricted to another temporary period.

Removal of Condition 2 – Implementation by DLD Properties

A reason for the approval of the previous scheme was that the unit would be managed by a known operator who is reputed in the community. A case has been made that to maintain vitality along Church Road that the property should be allowed to move into new ownership should it need to. It is stated that the owner does not intend to sell the bar in the near future, but as they move toward retirement they may bring a partner in to assist with day to day operations.

The applicant states that conditions relating to opening hours, playing of live or amplified music, control of waste and the operational management plan which sets out that:

- No live or amplified music to be played in the outside seating area at any time.
- No more than 12-15 people to be seated outside at any given time. The limited number of chairs placed in the outdoor area will be adhered to by all staff, and no additional furniture will be used.
- The outside seating area shall not be open outside the following hours: Monday to Sunday 10am to 9pm.
- A dedicated member of staff will be responsible for monitoring customer behaviour within the outdoor seating area and ensuring that no additional chairs are brought outside from inside the premises.
- Notices will be displayed in the outdoor seating area, requesting our customers to behave in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
- Empty tables and chairs to be removed at 8pm and last orders taken before this, with people being dispersed at 9pm.
- Patrons within the outdoor area will receive table service and will be asked not to physically attend the bar to place an order;

should suitably safeguard residential amenity regardless of the operator.

It is agreed that the justification to remove Condition 2 attached to planning permission 124313/FO/2019 is acceptable subject to the reimposition of appropriate conditions controlling the impacts of the development including the continued operation of the management plan.

Removal of Condition 8 – External Seating Area and alteration to Condition 9 (Management Plan) to reflect changes in management in relation to the external seating area.

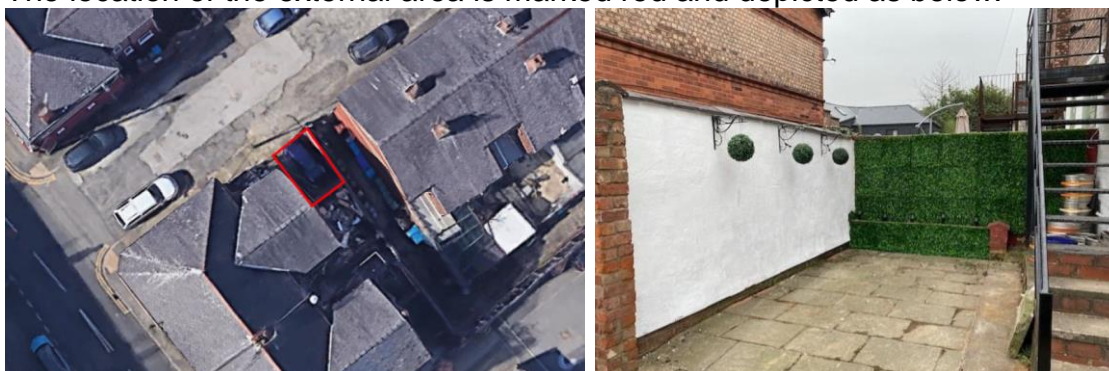
Planning consent was granted on the basis that there were no external seating areas associated with the use due to concerns relating to the relationship to neighbouring residential property on Consul Street and above the parade of shops fronting Church Road.

Consul Street is a residential street comprising two storey terraced dwelling houses and the application site is separated by a narrow rear alleyway from the nearest residential property No.2 Consul Street.

Residents have expressed a concern that the proposed external area would see an increase in comings and goings at unsociable hours, which would then lead to an increase in noise from patrons leaving the premises or congregating outside to smoke, and car doors being closed by patrons/staff leaving the premises. Concerns were also expressed about the location of the external seating area and the impact that this would have upon the movement of pedestrians.

It has been clarified that the proposal for the external seating area is restricted to the use of the rear yard associated with the rear of the premises. It is not proposed to accommodate external seating areas to the Church Road frontage, which has a restrictive width of 2m or to the side of the premises at the junction with Consul Street where the pavement width is 1.7m. Such seating areas would conflict with the safe operation of the highway for pedestrians and vehicles.

The location of the external area is marked red and depicted as below:



With regard to the proposed external seating area to the rear of the premises regard must be had to saved policy DC10 of the Unitary Development Plan for the City of Manchester which requires that in determining applications for the sale of drink for consumption on the premises, the Council will have regard to the location of the proposal, the effect on the amenity of neighbouring property, the availability of car

The impacts of the operation with regards to the Management Plan, travel to the site and waste management being accepted, the outstanding question is whether or not the principal of the use of the external seating area for the hours proposed would cause such an undue impact upon residential amenity to warrant the refusal of planning permission. An assessment of the hours of operation and its impact on residential amenity follows below.

Variation of Condition 4 (opening hours) to amend the opening hours to allow opening between 10am to Midnight 7 days a week and to allow the operation of an external seating area between the hours of 10am and 9pm.

The premises sits within a parade of three commercial premises, but lies opposite 9 commercial premises and the cluster of commercial premises comprises a local centre. The other two uses on this side of the road are a takeaway that has consent to operate Sundays to Thursdays 11:00am till 2:00am and Friday and Saturdays 11:00am till 3:00am and a pet grooming salon with no control over the hours of use.

That being said, the application premises sit on the corner turning onto Consul Street, a wholly residential road and there is a residential unit above and the adjoining property at No. 69 Church Road, the unit within the parade next door, changed use to a dwelling house. The relationship of the premises to neighbouring property differs from other commercial premises in the parade.

These particular circumstances led to a condition being placed on the temporary approval was on the basis of the following hours:

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

Sunday to Wednesday 10am to 10pm and Thursday to Saturday 10am to 11pm.

The applicant has applied for opening of the premises between 10am and Midnight for 7 days a week. However, the supporting statement they submitted to support their application stated that it was not their intention to fully utilise these hours, that these hours would just allow for the accommodation of particular events at the venue (e.g. comedy nights/parties).

The local planning authority have had regard to the historic pattern of development in this particular location. Historically in this area there have been public houses on the corner of residential streets that have stopped serving alcohol at 11pm. Having regard to this historic context, but also having regard to the specific site circumstances it is considered that an amended time of closing at 11pm (for Sunday to Thursday) and 12pm for Fridays and Saturdays would be appropriate and would allow patrons to leave via the front of the premises within the context of other commercial properties. This restriction in opening, which takes into account the expected level of background activity during the week and over the weekend, would be appropriate in this context and would also protect the amenity of those neighbouring residential occupiers.

It is noted that the previous A1 shop use of the unit was historic and had no controls over the hours of use and could have been used into the late hours. Under new Use Class E the premises could have been converted to a café without any control over the hours. Environmental Health have no objections to the extended hours of opening for the premises themselves.

The External Seating Area

It is proposed that the external seating area would only be available for use from 10am to 9pm. This area would only be available to a restricted number of patrons who would only be able to occupy the space in a managed fashion.

The applicant has applied for licensing of this external area which has been granted subject to conditions that no tables or furniture are placed on Consul Street, that bins are provided and litter is picked up and that the use ceases at 10pm. Licensing is a separate consent to planning, it is considered having regard to development plan policies (saved policy DC26 of the Unitary Development Plan and policy DM1 of the Core Strategy) that the hours for closure of the external seating area should be 9pm to protect the residential amenity of neighbours in close proximity.

With regards to how the patrons would travel to and from the external seating area from within the premises, a condition of the previous consent required that the fire door to the rear elevation remained closed at all times. This fire door has not been implemented as the applicant has a conversation with Greater Manchester Fire and Rescue service who confirmed that it was not required due to the size of the property and the distance to the front door, Building Control have confirmed that this is the case.

Concern was expressed that the lack of access from the rear of the premises could result in patrons travelling from the door to the front of the premises on Church Road, down the 1.7m width pavement to Consul Street to the external seating area to the rear, possibly with drinks and that this could be more harmful to the safe operation of the highway and upon residential amenity and encourage activity within the Consul Street frontage.

The applicant stated that the implementation of an access door to the rear would entail the removal of a seating area within the premises, which already has a constrained footprint. They make the case that Consul Street services a limited number of properties and that a 1.7m width footway is adequate to allow two people to pass safely having regard to Manual or Streets standards, even with a parent pushing a pram. They have provided data which establishes hourly pedestrian movements and state that there would be between 1 and 2 two-way pedestrian movements per hour and they point to the existence of a footway to the other side of Consul Street.

The applicant has updated the Management Plan to include a clause that states that the external seating area would be table service only and that users of this area would be asked not to physically attend the bar to place an order to limit the opportunity for conflict between patrons and residents.

A condition is also considered to be necessary to require low level boundary treatment to the front of the external seating area to delineate between the application site and the public footpath to contain seating and furniture within the site to limit the conflict between patrons and residents, this has been agreed by the applicant.

The abovementioned offer of table service which is set out in the amended Management Plan and the condition relating to the boundary treatment is considered to secure the best use of the space available in a way that provides for a screened waste management, maintains access to the first floor via the fire escape stairs in this location, accommodates the external seating area and protects the safe operation of the footway.

A resident has raised an objection on the basis that there would be overlooking from the external seating area to their property. It is not considered that overlooking across a road from an area that could be used in association with the former Class E use without control would constitute a sustainable reason for refusal.

It must be noted that some concerns have been raised by Environmental Health in relation to noise from this external area and that there would be some impacts on neighbouring occupiers. However it is not considered that the use of this external seating area, with restrictions on the hours of use, how the area is operated and control over the access to this area, in the constrained area proposed, to support the continued operation of the premises, would cause such undue harm to residential amenity as would warrant the refusal of planning consent.

Impact on the Conservation Area – No physical alterations other than a low level boundary treatment to enclose the external seating area proposed are associated with the proposed alterations to the conditions that would impact on the appearance of the Northenden Conservation Area. Tables and chairs to the external seating area would be removable and stored in the premises overnight. It is considered that the proposal would improve the appearance of the external area within the street scene and within the Northenden Conservation Area subject to appropriately detailed conditions.

Bin Storage and Servicing - Waste is currently stored externally to the rear as part of the originally approved scheme (off the highway and not conflicting with the use of the external seating area), the bins are transported to and collected from Church Road on collection days, servicing also takes place from Church Road which has been accepted as an acceptable arrangement.

Parking – It is not considered that the proposals alterations to the conditions / creation of the external seating area would generate a significant increase in the level of vehicular trips to the site over and above the existing use in this sustainable location just outside of the district centre. A condition is reimposed with regards to the provision of cycle parking.

Conclusion – The concerns of a number of residents and Environmental Health are noted and have been taken into account with regards to the reduction to the proposed hours opening hours and controls over the means of access to the external seating area. It is considered that the condition removals and variations are appropriate subject to conditions to control the management of the operation of the premises with regards to the policies of the Development Plan.

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

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 application, and the application has been determined in accordance with the policies within the Development Plan.

Conditions to be attached to the decision

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

Supporting letter from applicant dated 12th May 2021
 Extent of seating area plan received 14th May 2021
 Church Road Management Operating Statement received 21st May 2021
 (Notwithstanding the content of the Management / Operation Statement, the approved hours are set out in condition 2 and 3 included in this decision notice.)

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

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

Sunday to Thursday 10.00 to 23.00
 Friday and Saturdays and Bank Holidays 10.00 to 00.00

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

3. The external seating area shall not be open outside the following hours:-

Monday to Sunday 10.00 to 21.00

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

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

Reason - In 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.

5. The approved waste management and screening approved as part of application 124313/FO/2019 shall remain in situ whilst the use or development is in operation.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy.

6. Within one month of the use of the external seating area details of boundary treatment to be erected to delineate between the application site and back of footpath shall be submitted for the approval of the local planning authority in writing. This boundary treatment shall be installed and retained for the period that the use remains in operation.

Reason – To ensure a satisfactory development in the interests of amenity and traffic safety pursuant to Policies SP1 and DM1 of the Core Strategy.

7. The details of the supporting statement and submitted Management/Operation Statement received 21st May 2021 shall be implemented when the development commences and shall remain in operation whilst the use or development is in operation. Notwithstanding the content of the Management/Operation Statement, the approved hours are set out in Condition 2 and 3 included in this decision notice.

Reason – To ensure a satisfactory development and in the interests of amenity and traffic safety pursuant to Policies SP1 and DM1 of the Core Strategy.

8. The premises can only play background level music. No live or amplified music is permitted.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties in accordance with Policy DM1 and DC26.1.

9. Within one month of consent details of secure bicycle shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall remain available for use whilst the use is occupied. Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 129835/JO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Environmental Health
Highway Services
Northenden Civic Society
Northenden Village Partnership**

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

Relevant Contact Officer : Jennifer Connor
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