



Planning and Highways Committee

Date: Thursday, 1 July 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 will follow.
2. **Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
3. **Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
4. **Minutes**
To approve as a correct record the minutes of the meeting held on 3 June 2021. 7 - 16
5. **Application for 130166/FH/2021 - 11 Mardale Avenue Manchester Item No M20 4TU - Didsbury East Ward** 17 - 34
The report of the Director of Planning, Building Control and Licensing is enclosed.
6. **Application for 127241/FO/2020 - 515 To 521 Barlow Moor Road Manchester M21 8AQ - Chorlton Park Ward** 35 - 72
The report of the Director of Planning, Building Control and Licensing is enclosed.
7. **Application for 121252/FO/2018 - Great Marlborough Street Car Park, Great Marlborough Street, Manchester M1 5NJ - Deansgate Ward** 73 - 228
The report of the Director of Planning, Building Control and Licensing is enclosed.
8. **Application for 130475/LO/2021 - 42, 44 And 46 Thomas Street (Including 41, 43 And 45 Back Turner Street) Thomas Street, Manchester M4 1ER - Piccadilly Ward** 229 - 282

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

9. **Application for 129010/FO/2020 - Public Car Park Accessed Via Stockport Road And Albert Road, Manchester M19 3AB - Levenshulme Ward** 283 - 308

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

Meeting Procedure

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

At the beginning of the meeting the Chair will state if there any applications which the Chair is proposing should not be considered. This may be in response to a request by the applicant for the application to be deferred, or from officers wishing to have further discussions, or requests for a site visit. The Committee will decide whether to agree to the deferral. If deferred, an application will not be considered any further.

The Chair will explain to members of the public how the meeting will be conducted, as follows:

1. The Planning Officer will advise the meeting of any late representations that have been received since the report was written.
2. The officer will state at this stage if the recommendation of the Head of Planning in the printed report has changed.
3. ONE objector will be allowed to speak for up to 4 minutes. If a number of objectors wish to make representations on the same item, the Chair will invite them to nominate a spokesperson.
4. The Applicant, Agent or their representative will be allowed to speak for up to 4 minutes.
5. Members of the Council not on the Planning and Highways Committee will be able to speak.
6. Members of the Planning and Highways Committee will be able to question the planning officer and respond to issues that have been raised. The representative of the Highways Services or the City Solicitor as appropriate may also respond to comments made.

Only members of the Planning and Highways Committee may ask questions relevant to the application of the officers. All other interested parties make statements only. The Committee having heard all the contributions will determine the application. The Committee's decision will in most cases be taken under delegated powers and will therefore be a final decision.

If the Committee decides it is minded to refuse an application, they must request the Head of Planning to consider its reasons for refusal and report back to the next meeting as to whether there were relevant planning considerations that could reasonably sustain a decision to be minded to refuse.

External participation in the Committee's online meetings

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

- Name and contact details of the registered speaker
- Description and planning reference number of the matter on which they wish to speak
- If you want to speak in support or as an objector

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

Information about the Committee

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

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

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

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

Further Information

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

Andrew Woods
Tel: 0161 234 3011
Email: andrew.woods@manchester.gov.uk

This agenda was issued on **Wednesday, 23 June 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

Planning and Highways Committee

Minutes of the meeting held on Thursday, 3 June 2021

Present: Councillor Curley (Chair)

Councillors: Shaukat Ali, Andrews, Baker-Smith, Y Dar, Davies, Hutchinson, Kamal, Lovecy, Lyons, Riasat, Richards and Stogia

Apologies:

Councillor Kirkpatrick

Also present:

Councillors Johns and Rawson

PH/21/26 Supplementary Information on Applications Being Considered

A copy of the late representations that were received in respect of applications 128864/OO/2020, 128698/FO/2020, 129251/FO/2021, 129252/LO/2021, 129406/FO/2021, 128248/FO/2020, 127241/FO/2020, 127016/FO/2020, 127017/LO/2020 and 129835/FO/2021 since the agenda was issued.

Decision

To receive and note the late representations.

PH/21/27 Minutes

Decision

To approve the minutes of the meeting held on 18 March 2021 as a correct record, subject to the replacement of the words “to undertake a site visit” with “to approve the application” at paragraph 23 of minute number PH/21/22.

PH/21/28 128864/OO/2020 - Land Opposite 83-87 Vine Street, Manchester, M18 8SR - Gorton and Abbey Hey Ward

This application seeks outline planning approval 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).

The agent for the applicant addressed the Committee on the application.

The Committee was informed that there was no one present to speak in objection to the application.

The Planning Officer did not add anything further to the report and reiterated to the Committee that the application is for layout and access arrangements to the proposed development site.

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

A member referred to three trees located on the access point of the site on Vine Street and the proposed removal of one of the trees.

The planning officer reported that there would be a landscaping scheme submitted at a later stage as part of a reserved matters planning application

Councillor Andrews moved the recommendation for the Committee to be Minded to Approve the application. Councillor Shaukat Ali seconded the proposal.

Decision

The Committee is Minded to Approve the application as detailed in the report submitted, subject to the conditions included and subject to the section 106 legal agreement proposed to ensure that 20% of the properties are affordable and would remain so in perpetuity.

(Councillor Kamal declared a prejudicial interest in the application and left the meeting and took no part in the consideration or the decision made on the application.)

PH/21/29 128698/FO/2020 - Vacant Land bounded by Stockport Road, Swallow Street, Siddall Street and Pennington Street, Manchester - Longsight Ward

The application related to a planning application relating to a cleared area of vacant, largely grassed land bounded by Swallow Street (north), Stockport Road (east), Pennington Street (south) and Siddall Street (west). 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 Page 66 Item 6 above with associated 25 space car parking area and new vehicular access from Siddall Street.

The Committee was informed that there was no one present to speak in objection to the application.

The applicant addressed the Committee on the application.

The planning officer informed the Committee that a previous application had been granted for a four-storey building on the Stockport Road boundary of the site. However, the proposed application is an improvement on the existing application and provides regeneration opportunities for Levenshulme District Centre.

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

In welcoming the development and the improvement it would bring to the development site and surrounding area a member of the committee made reference to the s.106 Agreement for a reconciliation re-appraisal of the development for an affordable housing contribution. Reference was also made to the enhancement of the street scene through the planting included in the scheme.

Councillor Andrews moved the recommendation for the Committee to be Minded to Approve the application. Councillor Riasat seconded the proposal.

Decision

The Committee is Minded to Approve the application as detailed in the report submitted, subject to the conditions and the s.106 Agreement to secure a reconciliation re-appraisal to determine if the delivered development should be related to an affordable housing contribution

(Councillor Richards declared a prejudicial interest in the application and left the meeting and took no part in the consideration or the decision made on the application.)

PH/21/30 129251/FO/2021 and 129252/LO/2021 - 98-116 Deansgate and 35-47 King Street West, Manchester, M3 2GQ - Deansgate Ward

The planning application proposes the use of floors 1-9 as offices and includes elevational alterations and the erection of a three storey rooftop extension to Kendal Milne and use of the ground, lower ground and basement levels as flexible commercial space. The Fraser Building and link bridges would be demolished and

replaced with a 14 storey office building (Use Class E), including plant level, amenity space and ground and basement commercial units. The application for Listed Building Consent is 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.

The Planning Officer informed the Committee that the development would support city centre growth and infrastructure and the St Mary's Parsonage Strategic Regeneration Framework and there is a demand for office accommodation post-covid. The Committee was also informed that there had been a modification made to Condition 9 and this had been included in the Supplementary Information circulated prior to the meeting.

The Agent for the applicant addressed the Committee on the application.

The Committee was informed that there was no one to speak in objection to the application.

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

A member of the Committee referred to the loss of some of the glass block windows within the building and asked officers if other solutions had been explored before this decision had been made.

The Planning Officer reported that the heritage appraisal and the options analysis had interrogated this issue and the only way to retain the glass blocks would have been a 'black box' use such as a cinema or conference facility. Such usage would have a significant impact on the building. The applicant has since agreed to retain more of the glass blocks than had originally been proposed.

A member requested the inclusion of age friendly seating within the public realm element of the scheme. It was reported that condition relating to the public realm and the seating scheme would be amended to include age friendly seating.

Councillor Andrews moved the recommendation to approve the application.
Councillor Stogia seconded the proposal.

Decision

The Committee agreed the applications as detailed in the report submitted and subject to the conditions included in the report and subject to:

- Amendment to Condition 9, as set out in the Supplementary Information report.
- Amendment to the condition relating to public realm works for the inclusion of 'age friendly' seating within the scheme.

**PH/21/31 129406/FO/2021 - Land at Deansgate South, Manchester -
Deansgate Ward**

The application proposes a 28-storey purpose built student accommodation (PBSA) building providing 534 bed spaces. There have been 28 objections and 12 in support. Deansgate Ward Councillors Marcus Johns and William Jeavons have objected to the proposal.

The Planning Officer reported that a number of issues had been raised by the applicant and were included in the Supplementary Information report. The issues raised had been addressed by officers within the report submitted. The recommended reasons for refusal had been modified as set out in the supplementary information and related to:

- Principal of use
- Design quality – inadequacy of the proposed building materials
- Urban design – impact on surrounding building and the lack of open space around the building.
- Impact on nearby Listed Buildings
- Impact on the Conservation Area
- Wind environment

The Chair invited a spokesperson representing objectors to the proposal to address the Committee.

The objector stated that the proposal would have a negative impact on the surrounding buildings and the city centre. The proposal does not fit the Great Jackson Street Framework. The proposed structure is overbearing and obtrusive and there would be a loss of day light, a loss of privacy and a loss of the view from the neighbouring residential properties. The impact of the proposal would be detrimental to the Conservation Area and Listed Buildings. In addition, the universities do not support the proposal for student accommodation for this area of the city centre.

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

Councillor Johns (Deansgate Ward) addressed the Committee in objection to the application and requested that the application be refused as recommended for the reasons outlined.

The Planning Officer reported that the applicant had been consistently advised that the use was unacceptable and the building too tall. It would not be consistent with core strategy policy H12 or the Great Jackson Street framework. There are no obvious regeneration benefits and the proposal which would have a negative impact on the surrounding area. The building materials are not of a quality required and the proposal has been recommended for refusal.

Councillor Andrews moved the recommendation to refuse the application. Councillor Stogia seconded the proposal.

Decision

The Committee refused the application for the reasons detailed in the report submitted and in the officer's presentation.

PH/21/32 128248/FO/2020 - Land bound by Gould Street, Williamson Street, Bromley Street and Bilbrook Street, Manchester, M4 4DD - Piccadilly Ward

The application proposes 1202 homes and 192 sqm of commercial space within 9 buildings ranging from 8 to 34 storeys in height with 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).

The Planning Officer informed the Committee that an additional condition had been added and this was detailed in the Supplementary Information report which requires details of the interim treatment of all land not included in phase one to be submitted to and approved in writing by the Local Planning Authority before development commences. All works approved in discharge of the condition to be implemented in full before the first occupation of any home in phase one.

There was no objector present at the meeting.

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

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

A member of the Committee referred to the inclusion of affordable housing and asked officers for the reason why the proposal had been set a level of 7%, which included remediation in view of the 20% policy.

The Planning Officer reported that a viability appraisal had been independently assessed on behalf of the Council which concluded that the development would only be viable with a 7% level of affordable housing. This would be reviewed at a later date to determine any changes in viability. If further affordable housing is considered appropriate it would be included within the development or as a contribution to off-site provision.

A member of the Committee noted the scale of the proposal and questioned whether social infrastructure such as nurseries and GP surgeries would be included within the development. The planning Officer was also asked whether the proposed development had been designed to promote intergenerational living and include provision for residents with a disability.

The Planning Officer reported that Victoria North is a very large-scale development that will take between 15-20 years to complete within the lower Irk Valley area. The overview and vision includes social infrastructure and that will be included within individual proposals as development proceeds. The units within the development will include town houses and 1-3 bedroom flats to promote intergenerational living to ensure the development is successful.

A member of the Committee referred to the importance of ensuring the transporting of contaminated soil is done away from adjoining residential neighbourhoods and to conduct environmental assessments of the development land. Also, planning officers were informed that the proposed hours of work for the construction of the development appeared to be outside that of the current policy. In view of the scale and the length of time the development would take to complete and the close proximity of a residential neighbourhood, the proposal was made to include a condition for construction times to be as follows:

8.30am-6.00pm Monday to Friday

10.00am-2.00pm Saturday

No construction to take place on bank holidays or on Sunday.

The Planning Officer reported that the majority of the contaminated material had been removed. The remaining contaminated soil would be removed in a safe manner. An additional condition could be added to address concerns on the hours of operation of the site.

A member referred to the long-term vision for the development of the area and wider area of the lower Irk Valley and expressed concern that plans for this vision for the inclusion of social infrastructure planning for families needed to be forthcoming sooner rather than later.

Councillor Andrews moved the recommendation of Minded to Approve for the application, subject to the signing of a section 106 agreement in relation to affordable housing and to the inclusion of an additional condition requiring the hours work to be amended as proposed. Councillor Stogia seconded the proposal.

Decision

The Committee is Minded to Approve the application, subject to the conditions contained in the report and supplementary report, and to the signing of a section 106 agreement in relation to affordable housing and to the inclusion of an additional condition requiring the hours work to be amended as follows:

8.30am-6.00pm Monday to Friday

10.00am-2.00pm Saturday

No construction to take place on bank-holidays or on Sunday.

(The Committee adjourned at this point for 10 minutes.)

**PH/21/33 127241/FO/2020 - 515-521 Barlow Moor Road, Manchester, M21
8AQ - Chorlton Park Ward**

The application relates to a 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.

The Planning Officer reported that video footage had been received that show bats to be flying in the area around the development and a further bat survey of the area would take place to assess this.

A spokesperson representing objectors to the application addressed the Committee.

Councillor Rawson addressed the Committee to object to the application.

Councillor Andrews requested that the Committee hold a site visit to the development site to visualise the area and allow time for a bat survey to be completed and assessed. This was seconded by Councillor Richards.

Decision

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

PH/21/34 121897/FO/2018 - Unity House 42 Great Southern Street, Manchester, M14 4EZ - Moss Side Ward

The application relates to the erection of second-floor extension and infill extensions to courtyard to provide prayer hall and classrooms.

The Planning Officer did not add anything further to the report submitted.

There were no spokespersons representing objectors or the applicant present.

Councillor Andrews 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/21/35 127016/FO/2020 and 127017/LO/2020 - 363 Wilmslow Road, Manchester, M14 6XU - Withington Ward

The application relates to 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.

The Planning Officer advised the Committee that there were two applications to consider relating to development and Listed Building Consent.

The applicant's agent addressed the Committee on both of the applications.

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

Decisions

1. The Committee agreed the application for development, as detailed in the report submitted and subject to the conditions included.
2. The Committee agreed the application for Listed Building Consent.

PH/21/36 129835/JO/2021 - Untapped 67 Church Road, Manchester, M22 4WD - Northenden Ward

The application relates to 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.

The Planning Officer did not add anything further to the application submitted.

The applicant addressed the Committee on the application.

Councillor Andrews moved the recommendation to approve the application.
Councillor Richards seconded the proposal.

Decision

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

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Application Number	Date of Appln	Committee Date	Ward
130166/FH/2021	23 Apr 2021	1 Jul 2021	Didsbury East Ward

Proposal Erection of part single, part two-storey side and part single-storey, part two-storey rear extension, installation of rear dormer, front porch extension and elevational alterations to provide additional living accommodation

Location 11 Mardale Avenue, Manchester, M20 4TU

Applicant Imran Anwar , 11 Mardale Avenue, Manchester, M20 4TU

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

Executive Summary

This application is for the erection of a part single, part two-storey side and part single-storey, part two-storey rear extension, the installation of rear dormer, front porch extension and elevational alterations to provide additional living accommodation. The property is not listed or in a conservation area and is typical of the type and style of properties within the immediate area. This application is a resubmission following an earlier refusal for a scheme consisting of larger extensions. The proposed extensions have been amended since the previous submission to reduce their scale and to reduce impacts on the appearance of the main part of the building and the neighbouring properties.

The main issues arising from the proposals are the impacts on residential and visual amenity that arise from the proposed extensions.

6 neighbouring occupiers were notified of the application proposals. As a result of this process objections have been received from a neighbouring occupier. Local ward members have also commented on the scheme.

Description

This application relates to an inter-war, two-storey, semi-detached house on the east side of Mardale Avenue. The property is sited on a splayed, corner plot with the adjoining semi being on Ferndene Road. The property has an existing two-storey side and rear extension with existing single-storey lean to the side and rear, which appear to be original features of the house. There is also a detached, flat roofed, concrete, garage adjacent to the shared boundary with no. 9 Mardale Avenue.

The property features a hipped roof, has a double storey bay window to the front and is brick at ground-floor level, with white render to the first-floor.



Front elevation of no. 11 Mardale Avenue on the left

The property sits squarely within a triangular shaped plot, with the front, side and rear elevations facing the respective points of the triangle. The property has a pedestrian gate to the front on Mardale Avenue and further along, closer to no. 9 Mardale Avenue there is a large sliding vehicular gate leading to a drive way and detached garage. This gate does not benefit from planning permission, but does not form part of this application. The front garden is approximately 8.8 metres long at its greatest point. The front garden has a privet hedge running along the front shared boundary with no. 7 Ferndene Road and a lawn to the front with a paved driveway to the side.

At its longest point there is a distance of approximately 13.2 metres from the side of the original house to the shared boundary with no. 9 Mardale Avenue. The rear garden is approximately 18.8 metres long at its longest point and is bounded by wayney lap fencing to the shared boundaries with both neighbours. The rear garden is lawned.



Rear garden of no. 11 Mardale Avenue

In February this year, planning application reference 128874/FH/2020 was refused for the erection of part single, part two-storey side and part two-storey, part single storey rear extension, installation of rear dormer and front porch extension and elevational alterations to provide additional living accommodation. No appeal was lodged, the application subject of this report is a resubmission seeking to address the previous reasons for refusal.

The other half of the semi is not quite a mirror image as it has a double storey bay window at both the front and the rear but does not have the two-storey corner extension.

To the north is a similar style two-storey, semi-detached property. This property is set parallel to Mardale Avenue and is therefore, at an oblique angle to the application property. To the west, on the opposite side of the road are further, two-storey, semi-detached houses of a similar scale and massing to the application property but with a different style of bay to the front and less render.

The proposed two-storey side extension would project approximately 5.5 metres from the side of the house at ground floor level and 3.44 metres at first-floor level. The proposed side extension would be setback from the front of the house by 1.3 metres at first-floor level and would be flush with the original house at ground-floor level. The proposed front porch would project forward of the building line by 1.2 metres and would be 2.59 metres wide with a dual pitched roof to a height of 3.45 metres.

The proposed single-storey rear extension would have a rearward projection of 3 metres adjacent to the shared boundary with no. 7 Ferndene Road, and would be 3.92 metres high, with a mono-pitched roof, this part of the rear extension would be 3.4 metres wide. Beyond this point the proposed rear extension would have a rearward projection of 5.07 metres at ground-floor level and 2.6 metres at first-floor level. The two-storey part of the extension would have a hipped roof that wraps around the side and rear of the property and the single storey element would have a mono pitch roof.

It is also proposed to install a flat roof dormer to the rear of the original roof, adjacent to the adjoining neighbour at no. 7 Ferndene Road. The proposed dormer would be

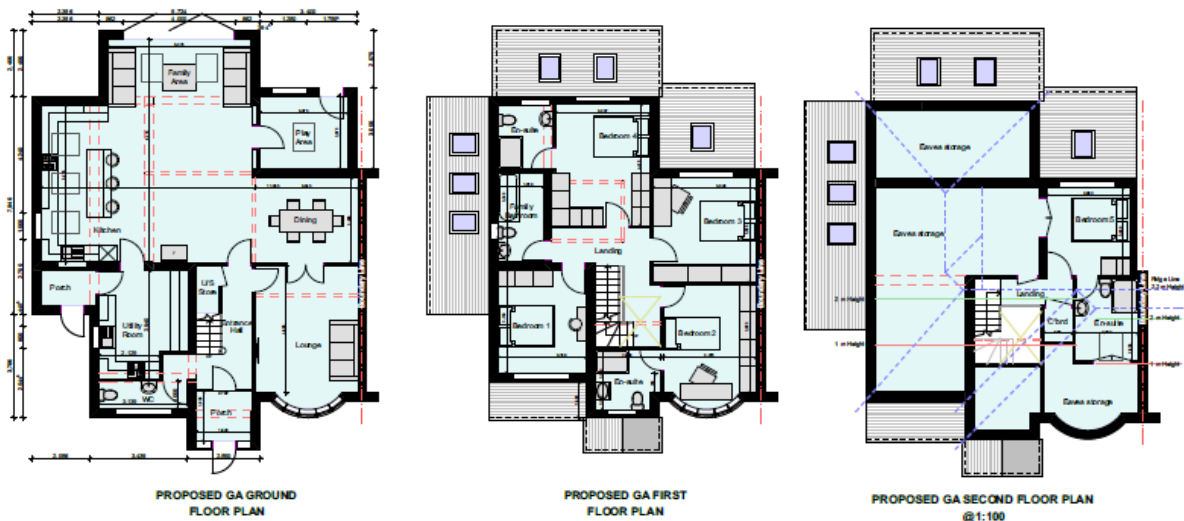
set below the ridge of the main roof, above the eaves and in from the shared boundary with no. 7 Ferndene Road. The proposed dormer would be constructed from vertically hung tiles and would have a three-pane window located centrally within the dormer.

The existing house comprises of an entrance hall, living room, dining room, kitchen and store at ground-floor level, with four bedrooms, a bathroom and separate WC at first-floor level. The existing floor plans are shown below.



Existing floor plans

The proposals comprise at ground-floor two porches, a lounge, dining room, play room, enlarged kitchen with family area, utility room, W.C. and entrance hall. The proposed first-floor would contain four bedrooms, two with ensuite bathrooms and a separate family bathroom. The proposed second-floor would comprise a fifth bedroom with ensuite and storage. The proposed floorplans are shown below.



Proposed floor plans

Consultations

Ward Members

Cllr Andrew Simcock - Requested that this application is considered by the Committee, giving both the applicant and the objector the opportunity to state their case.

Local residents

Residents were notified in respect of the proposed development. Letters of objection were received from one household

- The proposed full width, box rear dormer would reduce light into the neighbouring rear garden by overshadowing the garden in the afternoon, impacting privacy by allowing full views of the garden and into the rear kitchen/diner through its skylight and side window, and would require access to neighbouring property for build and ongoing needs.
- The size and scale of the extension, including the double-storey height portion, is overbearing and would reduce light into the rear garden, allowing full views of the garden such that there will be no privacy whatsoever. The reduction of ground area has real potential to cause excess surface and ground water flooding to cause damage to our property and garden.
- The single-storey rear extensions would severely reduce light into our main living areas (living room and kitchen/diner), which both have north facing windows, forcing us to always use artificial interior lighting. It would make the garden area between the single-storey 'play room' extension and the existing kitchen/diner extension so dark it would be unusable. The single-story rear extension 'play room' would also require access to neighbouring property for build and ongoing needs.
- The space between the properties could not be equally shared. It would limit development opportunity on our property and prevent the building of a similar ground floor or dormer extension without it being further astride of the party wall to allow build and ongoing maintenance access.
- The plans are over-bearing and out-of-scale compared with existing properties and other local extensions on Ferndene Road and Mardale Avenue. The proposed extension is 200% larger than the original house, making it 3 times larger than our property. Most extensions in the area are at most 50% larger than the original house, correctly set back to maintain the building line and be subservient to the main house. It would make 11 Mardale Avenue look excessively overextended compared to other properties on Mardale Avenue.
- Extending the front profile, extending the roof ridge, extending beyond the front aspect, the extended porch and loss of existing front arched porch, creating a double fronted property, the size and style of the proposed windows and doors to the front facing extension and front facing side door are all out of keeping with the style of all other houses in the local area. Again, this will be the only property in the local area where this has happened. It will ruin the look of the property and the local area.
- The materials proposed are not in keeping with the existing materials. The few details provided in the plans show that, wherever possible, new material to be used will be inferior to those already in place and will worsen the look of the property and street.

- The recently installed gate with widened driveway and proposed gate is manifestly out of keeping with the character of the area. It does not provide any security benefits as existing garden walls are low and constitute no real deterrent to intruders. Furthermore, the gate makes it harder for the residents and visitors of 11 Mardale to use the drive and so they park predominantly on the street,.
- The combination of all the proposed changes would significantly alter the character and style of 11 Mardale Avenue, to the extent it could no longer be called a 1930s era house. This would make it look out of place and would permanently ruin the look of the street and area.
- It creates a dangerous precedent, allowing further unsympathetic and overbearing development in the area, which will change the look and feel of the neighbourhood permanently.
- It is in breach of legislation, breaches restrictive covenants, is contrary to significant parts of National and Local planning policy, and planning design guidance. (The objector has made reference to various policies, case law, national guidance that he/she believes the proposal is in breach of)
- The submitted drawings do not accurately show the relationships or features of neighbouring properties.
- Inaccuracies on the submitted application forms and drawings
- The single storey extension (within 2m of boundary) breaches 45deg rule in both plan and elevation to neighbouring property.

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

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 to a residential dwellinghouse.

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

DC1.1 The Council will have regard to:

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

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

- a. They are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

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

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;

- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

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

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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

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.

Issues

Principle

The principle of householders extending their properties to provide additional living accommodation and meet changing needs is generally considered acceptable subject to further consideration of impacts on residential and visual amenity. As set out below the proposed development is considered to accord with the principle of extending a residential property as set out in saved UDP policy DC1.

Scale

Following the refusal of the previous application this resubmission has aimed to address the previous reasons for refusal by setting the first-floor back and reducing the ridge height of the proposed side extension. The first-floor side and rear extension has also been reduced so as to be further away from the shared boundary with no. 9 Mardale Avenue. The proposed rear dormer has also been reduced in scale. For reference below are the proposed elevations for the previously refused application.



Proposed elevations for previous refusal 128874/FH/2020 at 11 Mardale Avenue

The rear ground floor extension would have a rearward projection of 3 metres, adjacent to the shared boundary with no. 7 Ferndene Road, a further 3.4 metres away from the shared boundary with no. 7 Ferndene Road the proposed rear extension would have a rearward projection of 5.07 metres at ground-floor level and 2.6 metres at first-floor level, which would match with the existing two-storey rear extension. Whilst part of the single-storey rear extension would be longer than that generally considered acceptable of 3.65 metres in saved UDP policy DC1 the application property benefits from a good sized rear garden and this element is set away from neighbouring properties to either side therefore, limiting any significant impact the proposed rear extensions would have.

The proposed part single, part two-storey side extension would project to the side by 5.5 metres at ground-floor level and 3.44 metres at first-floor level. The proposed first-floor element would be stepped back from the front by 1.3 metres with the ground-floor being flush. The proposed single-storey side extension would be stepped and the widest part of the side extension would be setback 3.8 metres from the front of the property. See proposed elevations below.



Proposed elevations for 11 Mardale Avenue

Given the relationship of the property being at a 45° angle with the neighbouring property at no. 9 Mardale Avenue and the gap to the shared boundary it is not considered that the proposed development would create the potential for a terracing effect. The proposed development would be subservient to the original property as required by saved Unitary Development Plan policy DC1. It is therefore considered that the scale of the proposed extensions are acceptable.

Design

The application property is not a Listed Building and is not located within a conservation area, however, this property together with the neighbouring properties all have a distinctive character of double-storey bay windows to the front, brick work to ground-floor, render to the first-floor.

The proposed extensions would utilise matching materials with brick at the ground-floor and render to the first-floor. The proposed dormer would have hung tiles to match the roof. Many properties within the immediate area have removed the original rosemary tiles and replaced them with concrete red tiles and it is the case that such works can be undertaken without requiring planning permission.

On balance it is considered that the design of the proposed extension is acceptable and would not cause harm to disrupt the overall character of the application property and surrounding properties.

Refuse storage

Access would still be maintained to the rear of the property from the side and the bins could still be taken to the rear for storage.

Parking

It is proposed to demolish the existing garage, but the proposal details sufficient space to the side of the property for at least two cars to be parked off road. The proposed site setting out drawing shows that the front lawn would remain the same. This level of provision is considered acceptable for this dwellinghouse.

Trees

There are no trees located within the gardens of the application property. There is a large evergreen tree located at the bottom of the neighbouring garden, however, this would be approximately 12 to 15 metres away from the proposed rear extensions, and as such would be unaffected by the proposed development.

Residential Amenity

Any alterations to a property can impact on the amenity of the occupiers of adjoining and adjacent properties. It is the role of the planning system to assess if the impacts are so significant as to warrant the refusal of planning permission.

The proposed side extension would be approximately 2 metres away from the shared boundary with no. 9 Mardale Avenue at its tightest point. The proposed rear extension and rear dormer would be set in from the shared boundary with no. 7 Ferndene Road so as not to encroach beyond the shared boundary.

The proposed rear extensions would be to the north of the adjoining neighbour at no. 7 Ferndene Road and due south of the neighbouring occupier at no. 9 Mardale Avenue. Given the limited rearward projection of 3 metres adjacent to the shared boundary with no. 7 Ferndene and the limited height of the single-storey rear extension and dormer, together with the orientation of the property it is not considered that the proposed development would create any significant undue loss of light to the neighbouring occupier at no. 7 Ferndene Road. The proposed development may create some loss of light to the neighbouring occupiers at no. 9 Mardale Avenue, however, this is limited due to the distance of the substantial element of the proposal from the shared boundary, and therefore any impacts on that property are not considered sufficient to warrant the withholding of planning permission.

The proposed windows in the first-floor rear extension would be located in a similar position to the existing extension windows and would therefore, not offer any increased levels of overlooking than at present. The proposed dormer would offer a higher vantage point to provide oblique views towards the adjoining garden but faces directly into the rear garden of the application property. This relationship is similar to many others in comparable locations across the City. Given the oblique views to the neighbouring gardens it is not considered that the proposal would allow for direct overlooking resulting undue loss of privacy to the occupiers of neighbouring houses.

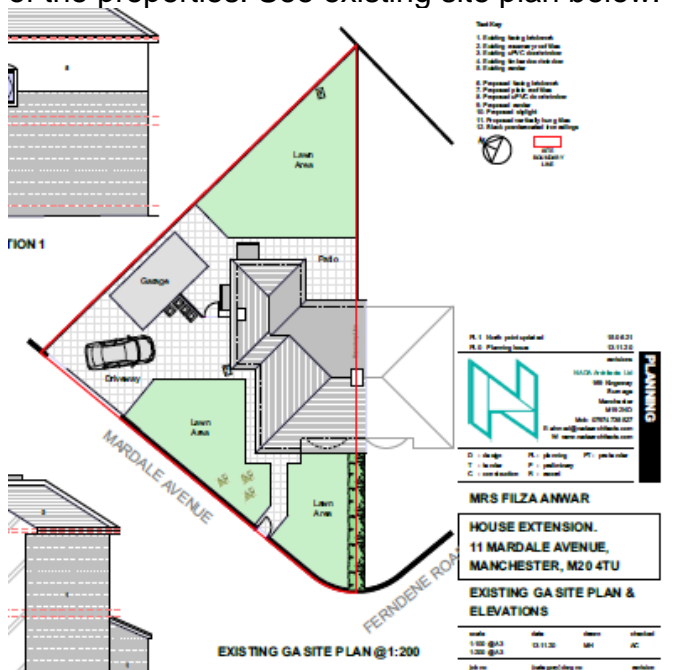
Reducing the bulk of the proposed development away from the shared boundary with no. 9 Mardale Avenue has also limited any potential for an overbearing impact to the occupiers of that property.

It is also the case that a single storey rear extension of a projection up to 3m located on or close to the boundary with the adjoining property could be erected under permitted development rights without the need for an application for planning permission. Also, subject to details and subject to certain restrictions, a rear dormer window can be erected without the need for an application for planning permission.

On balance it is considered that the proposed development would not have such a significant impact on the residential amenity of neighbouring occupiers so as to warrant refusal of the application.

Character of the Area.

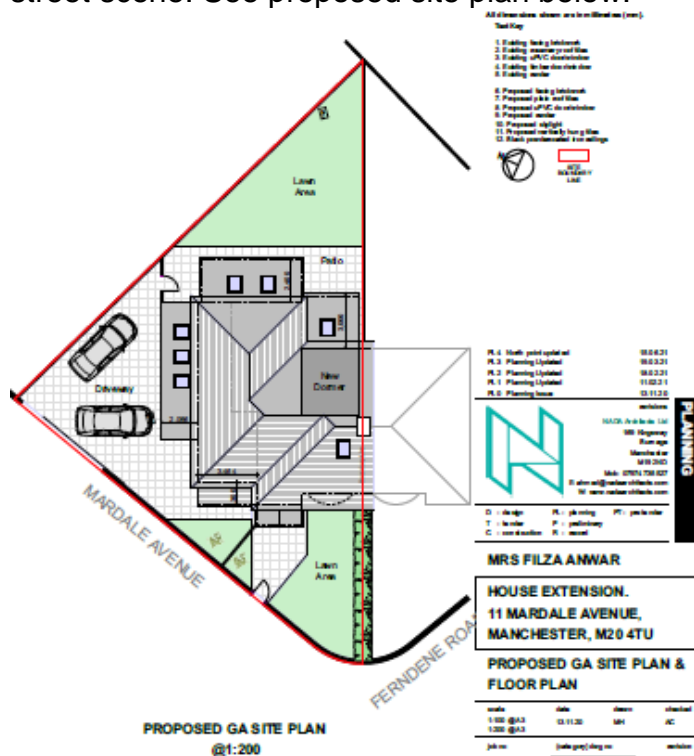
The application property together with the adjoining semi are set at an angle to effectively face the corner of Mardale Avenue and Ferndene Road. Properties on the opposite corner are set in the same manner, as are the properties at the other end of Mardale Avenue. Furthermore, no. 1 Mardale Avenue also appears to have the same original two-storey side and rear protrusion which wraps around the rear corner of the house. Again, there is no planning history shown for this leading to the belief that nos 1 and 11 Mardale Avenue have these extensions as original features of the properties. See existing site plan below.



Existing site plan of 11 Mardale Avenue

The proposed development would be highly visible within the street scene, however, this resubmission has significantly reduced the scale of the proposed development allowing the extensions to be read as subservient additions to the property and retain the character of the original house. The side extension and front porch would project forward of the building line towards the front boundary of the application property but

would not form such visually intrusive features so as to cause any undue harm to the street scene. See proposed site plan below.



Proposed site plan for 11 Mardale Avenue

Flood Risk.

The application property is not located in Flood Zones 2 or 3 and therefore no further information is required in respect of these matters in this instance. It is noted that some of the areas where the proposed extensions are to be sited are already hardstanding. It is not considered that the proposals would increase the risk of flooding.

45 Degree Rule

This is used by some authorities to determine what is an acceptable rearward projection for an extension. This measure is not embedded into any adopted planning policies within Manchester. As with each application they are considered on their own merits having regards to the particular circumstances of each site. In this instance, as indicated within the previous sections of this report the proposals are not considered to give rise to unacceptable impacts on residential amenity of neighbouring properties.

Unauthorised vehicular gate

The applicant has stated that this gate does not form part of this application, they have been informed that what has been installed does require planning permission and this matter would be dealt with separately to the proposals subject of this report.

Errors within existing and proposed site layout drawings

The submitted site setting out drawings have incorrectly indicated north in the opposite direction, this has been raised with the applicant and new, correct drawings have now been submitted. As set out in this report, the assessment of the proposals

has been undertaken with reference to Council GIS sources to ensure impacts on neighbouring properties has been correctly considered.

Concerns regarding civil issues

Concerns have been raised about the construction management of the development and rights of access etc. The granting of planning permission does not override any other legal obligations with regards the Party Wall Act, or confer any rights to trespass onto neighbouring property's land. These issues are dealt with under separate pieces of legislation.

The applicant has indicated that all building works would be undertaken solely on land within their ownership by signing Certificate A, furthermore, the drawings do not indicate any encroachment.

It is considered that it would be unreasonable, due to the relatively minor scale of development proposed, to stipulate by condition hours of construction, and where contractors park. In addition, the rectifying of any damage to the property/gardens of neighbouring occupiers would become a civil legal issue that would need to be dealt with through other legislation and not the Planning system.

Conclusion

This application seeks to enlarge a property in order to create a bigger family home, that maintains the original character of this unlisted building, not located within a conservation area. The proposals are considered to have been sited and designed to minimise impacts on residential amenity and the visual amenity and character of the area. On balance it is considered that the extensions are of a scale and design that is acceptable and that the development accords with Council policies.

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 planning application.

Conditions to be attached to the decision

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

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

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

Proposed ground-floor and first-floor plans (03)001 rev PL3, stamped as received 23rd April 2021;

Proposed second-floor plan and site plan (04)001 rev PL4, stamped as received 15th June 2021;

Proposed elevations (05)001 rev PL3, stamped as received 23rd April 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 materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

Local Government (Access to Information) Act 1985

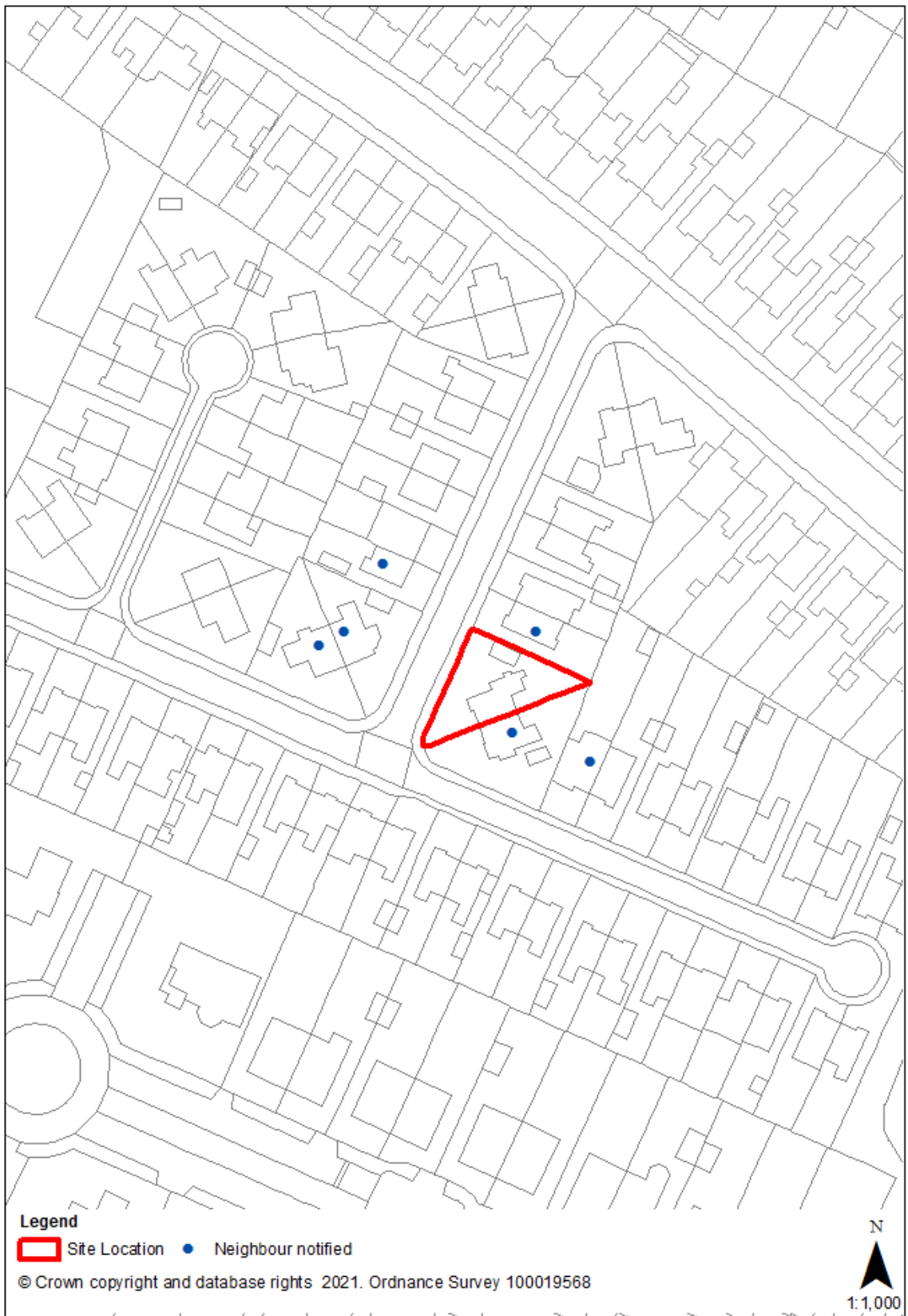
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 130166/FH/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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:

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 : Melanie Tann
Telephone number : 0161 234 4538
Email : melanie.tann@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
127241/FO/2020	23 Jun 2020	1 Jul 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 To 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 was placed before the Planning and Highways Committee on the 3rd June 2021 and at that meeting the Committee deferred deliberation in order to allow Members to undertake a site visit due to concerns relating to the impact of the proposed development on the ecology of the site and to have a greater appreciation of the impact of the works proposed

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

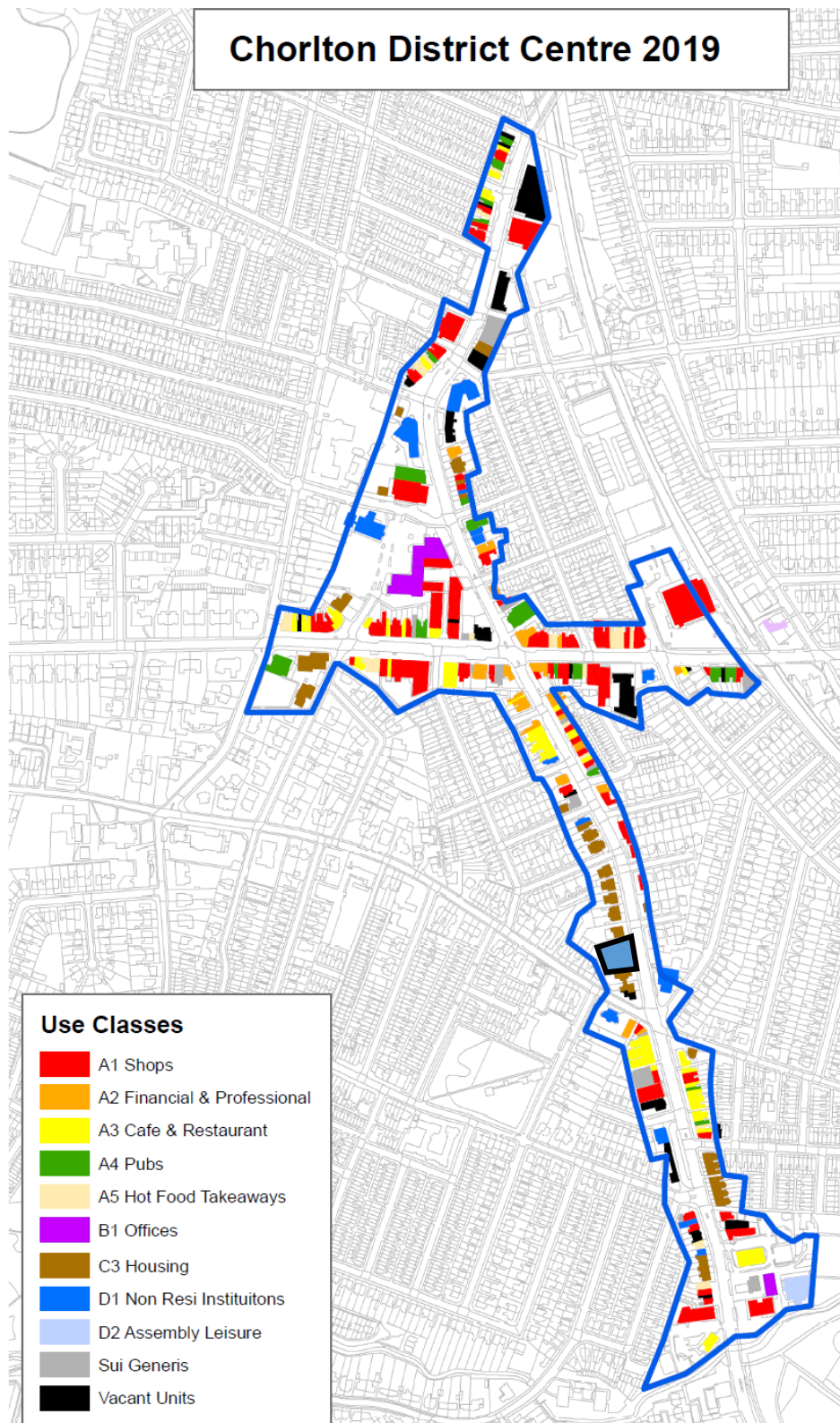
close to its junction with High Lane. The building is set behind a 4.2 metres deep forecourt used for parking, it is a two storey building constructed of red facing brick. There are two, two storey side extensions which sit significantly lower than the main body of the building. There is an ornate central 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.

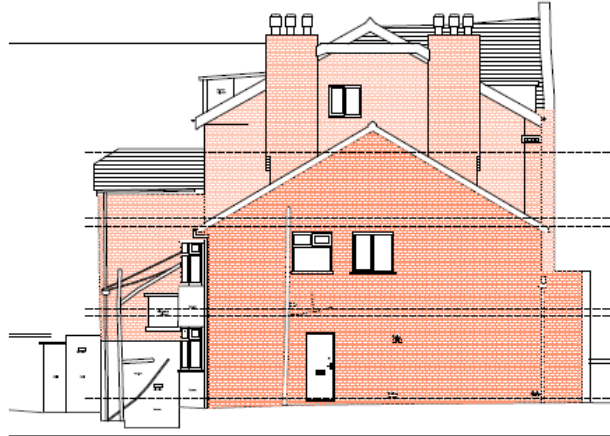


Existing Front Elevation

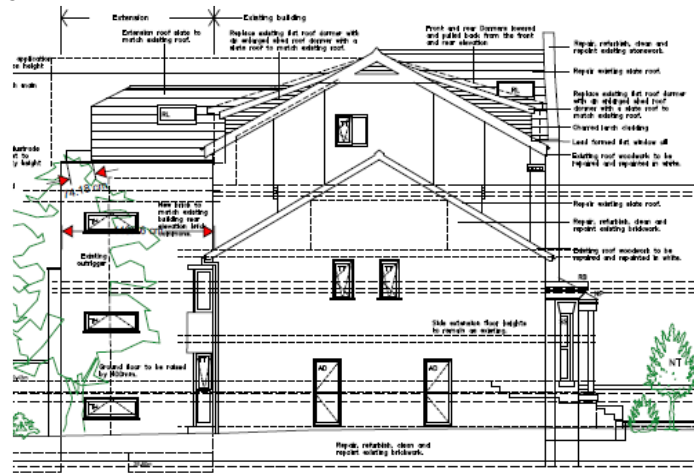


Proposed front elevation

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



Existing south elevation

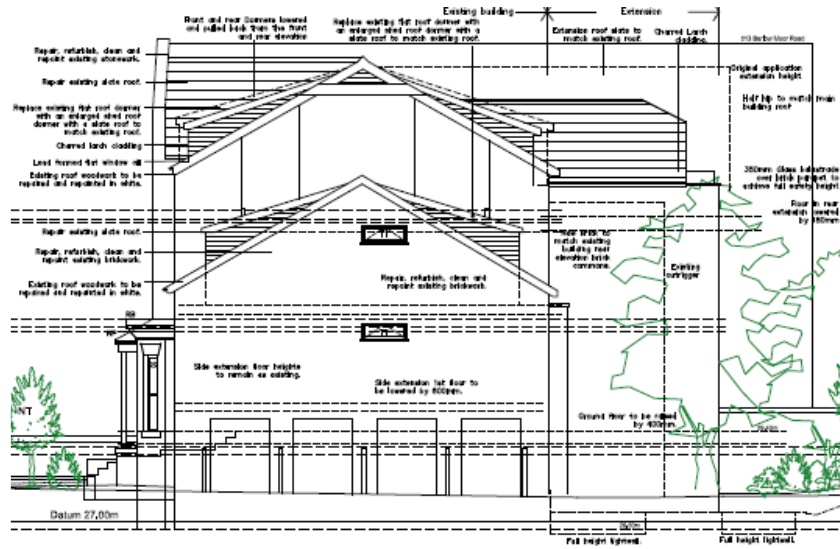


Proposed south elevation

There would be high level windows in the south side of the proposed extension.

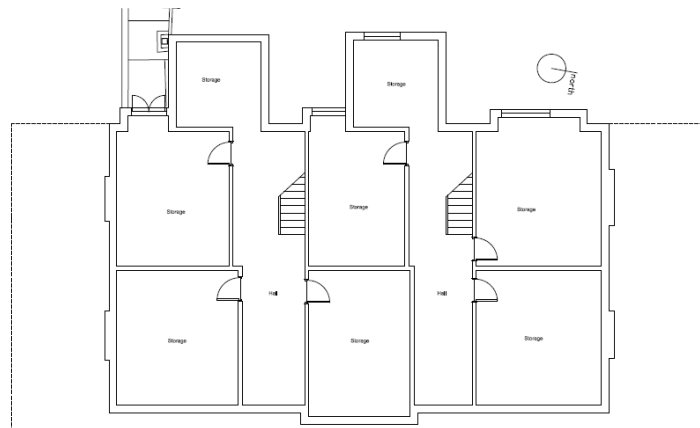


Existing north elevation

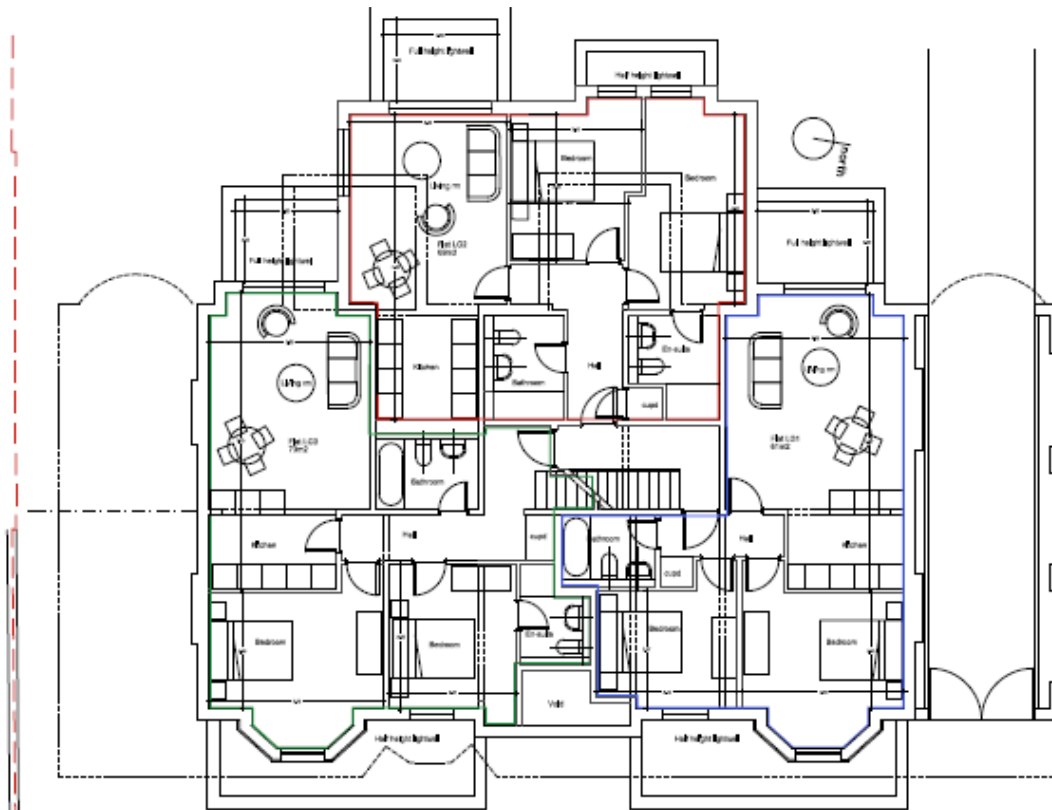


Proposed North elevation

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.

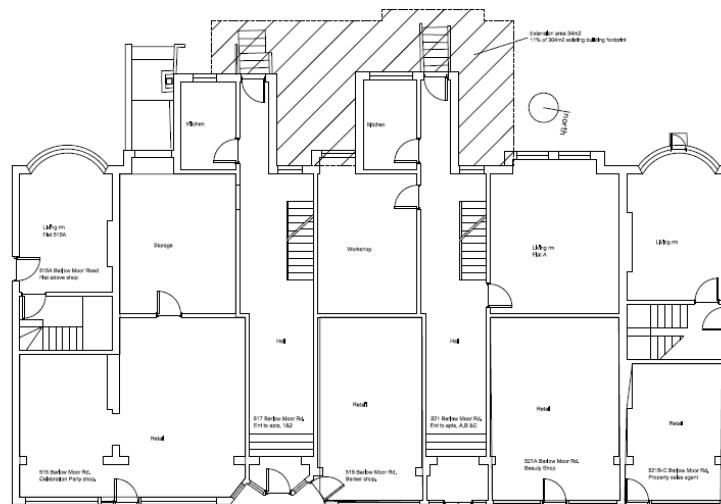


Existing basement

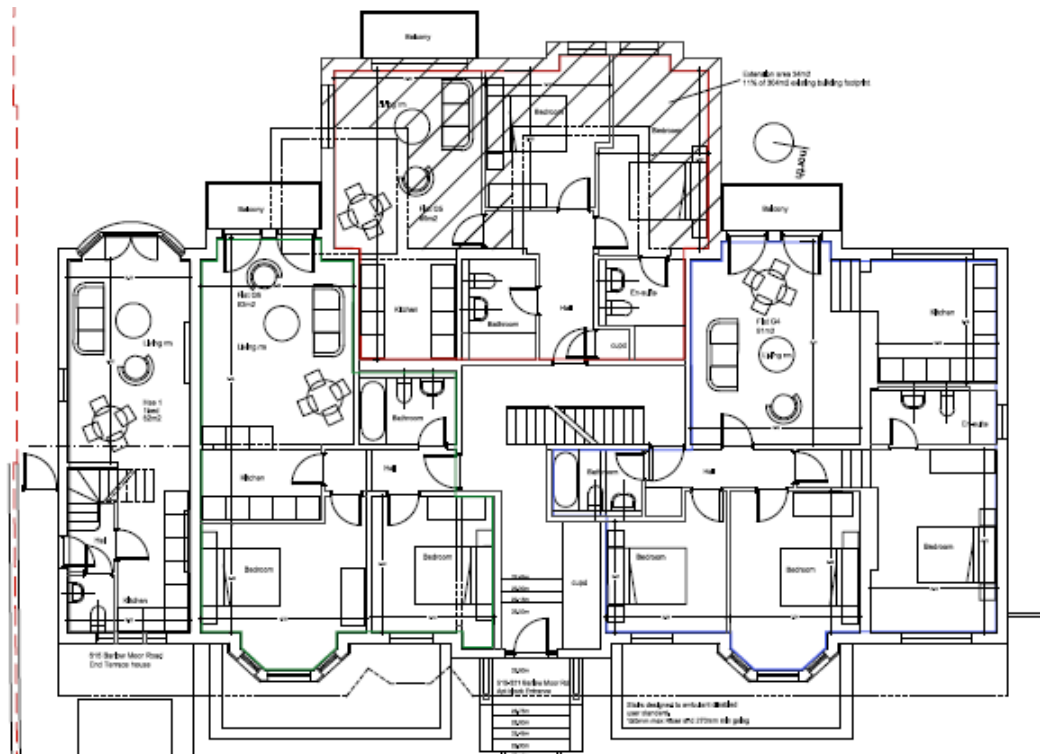


Proposed lower ground floor level.

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.

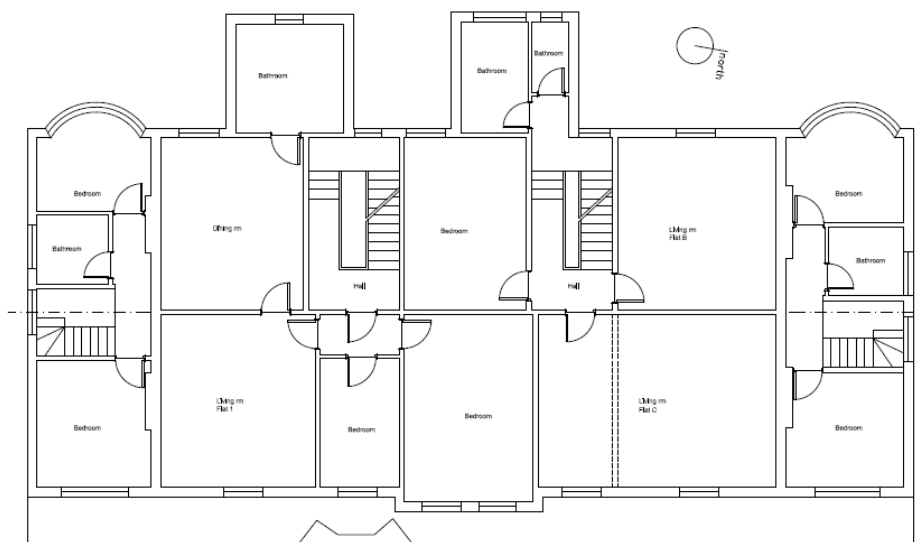


Existing ground floor

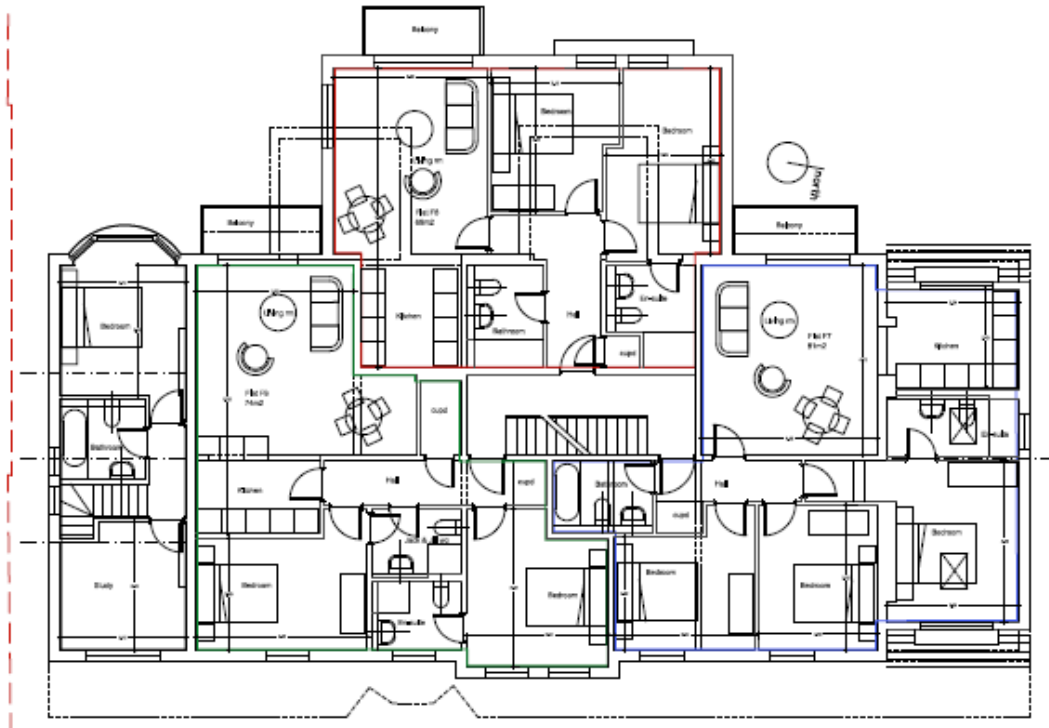


Proposed ground floor plans

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.

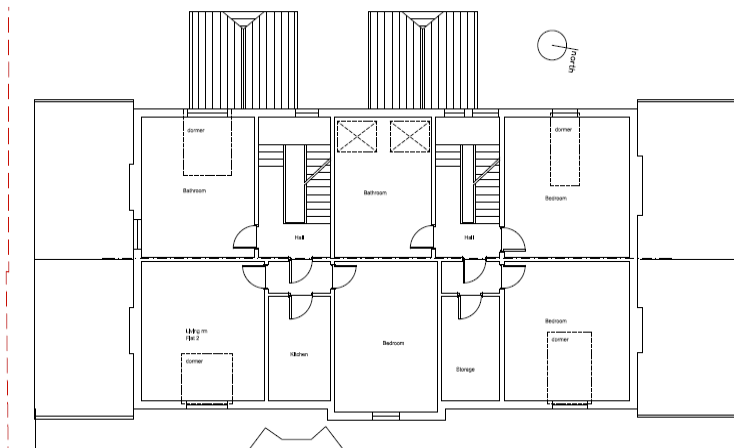


Existing first floor

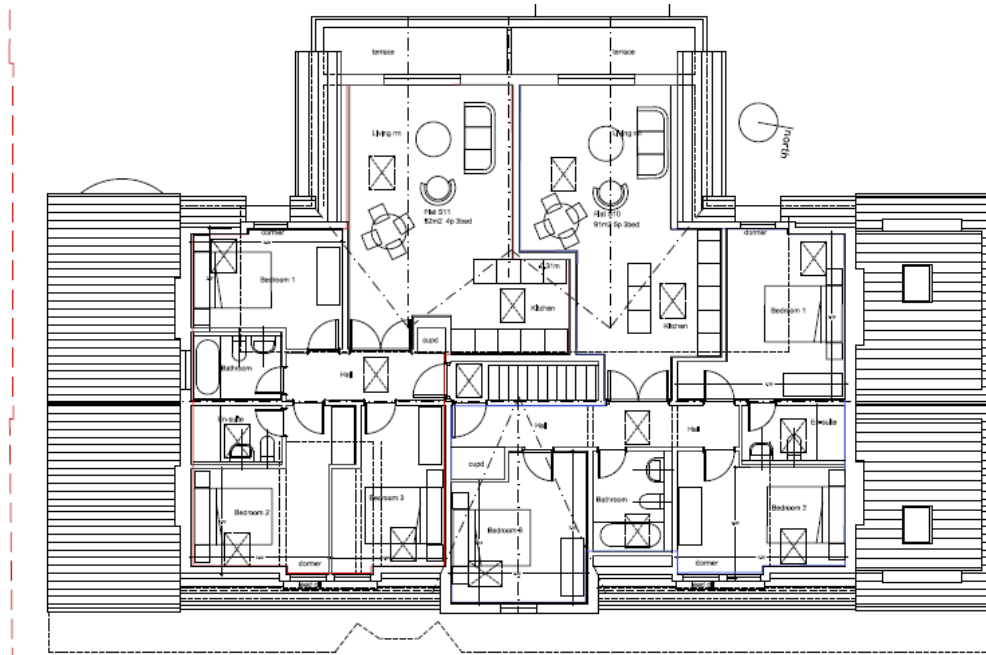


Proposed first floor

The first floor would contain a bedroom, study and bathroom to the proposed house, two, two bedrooms 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.



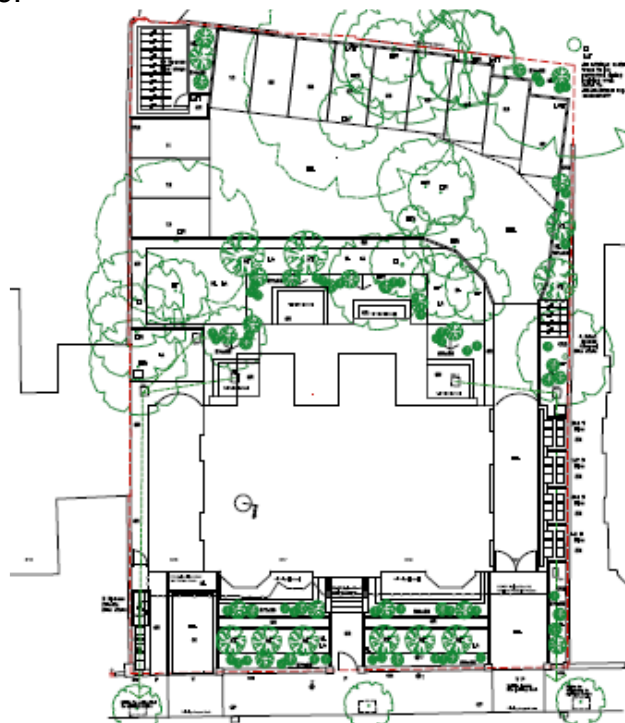
Existing second floor



Proposed second floor

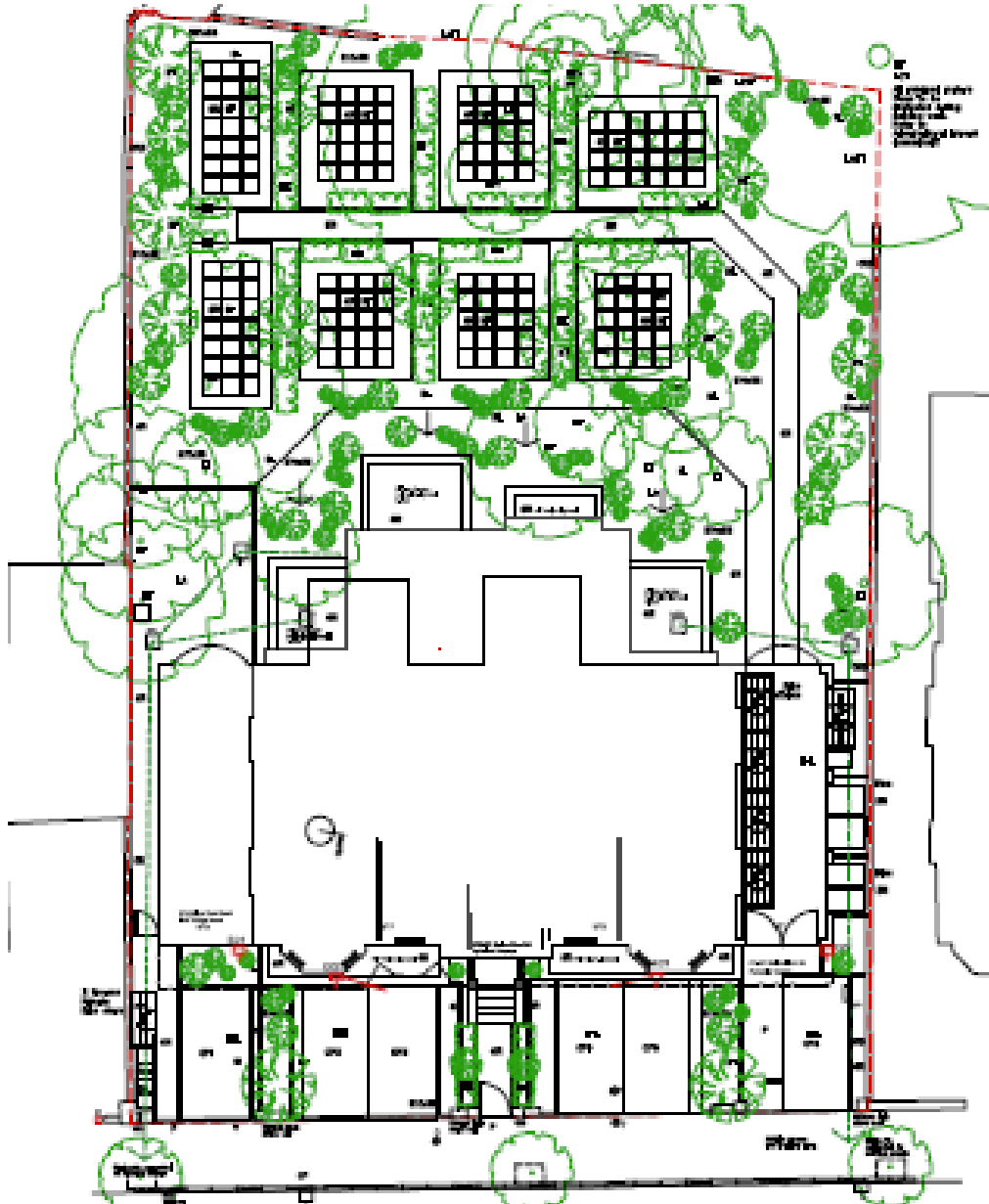
The proposed second floor would contain two three bed apartments with a terrace above the second floor of the proposed extension.

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.

A second bat survey was conducted on 2 June 2021 which states that no bats were observed emerging from the building. Common Pipistrelle bats were recorded and observed foraging during the survey. Further the survey was undertaken during optimum weather conditions.

The survey recommends that the development can proceed without the need for further survey work due to the negligible potential of the building to support bats. However, if the work is delayed by longer than two years from the date of this survey, a further bat survey will be required to update the findings.

It is further recommended that bat boxes be installed on the rear of the building to enhance bat roosting habitat on the site.

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 Three letters were received. The issues raised are summarised below. Two 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.
- There are three commercial units in the parade, what was the fourth is used as living accommodation.
- There are no trees in such bad condition as to require removal.
- The layout leaves open the possibility of the rear garden becoming additional parking.
- The shops are only open normal trading hours and therefore there is no antisocial parking in the evening.
- Without parking the area will become seriously congested.
- The parade is not isolated.

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 but 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.

In respect of the revised bat survey the Ecology Unit say "Whilst the development has been assessed as low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed."

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 second bat survey concluded that whilst there were bats foraging in the area there is no evidence that they are roosting in the property and therefore there is no reason why the development should not proceed. It does however, recommend the provision of bat boxes and an appropriate condition is proposed. Greater Manchester Ecology Unit have raised no issues with the revised report and an informative is proposed relating to developers obligations.

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. Environmental Health have confirmed that the refuse storage arrangements are acceptable. An appropriate condition is proposed regarding the provision and retention of the refuse storage arrangements.

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 norther 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

Affordable Housing

The application proposals relate to the provision of 1 no. 2 bedroom dwellinghouse and provision of 11 no. self-contained flats. Adopted Core Strategy Policy H8 'Affordable Housing' relates to residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed. As such, given the proposals would not increase the number of residential units provided at the properties to 15 or more and the site is 0.1 hectares in size, the development proposals are not required by policy H8 to provide affordable housing units.

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 and 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 for in writing within one month of implementation. Any mitigating 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).

Informative

The applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 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



Application Number	Date of Appln	Committee Date	Ward
121252/FO/2018	13 Sep 2018	1 July 2021	Deansgate Ward

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

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

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

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

BACKGROUND

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

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

The applicant requested the Planning and Highways Committee in February defer consideration of the application to allow them to prepare further information in relation to the Environmental Statement (ES) including an updated the cumulative scenario, updated construction chapter to reflect construction updates and introduction a Human Health chapter. Additional documents have also been submitted relating to Highways and Logistics and an executive summary to the Energy Statement.

Consultation and notification on this information has been undertaken and a summary of responses received is included in this report in full.

EXECUTIVE SUMMARY

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

Four rounds of neighbour notification took place due to amendments being made to this application. This generated the following objections:

- First notification objections received from Macintosh Village Management Company (MVMC) (supported by 216 individual residents), 73 individual comments supporting the objections of MVMC together with 20 individual objections.
- Second notification 30 individual objections
- Third notification objections received from Macintosh Village Management Company (supported by 425 individual residents)
- Fourth notification objections received from Macintosh Village Management Company, one individual objection and one letter of support.

Councillor Marcus Johns and Councillor William Jevons have objected to the proposal. Manchester Metropolitan University Support the proposal.

Key Issues

Principle of the proposal and the schemes contribution to regeneration The development is in accordance with national and local planning policies, and the scheme would bring significant economic, social and environmental benefits. This is a brownfield site, previously developed as a car park and is located in a highly sustainable location close to Oxford Road, the University Campuses and public transport modes and amenities. The proposal accords with policy H12. The proposal has University Support, is sustainable and provides an appropriate standard of accommodation (including supporting the wellbeing of students) and meets carbon objectives.

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

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

Environmental This would be a low carbon building in a highly sustainable location. The development would be car free with active travel and use of public transport encouraged. 290 car parking spaces would be removed from the site which would reduce emissions and EV charging points cycle spaces would be provided. There would be public realm improvements around the site through the provision of trees and hard landscaping. Biodiversity would be improved with new habitats created including bird and bat boxes. Flood risk can be managed and the adjacent

watercourse utilised for drainage to minimise the pressure on the local sewer network. The ground conditions are not complex or unusual for a city centre site.

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

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

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

A full report is attached below for Members consideration.

Description

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

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



Existing MSCP at the application site

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



Location plan

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

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

The Proposal

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

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

Between 30-40 spaces are currently in use at any one time, however, it is understood that there is a leasehold arrangement for approximately 90 to 100 spaces. The proposal would retain the spaces which are subject to the lease arrangement and would be kept operational at all times in line with the current provision.

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



View from Hulme Street

99% of the room sizes would range between 17.2 sqm and 27.3 sqm. The proposal would provide the largest average room size of recently constructed schemes with over 97% exceeding 18 sqm.

The building would provide amenities including gym, private dining rooms, laundry, TV and games rooms, study areas and seating areas totalling 582 sqm. 262 cycle spaces would be provided at the ground floor store with direct access from the street. 60 bikes would be freely available to students for those who do not have a bike.

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

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

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

The planning submission

This planning application has been supported by the following information:

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

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

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

Consultations

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

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

First notification

Macintosh Village Management Company

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

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

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

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

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

This applicant attempts to claim precedents for tall building in this residential area with a tight urban grain. There are no material considerations for precedents in planning. The location for a tall building is further challenged as the site is not a key nodal point on the corner of either of the four nodes of the grid street pattern that frames Macintosh Village: Oxford Road, Oxford Road Station, Chester Street or Cambridge Street. The site is in the village and some distance along the narrow Hulme Street.

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

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

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

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

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

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

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

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

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

Residents are concerned with inflation of land values in relation to building tall buildings. By flipping purpose built student accommodation projects so quickly, it is

clear the market returns and operating models exceed those of the market. The applicant appears bullish on the land parcels around the site and this is of great concern. The applicant is attempting to reverse the Macintosh masterplan and create a densification of student accommodation within a residential neighbourhood.

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

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

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

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

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

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

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

- It would disrupt access to the car parking spaces in the MSCP;
- It would overshadow neighbouring buildings which would affect residential amenity.
- It would substantially dwarf the student castle building and is far too large;
- It would increase noise, traffic and would be out of place in the local area;
- It would result in a loss of privacy from overlooking;
- It would cause a wind tunnel effect within Macintosh Village and this issue has not been properly taken into consideration;
- Despite its brick façade it would not complement the local area and would stick out amongst the other buildings in the area;
- The exit/entrance of the car park on Hulme Street causes issues of manoeuvrability;
- There has been a lack of consultation with those who have a car parking space in the building;
- It would cause 4 years of disruption in the local area along with the other developments in the local area;
- There is not sufficient demand for student accommodation in the area as there are no actual increases in student numbers;
- There would be unacceptable impact on Chorlton Mill as a result of loss of light and loss of privacy from overlooking;
- It is 40% taller than Liberty Heights which is excessive and would have an impact on nearby listed buildings. The prevailing character of the area is 8 storeys;
- It would impact on resident's mental health and affect the value of properties;
- The scale would reduce the amount of natural light which can be seen from nearby residents windows;
- There is a lack of services to support students and they would create rubbish, noise and crime. The students do not pay Council tax and therefore do not contribute to the services which are required to resolve this;
- This part of the city is turning into a student ghetto and in the summer months it is empty in this area which contributes to the lack of community. There needs to be a greater focus on housing for everyone not just students and luxury flats;
- A smaller proposal would be acceptable that would be 9 storey and focused on SME accommodation or affordable housing;
- The proposal would have a negative impact on the surrounding listed buildings;
- The accommodation is small the impact on student wellbeing is concerning;
- It is not clear what the impact would be on the leaseholders who park in the car park;
- It is not clear if the proposal would interfere with TV reception in the area;
- The current car park height is in keeping with the scale of developments in the area. At 55 storeys, this development would be one of the tallest buildings in Manchester and there would be 100s of window overlooking residential properties resulting in a significant loss of privacy;
- It would cast a significant shadow on the Quadrangle eliminating any natural sunlight and a drastic reduction in natural light;

- It would result in an overdevelopment of a very small site;
- The student accommodation is like a small cell with no room for interaction within each room and no shared student living spaces. This would be detrimental to the wellbeing of the students;
- There is only one single escape stair which poses a fire risk;
- Bikes would need to be carried up a staircase which is a fire risk;
- Dispute the level of occupancy of the car park suggested by the applicant;
- The cost of the accommodation being created at this development would be out of reach for most students.

Second Notification

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

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

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

Third Notification

Receipt of additional information relating to the MSCP (including retaining of the entrance to Great Marlborough Street), reduction of spaces to 101, elevational alterations to the MSCP, introduction of a four storey amenity block to Great Marlborough Street, revision to the Energy Strategy, revisions to the waste management strategy, revisions to the lay by to Hulme Street, introduction of electric

car charging points and cycle provision to the MSCP, internal alterations to the student accommodation, introduction of art work to the Great Marlborough Street elevations and details of a student wellbeing strategy. Amendments and revisions were also made to the Environmental Statements (ES).

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

Macintosh Village Management Company

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

- The revisions are significant and should be subject to further consultation with residents by the applicant;
- MSCP: There are concerns with regards to the means of access to the MSCP, number of spaces, Easements / private rights of way issues, removal of street level access to car park due to engine room, ramps only 2m wide from Student Castle and Wakefield House creating an 'alley' for residents to access the cycle store, the number of disabled spaces is reduced from 20 to 5, the location of the five disabled space on the plan appear at the furthest points on each floor from access and fire escape, two way ramps system and internal traffic light system for safety has been removed for one lane ramps;
- Highways and logistics: Hulme Street distance with hoardings 4.6 m means 2 cars cannot pass, further details on temporary car park access required including - Entrance and exit points, dimensions from crossroads to entrance/exit, total length of the pavement/highway dedicated to these entrance / exit points from the edge of the building to include at least two cars stacking, gradient of the hill for these locations and mitigations for cars rolling backwards, crossroads correctly describing as narrowed and those dimensions included and fire escapees/strategy, further details on the cranes including location and need for road closures and how this would affect access to other car parks; clarification on demolition and a structural survey should be undertaken on the car park;
- Mitigation measures: Question whether mitigation measures for reducing anti-social behaviour have been removed along with mitigation of mirrored walls and 'harm' to nursery, treatment to windows with regard to overlooking/light pollution, whether the windows are fully openable and are noise mitigation measures required, clarification on waste management arrangements;
- Wind: Request for street and building locations together with mitigation measures and how the scheme interact with an unplanned cluster in close proximity;
- Due to timeframe since 2018 application – request current verified views are updated;
- A condition was moved from Student Castle V1 to the MSCP for 84 cycle spaces and other items. This was to facilitate the proposed reception area as a cycle store converting to an internal use only gym. Can the applicant confirm this condition will be continued and are in addition to the 64 cycle spaces net new cycle spaces. They are described for "residents". Is this exclusive to

Macintosh Village and not Student Castle V1? Which cycle store will house the 64 cycles for Macintosh Village? Will cycle store house the conditioned 84 cycles for Student Castle V1?;

- Clarification regarding the energy tariff referenced in the energy strategy;
- Contamination – requests details of containment strategy and safety during temporary car park and whether ventilation plan and mitigation for car park remains;
- Contract parking rights – states these are leaseholder rights and covenants. Would like to see advice from agent and officer;
- Delivery: All residents of Macintosh Village were promised by Taylor Wimpey of a future option to purchase a car park space or additional space;
- Restrictive covenants exist on the land;
- The car park was acquired with long leasehold rights and conditions;
- Taylor Wimpey affirmed this was a car park without development gains during negotiation and did not transfer assignment to GMS of any material rights or reservations under the leases owned by the 999-year leaseholders;
- GMS has a lack of legal rights to pursue the application due to the inability to carry out any permission;
- The car park works will be detrimental to payment of residential mortgages due to the impact on the lease;
- The development works and reduced Car Park would constitute substantial interference with the right of way, right to park and permanent loss of access/amenity. The Lease (which GMS are not party to) does not in itself permit redevelopment of the Car Park in a way which would reduce the number of car parking spaces potentially available to the tenants, who are 999-year leaseholders;
- Taylor Wimpey affirmed this was a car park without development gains during negotiation and did not transfer assignment to GMS of any material rights or reservations under the leases owned by the 999-year leaseholders. The estates were transferred to the RMC MVML. GMS was not party to the block lease, has not taken on an assignment of the lessor's interest, and is not a person entitled to the reversion immediately expectant upon the determination of the term. GMS does not fall within the definition of "Landlord" (in relation to 102 long leaseholders with a right to park) and would not take the benefit of the material rights reserved under the lease;
- Ability to deliver within 3 year life of permission;
- Legal opinion confirms Actionable Interference via Injunction(s) will be granted;
- Deliverability of proposals in context of Policy EN2 and H12;
- Principle of development: Need to retain existing car parking spaces, need to retain existing commercial unit, proposal is not in accordance with policy H12;
- MSCP: MSCP impacts on residential amenity on dwellings in Wakefield House, concern around structural integrity of MSCP, MSCP Circulation reduced to one way, proposals are not in accordance of proposals with Macintosh Village Masterplan; inappropriate access arrangements to the MSCP, the service charge will increase, inappropriate for scope of Operational Management Strategy to be agreed at a later date;
- Design: Inappropriate location for tall building in the middle of a small residential street and not key nodal point for its height, tall building design – requirement for podium or set-back, poor quality design and inappropriate

- pastiche of factory chimneys, impact on existing residential uses, dead frontage along GMS, the proposals offer no contribution to place making;
- Waste: Waste Strategy not in accordance with guidance, inappropriate location of waste storage and unacceptable noise impacts;
 - Construction: Crane exclusion zones will prevent safe construction, requirement to leave slew brakes off while unattended and oversailing will not be accepted by HSE, inability to control contamination impacts during construction and length of construction period;
 - Restriction to one way along GMS and Hume Street and waste Collections will block Hulme Street;
 - Concerns around noise emanating from openable windows;
 - Heritage: The group of heritage assets in the area face harm from the out of scale ratio in the form of a pastiche. The policy framework states that the 'significance of any heritage assets affected, including any contribution made by their setting' should be understood in order to assess the potential impact of any development. The applicant has failed to understand this. The use of a pastiche design next door to the group of heritage assets is certainly not complementing (nor contrasting) and is not supported at local policy level EN3. What is not cited is how valued this group of local heritage assets is to us the community and how much we want to maintain its setting;
 - Our mills and chimneys grouped together add a rich diversity to the local sense of identity that is Macintosh Village. Their role is as a focus of our community and community value. We can differentiate the old and the new for a very important reason. All those who have come to be welcome One Cambridge / Assembly Rooms, UNITE Tower, Student Castle 1 and Hotspur Press have intentionally sought to use massing and materials to contrast with the red brick of our heritage assets and the built environment. They have not sought to imitate, nor have they offered an unwelcome pastiche of the local heritage assets and our neighbourhood and homes;
 - Creation of an unplanned cluster;
 - Wind Micro-climate: Existing wind conditions haven't been suitably considered in the assessment.
 - The proposal is likely to modify the local wind environment and create some localised wind accelerations at pedestrian level
 - Bus stop location on Oxford Road wind environment not suitable to meet the 'standing' criteria;
 - Commitment to energy tariff not enforceable;
 - The application is not utilising an industry defined CHP system. The application is not deploying a Building Management system (BMS). The building will be relying primarily on fossil fuel source of gas for circa 80% of the energy required. The building will have no latent or spare heat capacity to feed into the decentralised system nor has indicated any spare capacity in its energy statement;
 - Members should receive a copy of their legal advice, and a more professional and accurate record of the impact for the developer, given residents would be successful in injunction (the possibility must be understood by Members);
 - A 6 year construction plan has been communicated to residents. The 3 years within the report was a fictional plan and is misleading
 - The price point was issued in the consultation documents stating £275 per week so it needs to be in the document and link to profitability and a more

transparent S106. The committee report suggests the applicant is borrowing £150 million but is yet to land on a business model or price point?

- A legal offer was made during the second consultation of a direct payment to Macintosh Village Residents after sharing street crime CCTV footage and the acknowledgement that anti-social behaviour will increase pro rata with the increase from student caste V1 before they sold it;
- The statement regarding the track record of the applicant is biased. They no longer own student castle and a balanced report would inform members know of their track record of selling every 3 years;
- There are deliverability challenges and highways have said no access nor use of Hulme Street for cranes. The applicant says they will not use a tower crane as HSE would not allow residents to use the car park. So where is the crane shown on the construction plan during residents consultation 2 and 3 going to go?
- A miscalculation with the UNITE scheme regarding access for the crane and site was made and the whole road was closed for the duration. You cannot close Great Marlborough Street for the duration nor use or access Hulme Street so where is the evidence of deliverability?
- The report does not reference the previous planning refusals in the area for over dominance of a tall building not on a podium;
- The report does not reference the Manchester Residential Design Guide;
- The report does not reference Part L of the Building Regulations that does not allow the use of an energy tariff to pass sustainability.

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

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

Accurate Visual Representations (AVRs), or Verified Views, are highly accurate three-dimensional photomontages. They use computer generated images (CGI) to create a precise model, and then use site data to accurately position the proposal in a real world photograph, blending the two seamlessly. GPS survey data and professional photography equipment help AVRs to depict the size and scale of a proposal precisely. In UK planning, the images follow rigorous methodologies set out by the Landscape Institute which ensure consistency throughout. Accurate Visual Representations are divided into four classifications, each one increasing in detail,

from AVR0 to AVR3. Each class is used to answer specific requests from planning authorities. MCC as the LPA and the applicant agreed to the Landscape Institute standards as per scoping opinion and ES statement.

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

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

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

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

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

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

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

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

Viewpoint 12 – Omits occupied and committed development and that the Grade 2* listed Refuge Hotel will be severely affected as the current baseline landscape is not photographed. The Refuge Building is just about visible in the current setting and the application will appear to climb on top of the bell tower closest to Charles Street. They have used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This affects the report from Historic England and public scrutiny on the affect on the setting of the Grade 2* listed Refuge Hotel. Forced perspective and cropping is obvious when photographed with the scale of UNITE tower. Impossible to align verified view over the existing building line using 24 mm rather than a 50 mm camera at 1.6 m height as per EIS.

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

Viewpoint 4 & 15 have been combined — One view uses AVR 1-CGI not render and one view white/translucent tower. Forced perspective is clearly evident. Viewpoint 15 is further away and yet the proposal is higher. Omits development and uses a white /

translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3.

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

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

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

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

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

Viewpoint 2 - If you can see the top of Locks Yard (as you can on the photograph where is the tower? It has been shown as a slither of brick onto Chorlton Mill, this is the impact of 24 mm). This is a critical view to show the impact on light/shadowing on the local area. It has not been possible at any angle (aside from hiding the lens behind the Anthony Burgess centre) not to include UNITE at 32 floors and Circle Square beyond in the lens. It will not be possible to see the top of the tower from this angle due to height but its view within a 24 mm let alone 50 mm at this view is impossible. It appears to be growing out of the side of Chorlton Mill, yet the top of Locks Yard is visible. This cannot be possible without forced perspective. Omits developments at Circle Square and UNITE and used AVR-1 CGI and not the red brick render proposed. AVR 3 is essential, and at different times of the day showing shadowing. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views versus AVR 3.

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

Viewpoint 20 - Omits development and used a white/translucent colour not red brick. When printed this disappears under 300 DPI printer into the clouds. Uses AVR 0 for proposed verified views not AVR 3. This view is critical to contrast with the

skyscraper quarter and entrance to Manchester that now has a style and modern building fabric versus the proposed.

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

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

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

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

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

The applicant will need to:

- include the extent of the site and sufficient context;
- where necessary, the photography and visualisation should be capable of being verified.
- Be presented at a size and relative position, on a corresponding sheet, to allow like-for-like comparison with the visualisation;
- be based on replicable, transparent and structured processes and use a reasonable choice of agreed viewpoint locations, view directions, view angles and times of day;
- Whilst mathematical viewing distances have historically been quoted alongside visualisations, it is generally regarded that viewing distances of between 500 mm — 550 mm (approximately arm's length) are the most practical and widely used. All scale-representative views should, therefore, be accompanied by a note: "To be viewed at comfortable arm's length".

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

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

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

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

Following the receipt of the above comments, additional comments were received from Macintosh Village Residents Company:

- Not all leaseholders will have a parking space. 347 spaces is the number in the lease, the service charge and estate and for tax & land sale. 058705/FO/CITY3/00 granted permission for this number.
- The most up-to-date Scoping Opinion and/or EIA is not clear. An up-to-date Scoping Opinion should have been provided in 2020 when the community group identified and requested an assessment of the effects in combination with those others listed on the environment including Human Health. These should be assessed before the decision is made. Our objections includes cumulative effects from multiple actions (2008-2021 within 350 m to 100 m) on Macintosh Village;
- Up to date information is needed on how the cumulative effects may affect the environment even when they may be considered acceptable on an individual basis. This is critical to allow the recommendation to hold weight;
- The report is misleading about emissions from regulated loads. The improvement of 43% does not relate to part L regulations. The regulated loads of gas & electricity should be clarified before conditions are used to offset energy tariffs or other technology;
- UNITE Tower has a CHP which produces renewable electricity. It achieved BRUKL statement of 35.92 KG/CO2/M2 per year. The report suggests this proposal with no renewable technology achieves the same emissions with total emissions / per annum similar to a building half its size.
- Conditions requiring compliance with other regulatory requirements (eg Building Regulations, Environmental Protection Act) is in breach of national planning guidelines and environmental law and would not meet the 6 tests.
- The LPA needs to correctly describe the harm and lack of compliance with environmental conditions particularly in respect of policy EN5 which is critical for tall buildings, PBSA & Oxford Road Corridor; The application has no hope of complying with EN5. UNITE have no spare capacity. It is misleading to suggest this application conforms with EN5;
- The 44 affordable rooms are based on 55% of NUS maintenance loan. The applicant is only offering this figure for 38 weeks of the minimum 51 week rental agreement. This is misleading and will affect viability & profitability;

- Policy EN2 Tall Buildings seeks to ensure that proposals are viable & deliverable”. Evidence has been presented to the contrary.
- There are serious health and safety concerns including risk to life / collapse of car park and injury from access to live construction site;
- A post permission construction plan will lead to loss of car park access at all time, demolition of the full structure and notice from HSE re site safety. The closure of Great Marlborough Street and Hulme Street are guaranteed. The scheme does not propose the safest scheme which involves making Hulme Street one way. The LPA has not balanced the loss of residential amenity even though the information is at hand. The report excludes the view formed. The report suggests this has been discussed with LPA and the scenario of full demolition has been mitigated. Suggesting the risk of full demolition is on the risk register and LPA are fully aware but have not articulated that risk in the report;
- The construction would have an actionable interference with and remove residential amenity and restrict access to property for 30 minute increments each time the crane moves over the car park. The report does not refer to this and the scheme cannot be delivered without the loss of residential amenity and access to property;
- The applicant has not provided a structural survey as requested by the community.
- A 5 year construction period is only possible if the car park is demolished. Within days of this project starting the car park will be unsafe to use and/or fall down. 2 tower cranes will be required and a plan with space for 2 tower cranes with the car park retained has not been provided;
- The applicant has provided misleading statements with the complete loss of residential amenity for 4 of the 6 years.
- Future road closures would leave multiple residential properties & businesses on Great Marlborough Street cut off. Car parks of Locks Yard, River Street, access to BIMM car park. All of the associated waste management on the entire street of Locks Yard / Macintosh Village, BIMM/MMU & Liberty Heights would be blocked. None of these road closures would be feasible or legal. This is why EN2 seeks evidence of deliverability.
- There are significant levels of contamination including high indexed Mercury and the structure contains Asbestos. How will car park users use the temporary entrance during contamination extraction when this is identified in EIS as dangerous. The applicant had offered to mitigate further / long term exposure due to a powered ventilation system for the car park.
- The report contains the usual default statement of compliance with the Human Rights act. A more accurate description of the actual loss of residential amenity and restrictions to be assessed and commented on the responsibilities of the council under the Human Rights Act, in particular Protocol 1, Article 1 should be provided. A person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. With the knowledge that MCC now has and with the restrictions to the peaceful enjoyment of leaseholders homes this must now be assessed with comment.
- Waste management — The report needs to ensure the committee are aware what the scheme is “entitled” to as per council collections.;

- Verified Views – The photos and images relate to the old regulations and it should be judged on the 2021 views. The current regulations suggest use of a 50mm lens. A number of other applications in Manchester have been allowed to use white/translucent representations even when the proposed building fabric is different.

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

- There is an ongoing legal dispute over the freeholders intention to off load responsibility for the much reduced car park to the small number of leaseholders who bought parking spaces some years ago. All of the potentially prohibitive costs associated with the car park would fall on c. 100 individuals, with less than one quarter of the current number of parking places shouldering the entire responsibility. The applicant is seeking to demonstrate that there is 'no demand' for parking in this area, despite the fact that there has been no attempt to market the car park to local residents in the existing or the many newly-constructed residential buildings nearby which have no car parking provision.
- It will also overlook existing buildings adjacent and tower above even the newly-constructed blocks in the area. It is almost twice the height of other developments so there would be no privacy at all from prying eyes;
- Neither of the main universities in Manchester has expressed support for this new student residence and in other cities, such as Cardiff, student housing is now being converted into general housing, for which its design is fundamentally unsuitable.
- After Grenfell and the impact of Covid-19, it is questionable how many people - students or not - would choose to live in high-rise flats without any outside space and only limited means of egress. Population density in these streets is already extraordinarily high without adding such an enormous tower on a very small footprint, with its potentially adverse effects on mental well-being and social cohesion.
- The number of student rooms proposed is 853. This would constitute a massive overdevelopment of this very small site. A 55 storey tower is proposed and this is totally inappropriate in this location. To accommodate this number of students the rooms are exceedingly small cells.
- There is virtually no space for social interaction within each room and there are insufficient shared social spaces for use by small groups of students living in proximity to each other. This lack of social spaces will be detrimental to the wellbeing of some students and is likely to cause a rise in mental health issues, depression, anxiety etc.
- The proposal would change the fundamental character of this residential neighbourhood. The activities of the student night time economy would affect amenity and put stress on this residential neighbourhood;
- It is unclear how long the works to the car park would take or how access would be affected;
- It is apparent that the applicant has not considered the viability of the application. The proposals would directly impact enjoyment of rights under the lease;

- Concern about impact on footways during construction particularly disabled users. There would be noise and traffic associated with the construction activities which would impact on residents;
- The use would drain on public health services and increase crime in the area. There would also be increased waste generation from the site which would need to be managed.

Fourth Notification

A fourth notification has been carried out following receipt of an amended Environmental Statement (ES) which included an updated Cumulative Scenario, updates to the construction chapter to reflect construction updates and the introduction of a Human Health chapter. The additional assessment information does not result in any changes to the conclusions of the ES and it concludes that the significance of effects remain acceptable. Additional documents were also added to the planning submission include an updated Highways and Logistic Review and Outline Construction Environmental Management Plan and an Executive Summary as part of the Energy Statement.

The above information was subject to a 30 day consultation, published in the press and a site notice displayed, as information being received under the EIA Regulations. This information was also the subject of a 30 day re-notification with local residents.

The comments received can be summarised as follows:

Macintosh Village Management Company

Still have a major concerns that not all 999 year leaseholders are going to be left with a space as per their leasehold purchase. The applicant appears to have miscounted. There are 347 spaces as per planning permission with some of those already lost to cycle bays. The planning report says on page 2 the removal of 290 spaces. This only leaves 57 spaces and there are more than 102 - 999 long leaseholders.

The applicant originally used the base figure of current car park as 347 spaces and would retain 124 spaces. 347 spaces is the number which the lease has, the service charge and estate. It's also the amount of spaces which were permissioned and used for tax and land sale. They are now using a figure of the car park being 391 spaces and only returning 102 spaces.

Planning permission 058705/FO/CITY3/00 was for 347 spaces - Condition 2 relates to the drawings/permission and retained by us as MVML Ltd. As per the drawings this clearly shows floors 1-5 each are 59 spaces and Ground level to basement 52 spaces which is 347 spaces.

Was there an additional planning permission not shown on planning portal for this address to add a further 44 spaces to get to the applicants new total of 391 spaces and could you provide that permission?

Is the applicant absolutely certain that as per the new EA it needs to constrain Great Marlborough Street to 3m width , one way for the entire demolition and construction phase?

One letter of objection has been received from a local resident which states that they strongly oppose the development. They comment that numerous high-rise developments have been erected in the area which has completely changed its look and feel. They state that the area was once a relatively pleasant place to live, is now unsightly and overpopulated. Properties are used for students who have little or no regard for the surrounding areas or the residents forced into becoming their neighbours. There is no need for additional multi use properties in the area. The local community is already dealing with a high level of anti – social behaviour. This development would add to this by building works and the addition to the local population of students.

Residents in the area are already suffering high levels of stress and anguish. If this proposal is approved, the council will be guilty of adding to this and any resulting personal actions will be on them completely. The objector asks for the proposal to be rejected and closed once and for all. It is clear that it is ill-thought out but the number of times it has had to be re-presented.

One letter of support has been received stating that whilst they understand that some local residents are opposed to the scheme, they state that the interest of existing residential should not be considered solely over future tenants. Whilst some residents have misgivings about the height of the building, the alternative to density is overcrowding and the alternative to city centre development is urban sprawl. The proposal is an efficient use of increasingly scarce town centre land. The location is ideal for university students because it is in walking distance to the two universities and the town centre where students socialise and often work.

This would reduce congestion and pollution on Oxford Road because fewer students will have to travel into town from Fallowfield and Withington. Many family homes are being converted into HMOs or rented out to students. This pushes local residents out of the area and increases the amount of people on the council's housing register. New developments will never satisfy everyone, no matter how good the proposal, but the housing crisis is so acute that we need all the housing we can get - private and public, rented and owned, purpose-built and general stock. Rejecting this planning application will only make the housing situation worse

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

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

There is a clear narrative of buildings stepping down away from the taller buildings along the railway viaduct (such as Liberty Heights and Number 1 Cambridge Street)

to mid and low rise buildings that predominate the Macintosh Village area, particularly along Hulme Street, Chester Street and Lower Ormond Street. These buildings create a grid based urban grain with a canyon effect created by the brick warehouses along these streets. Along Hulme Street, the canyon sits between six and ten storeys above street level on the side of the proposal and up to nine storeys on the opposite side. The tight urban grain, characterised by a similarly high canyons along these streets, is an important characteristic of the area. The proposal does not have regard to these neighbouring buildings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

negatively affect the local community who already live there and has no regard for the local buildings.

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

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

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

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

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

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

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

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

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

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

In addition to the general concerns over the Manchester purpose-built student accommodation market, the University has reservations relating to the proposal. The University recognises the need for affordable purpose built student accommodation in Manchester, however, this proposal includes 850 higher rent, studio units, the cost of which will not meet the needs of the majority of University of Manchester students.

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

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

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

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

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

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

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

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

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

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

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

Greater Manchester Ecology Unit (GMEU) there are no ecological constraints. The MSCP was assessed for bat roosts and had negligible roosting potential, however, given the length of time since the original bat survey was undertaken an updated report should be prepared prior to any demolition works taking place. In addition, prior to any demolition it should be checked that there are no nesting birds. A method statement should be produced to minimise the impact on the River Medlock during construction.

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

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

Elsewhere within the adjacent conservation area, the highly enclosed streets mean that the proposal would only be visible in certain locations. Where visible it would not be inappropriate given the highly urban character of this city centre location, with a

number of other towers nearby built or with planning permission and which would form a cohesive group.

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

Greater Manchester Archaeology Advisory Service (GMASS) the archaeology assessment demonstrates that the site is unlikely to retain any below ground archaeological interests or heritage assets of significance. GMASS had originally committed that no further archaeological work is necessary. However, recent evidence from other development in the area, and further information in respect of this site, has indicated that some below ground archaeological investigations should now take place. This should form part of the conditions of the planning approval.

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

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

Policy

The Development Plan

The Development Plan consists of:

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

The Core Strategy Development Plan Document 2012 -2027 is the key document in Manchester's Local Development Framework. It sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

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

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

S02. Economy The scheme would provide jobs during construction along with permanent employment in a highly accessible location. These jobs would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

S05. Transport The development would be highly accessible, reduce the need to travel by private car and make the most effective use of public transport. This would promote the use of sustainable transport and help to enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation.

S06. Environment The development would be consistent with the aim of seeking to protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources in order to:

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

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

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

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

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

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

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

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

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

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

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

Policy EN2 Tall Buildings must be of excellent design quality, appropriately located, contribute to sustainability and place making and bring regeneration benefits. They must complement the City's built assets and make a positive contribution to the evolution of a unique, attractive and distinctive City, including its skyline and approach views. Suitable locations include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes. This high quality development would have a positive impact on views into the City and the regeneration of the area.

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

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

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.

3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.

4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.

5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.

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

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

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

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

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

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

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

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

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

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

Policy EN15 - Biodiversity and Geological Conservation the site is not considered to be of high quality in ecology terms. The proposals include extensive measures to improve the biodiversity across the site including new planters and landscaping which would create new habitats and bat and bird boxes.

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

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

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

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

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

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

PA1 ‘Developer Contributions’ states that where needs arise as a result of development, the Council will seek to secure planning obligations. A financial

contribution has been agreed for off site infrastructure which would be secured by a legal agreement.

For the reasons given above, and within the main body of this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

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

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

Saved policy DC18 ‘Conservation Areas’ states that the Council will give particularly careful consideration to development proposals within Conservation Areas. This is discussed in detail below.

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

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

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

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

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

Other material policy considerations

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

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

appropriate waste management measures and environmental sustainability.
Sections of relevance are:

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

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

Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

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

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

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

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

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

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

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

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

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

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

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

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

Manchester Strategy (January 2016)

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

The strategy identifies the importance of the Universities in the City (and region) and recognises their established reputation in the science, research and development sector. This attracts and retains students in the City. The strategy also recognises the importance of education, particularly to degree level and the importance of

apprenticeships. It seeks to ensure all children have access to high quality education and seeks to retain and grow the high quality Universities.

Amongst other matters, the vision includes:

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

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

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

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

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

residential accommodation. Consideration must be given to the whole student experience.

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

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

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

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

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

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

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

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

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

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

- Supporting Regeneration Objectives: The starting point for all student residential schemes is that they should deliver regeneration objectives; support employment growth, graduate and talent retention, place making and the city's international reputation.... Student accommodation should, therefore, be in the right locations, in appropriate numbers, and only where it supports wider growth.

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

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

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

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

- Quality: The overall quality of Manchester's PBSA stock is poor compared to other cities. Accommodation is considered to be less sustainable where:
 - o 1. It is a greater than 20 minute walk to campus

- 2. Room quality is below average
- 3. There is below average quality common space

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

All PBSA must be of a high quality, providing a high standard of living, close to the city's higher education institutions. To ensure the delivery of student accommodation that is high quality and highly accessible, with strong and sustainable connections to the city's universities, all future PBSA should be within or immediately adjacent to Oxford Road Corridor. Design should allow sufficient facilities to cater for the overall wellbeing of students, including, for example, generous living space, communal spaces for students to socialise, and public realm, which contributes to the quality of place. PBSA design must also be sufficiently flexible to allow for re-purposing as demand varies.

- The proposal would be a short distance from Oxford Road and the University campuses and would cater for the wellbeing of students.
- Wellbeing, Safety and Security: purpose build accommodation should consider the welfare and wellbeing of students as a major factor, in both design and management.
 - The proposal has a clear wellbeing strategy with has the support of Manchester Metropolitan University. The proposal would meet secured by design accreditation.
- Density: Density of student accommodation will be essential to deliver the level of new high quality accommodation needed within the context of scarce land availability both in the Oxford Road Corridor area and the wider city centre.
 - The proposal would represent a dense form of development. The localised impacts have been considered and would not give rise to impacts that would warrant refusal of this application. This is considered in further detail within this report. The impact on the residential character is also considered and there are also other developments taking place in the area which would help ensure a balanced and sustainable community.
- Location: purpose built student accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area.
 - The proposal meets the criteria.

- **Sustainability:** The requirements driving quality in new PBSA will ensure that all new accommodation meets the highest standards of sustainability, to meet the Council's zero carbon policies.
 - o The proposal would exceed the Council targets and see a 43% reduction in carbon on current Part L building regulations. The proposal is car free and would be supported by a robust travel plan to ensure students take advantage of the location.
- **Mix of uses:** It is essential that the Oxford Road Corridor, and the city centre as a whole, is able to maintain the right balance of commercial, educational, residential, cultural and leisure use, in order to ensure that it can maximise its contribution to the economic growth of the city.
 - o The proposal would include 786 sqm of SME floor space which would also be utilised by the students to support start-up businesses within the Oxford Corridor area.

National Planning Policy Framework (2019)

The revised NPPF adopted in July 2018 and re-issued in February 2019 states that the planning system should contribute to the achievement of sustainable development. It clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 6 '*Building a strong and competitive economy*' states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 80). This major development would support the ongoing regeneration of the Oxford Corridor and provide significant investment and job creation during construction and offer flexible accommodation for small business in the form of the SME space.

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

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

Section 9 '*Promoting Sustainable Transport*' states that '*significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can*

help to reduce congestion and emissions, and improve air quality and public health' (paragraph 103).

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

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

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

Within this context, applications for development should:

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

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

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

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

Planning decisions should:

- a) encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land. (paragraph 118)

Decisions should support development that makes efficient use of land, taking into account: the identified need for different forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. (Paragraph 122)

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

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

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

Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

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

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

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

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

Section 15 '*Conserving and Enhancing the natural environment*' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of 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, where possible, would be provided.

Section 16 '*Conserving and enhancing the historic environment*' states that in determining applications, Local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 189).

In determining applications, local planning authorities should take account of:

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

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

Paragraph 194 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

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

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

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

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

Planning Policy Guidance (PPG)

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

Air Quality provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning

authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

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

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

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

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

Design states that where appropriate the following should be considered:

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

- materials – what a building is made from

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

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

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

Other legislative requirements

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

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

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

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

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

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

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

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

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

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

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

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

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

Issues

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

The scheme would bring a high-quality building to 'The Corridor' which would respond positively to the local environment and not unduly harm the setting of nearby listed buildings or conservation areas. A key objective in the Corridor is to deliver the accommodation and infrastructure needed to attract students to Manchester and which matches its reputation as a world class place to study. This would ensure that Manchester remains competitive on a global higher education stage.

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

The existing 391 space MSCP would be partially demolished and reconfigured. The spaces which are on a long lease hold arrangement to residents who live in Macintosh Village would be retained and would be available during construction and once the development becomes operational.

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

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

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

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

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

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

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

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

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

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

Objectors believe that this development would fundamentally change and diminish the residential character of this part of the city centre. There are high-density student accommodation buildings nearby at Liberty Heights and 1-5 New Wakefield Street.

However, alongside the existing residential accommodation around Macintosh Village, other substantial residential developments are taking place at Circle Square which would bring up to 1000 new homes to the Corridor Area. In addition, there are expected to be 6,300 homes created in and around Great Jackson Street. This will create a substantial amount of homes and a varied population in the area between Castlefield and Circle Square.

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

Consideration of alternatives A statutory requirement when considering EIA developments is the need to consider alternatives in the development of a proposal. In this instance, alternative sites were discounted as they failed to be located in such close proximity to the University campuses and offer the regeneration opportunities that will be delivered by this proposal in line with the Oxford Spatial Framework.

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

The site is located close to Oxford Road which is the main north south arterial road linking the University campuses with the City Centre and is therefore well connected to and in close proximity to the University Campuses with the MMU Campus immediately adjacent to application site. It would be an energy efficient development and achieve a 15% reduction in CO2 against Part L (2010). There is also commitment to sourcing 100% of the electricity from a renewable source thereby reducing carbon at the site further.

A wide variety of amenities and services are nearby and students would have access to all forms of public transport. Travel planning would monitor this and promote sustainable forms of travel.

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

growth and development of the City and the region and this proposal would make a major contribution to that process.

The proposal is acceptable in principle in this location. The studios would be particularly attractive to international students, who seek a higher quality product and the benefits of living within a well-managed student community. The offer is enhanced by the SME workspace which would allow students to work alongside SME professionals.

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

Waste management arrangements would encourage recycling and is considered in detail in this report.

MMU have expressed support for the development. The applicant has indicated that, subject to planning permission, they would commence on site and be operational following a 5-year construction period. 1-5 New Wakefield Street was promptly implemented following planning permission and is now ready for occupation.

Finally, policy H12 discusses the importance of deliverability. The applicant is one of the largest student accommodation providers in the UK with extensive experience of developing and managing large student residential schemes with knowledge of the market and type of products students are looking for. They are committed to delivering this proposal and would commence work should permission be granted.

The proposal would comply with the requirements of policy H12 in full and with the detailed criteria in the December 2020 Executive report. Therefore, the principle of developing PBSA at the site is considered to be acceptable. The proposal complies with the aspirations of the Oxford Road Corridor Spatial Framework by providing purpose built student accommodation within walking distance of the University Campuses.

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

The construction process would use good practice to source materials and labour locally where possible; reduce vehicle emissions and dust; manage water; improve biodiversity and social value, to minimise impacts on climate change.

The building would be energy efficient with a high performance fabric, air tightness and highly efficient services together with measures to minimise its impact on air quality, waste and recycling where possible.

The applicant's original energy statement would have achieved a 23% reduction in carbon savings over Part L of the Building Regulations (2010). This strategy proposed a wet heating system, fed from a CHP (Combined Heat and Power), and gas fired boilers. This strategy exceeded the requirements of EN6 which requires a 15% improvement over Part L (2010).

During the course of the planning application, the applicant was asked to re-consider the energy strategy to ensure the building was as energy efficient as possible over its lifetime and minimised carbon emissions. In particular, the reliance on CHP, whilst offering energy efficient and carbon benefits against today's standards, cannot easily be adapted and respond to a decarbonising national grid.

An amended energy statement was submitted for consideration. The key feature of the amended strategy was the removal of the CHP system. In addition, the following measures were introduced:

- Electricity supply would be via a direct connection to the national grid;
- All heat would be provided by highly efficient gas fired boilers; and
- The retained wet heating system enables the building to be future proofed to connect to any future district heating network that may become available.

The applicant has indicated the removal of the CHP boilers from the strategy enables the development to seek a greater reduction in carbon usage over its lifetime. A CHP engine uses natural gas to produce heat and electricity. As a consequence, over the lifetime of the plant, the electricity produced by the CHP engine would have a higher carbon content than electricity taken directly from the national grid.

This approach is expected to achieve a 15% reduction in carbon savings over Part L of the Building Regulations (2010) and complies with existing policy.

In order to maximise carbon efficiency at the site, the applicant has also committed to purchasing 100% renewable electricity to further reduce the operational carbon emissions associated with this development. This would achieve a significant reduction in carbon over Part L (2010). This commitment to purchase renewable electricity is not intended or required in order to comply with Part L or policy EN6 but is part of the low carbon strategy for the building. The applicant has stated that they are willing to accept a planning condition that seeks confirmation of the renewable electricity tariff the details of which can be found in condition 41 within this report.

There is a difference of 43% reduction in carbon (regulated and unregulated loads) between the original energy strategy submitted in 2018 (with CHP and gas fired boilers) versus the current energy strategy with highly efficient gas boilers and a renewable energy electricity supply direct from the National grid. It should be noted that this information provided by the applicant is not intended to show compliance with EN6, rather to provide an understanding of the extent of improvement in carbon reductions that would be achieved with the revised Energy Strategy.

Without the contribution of a renewable electricity tariff, the building achieves a regulated building emissions rate of 50.6kgCO₂/m². This complies with Part L of the building regulations and meets the requirements of Policy EN6.

Policy EN5 requires full consideration of whether a development could provide an anchor load within a decentralised network or create opportunities for CO₂ reduction funded contributions. Policy H12 requires developments within the Oxford Road Corridor “to take place in the context of the energy proposals plans, as required by Policy EN5”. There are no energy proposals near to the site which this development could be a part of and connect to. However, the systems proposed within the development provide the flexibility to connect to a district heating or energy network should one become available in line with policies EN5 and EN8.

The updated Energy Strategy ensures the maximum operational efficiency of the building allowing it to benefit from a de-carbonising electricity grid as well as being able to connect to a future district heating system should one become available. This strategy supports the City Council’s net zero carbon aspirations.

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

The changes to the MSCP would remove 290 spaces and 20% of the remaining 101 would be fitted with an electric vehicle charging point. There would be 262 secure cycle spaces with 60 freely available bikes for hire. 64 cycle spaces would be created within the MSCP for use by lease holders. These initiatives would reduce car journeys and vehicle emissions and impact positively on local air quality conditions. The development would be supported by a travel plan to inform and support green travel choices.

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

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

it is expected that in operation, the development would create 15 jobs directly and support SMEs in the workspaces (which students would have access to).

The 850 students could generate expenditure in the region of £6,431,100 per year. Students and graduates make a wider and valuable contribution to the City. Manchester has the second highest level of student retention (behind London) with

over 50% who graduate from Manchester's Universities staying and working in the City. This high level of graduate retention means the City benefits significantly from the skills that they have rather than losing it to other City's.

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

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

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

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

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

Viewpoint 1: Oxford Road;
 Viewpoint 2:Wilmot Street;
 Viewpoint 3:Charles Street;
 Viewpoint 4:Whitworth Street;
 Viewpoint 5:Lower Ormond Street;
 Viewpoint 6: Station Approach;
 Viewpoint 7:Oxford Street;
 Viewpoint 8:Manchester Central;
 Viewpoint 9: St Peters Square;
 Viewpoint 10:Whitworth Street;
 Viewpoint 11: Brook Street;
 Viewpoint 12: Pritchard Street car park;
 Viewpoint 13: Canal Street;
 Viewpoint: 14: Rochdale Canal;
 Viewpoint 15: Whitworth Street West;
 Viewpoint 16: Great Bridgewater Street;
 Viewpoint 17:Whitworth Street West;
 Viewpoint 18:Castlefield basin;
 Viewpoint 19:Chester Road roundabout;
 Viewpoint 20:Mancunian Way;
 Viewpoint 21:Medlock Street;
 Viewpoint 22:Hulme Park;
 Viewpoint 23:Streford Road; and
 Viewpoint 24:Oxford Road.

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

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

Updated images of the views have been provided following the latest updates within the ES. These are now included in the report below.

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

Zone E Corridor Manchester

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

View 1 'Oxford Road' is an uninterrupted view beneath the Mancunian flyover dominated by modern buildings associated with MMU and the Manchester Technology Centre at 5 storeys. The 32 storey tower of 1-5 New Wakefield Street is now complete and provides a dominate feature in the view. The top of the Liberty Heights development can be seen, however the clock tower of the refuge assurance tower is now largely obscured by the development at Circle Square. The library and Town Hall complex provide significant listed landmarks at the end of the street providing a mixture of old and new developments.



View point 1 – Oxford Road (existing)

The proposal would add a major new landmark to the view. It would obscure Liberty Heights and be taller than 1-5 New Wakefield Street. Its modern nature would be clearly different from the Refuge Assurance Tower and cause limited harm. The views of the library and Town Hall are not impeded. Given the relatively low townscape value of this view there would not be any unduly harmful impact on the character of the view or the listed buildings. The building complements the existing verticality around this section of Oxford Road.



View point 1 – Oxford Road (proposed)

View 3 at the intersection of Charles Street and Princess Street has a combination of older buildings such as the Lass O' Gowre (grade II listed) and modern developments such as the Holiday Inn and at Circle Square which dominate the view.



Viewpoint 3 – Charles Street (existing)

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



Viewpoint 3 – Charles Street (proposed including cumulative impacts)

View 11 'Brook Street' is dominated by the development at Circle which is now well advanced. Circle Square provides a dense urban form with height and scale and now obscures the view of previously seen buildings such as Liberty Heights, Owen Street and Beetham Tower.

***Viewpoint 11 – Brook Street (existing)***

The impact of the development negligible on this view and would be obscured by the development at Circle Square.



Viewpoint 11 – Brook Street (proposed)

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



Viewpoint 24 – Oxford Road (existing)

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



Viewpoint 24 – Oxford Road (proposed including cumulative impacts)

Zone F The Village

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

View 10 is dominated by Victorian red brick buildings and some new development and the potential impact of the development is considered against this historic townscape.



Viewpoint 10 - Whitworth Street (existing/proposed)

The proposal would not be visible and has no impact.

View 12 is a close up view from the east which highlights the dominance of the red brick Victorian buildings which contribute positively to the conservation area. The Refuge Assurance Tower is the most noticeable building. The recently completed 32 storey building at 1-5 New Wakefield Street forms a tall element in the townscape, along with Liberty Heights, and provides a new to the Refuge Assurance Tower.



Viewpoint 12 – Pritchard Street car park (Existing)

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



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

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



Viewpoint 13 – Canal Street (existing/proposed)

Zone H Central Business District

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

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



Viewpoint 9 St Peter's Square (existing)

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



Viewpoint 9 – St Peter’s Square (proposed)

Zone N Petersfield

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

Views 4 and 15 show the impact of the development on the changing character in this area created by developments such as HOME. The railway viaduct which runs parallel to the street provides a strong historic horizontal feature amongst some of the vertical forms of architecture.



Viewpoint 4 – Whitworth Street (existing)



Viewpoint 15 – Whitworth Street (existing)

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



Viewpoint 4 – Whitworth Street (proposed)



Viewpoint 15 – Whitworth Street (proposed including cumulative impacts)

View 6 is the closest to the site, directly outside the station entrance. It is currently dominated by Liberty Tower and railway infrastructure can be seen.



Viewpoint 6 – Oxford Road Station (existing)

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



Viewpoint 6 – Oxford Road Station (proposed)

View 7 looks south down Oxford Street and is dominated by Historic buildings such as the Palace Theatre, St James’s Building and the Corner House. Modern buildings such as the Holiday Inn and the 1-5 New Wakefield Street (at 32 storeys) dominate the view and demonstrate the extent of recent change.



Viewpoint 7 – Oxford Street (existing)

The view is in the conservation area with surrounding listed buildings and is sensitive. The proposal would be the tallest in the view. It would have a significant impact but would sit amongst other tall buildings and form part of the setting to the Refuge Assurance Tower. It would be a new focal in a cluster of tall buildings and enhances the townscape. The architecture would be high quality.



Viewpoint 7 – Oxford Street

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



Viewpoint 8 – Manchester Central (existing)

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

***Viewpoint 8 – Manchester Central (proposed including cumulative scenario)***

View 14 The proposal would be visible from the canal and residential properties and is one of the few locations on the canal network where it is visible. The canal is of historical significance, however, the view is characterised by modern developments including Liberty Heights.



Viewpoint 14 – Rochdale Canal (existing)

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



Viewpoint 14 – Rochdale Canal (proposed)

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

***Viewpoint 16 – Great Bridgewater Street (existing)***

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



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

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



Viewpoint 17 – Whitworth Street West (existing)

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



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

Zone O Castlefield

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

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



Viewpoint 18 - Castlefield Basin (existing)

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



Viewpoint 18 - Castlefield Basin (proposed including cumulative scenario)

Zone P Southern Gateway

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

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



Viewpoint 2 - Wilmott Street (existing)

The townscape is of high quality and high value with historic mill buildings and tight urban grain and the area is sensitive to change. Due to the nature of the view, only the lower part of the building would have any real influence on the view.

Notwithstanding this, the proposal would be substantially taller than the established scale and pattern of development. The magnitude of the impact on this view is minimised to some extent by its high-quality architecture providing a contemporary contrast to the historic buildings.



Viewpoint 2 - Wilmott Street

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



Viewpoint 5 – Lower Ormond Street (existing)

The view highlights the older mill buildings on the west side of the street and the newer modern buildings to the east. Liberty Heights has an impact on the east side of the street. The proposal would obscure Liberty Heights and provide a well detailed masonry building. The full scale of the building cannot be fully appreciated but provides a robust development to the street edge reinforcing the grid pattern.



Viewpoint 5 – Lower Ormond Street (proposed)

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



Viewpoint 20 – Mancunian Way (existing)

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

***Viewpoint 20 – Mancunian Way (proposed including cumulative scenario)***

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



Viewpoint 21 – Medlock Street (existing)

The townscape value is low with First Street developments obscuring the historic buildings. The proposal would complement the cluster of tall buildings and be between the development at Circle Square. Although taller, the slender nature of the building provides an elegant addition to the skyline with a positive impact on the overall townscape.



Viewpoint 21 – Medlock Street (proposed including cumulative impacts)

Zone Q Hulme

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

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



Viewpoint 19 - Chester Road roundabout (existing)

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



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

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



Viewpoint 22 - Hulme Park (existing)

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



Viewpoint 22 – Hulme Park (proposed including cumulative impacts)

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



Viewpoint 23 – Stretford Road (existing)

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



Viewpoint 23 – Stretford Road (proposed including cumulative scenario)

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

The TVIA has been produced by a specialist and who has prepared assessments for numerous tall buildings in Manchester. The assessment was undertaken in 2018 when the application was submitted with the images subsequently being updated in the most recent version of the ES to reflect the built environment today. The updating of the images has not altered the previous conclusions.

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

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

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

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

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

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

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

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

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

The TGN 06/19 notes:

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

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

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

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

The applicant accepts that the current position has changed since the original assessment was undertaken in 2018 with the construction of the 1-5 New Wakefield Street. However, the cumulative assessment did include all schemes which had planning permission, but not constructed, and therefore the conclusions within the assessment remain valid. The images have subsequently been updated in any event and verify the original conclusions.

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

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

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

The methods used to assess the impact of this tall building on the townscape are considered to be appropriate in this instance and the images in the report, including cumulative impacts, comprehensively considers the local and wider impact on the City scape.

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

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

Layout, scale, external appearance and visual amenity

The main entrance would be from Hulme Street with a separate access for the bin store, a designated entrance for students to access the cycle store and an entrance to the SME space. The ground floor would include the secure bike store. The first floor accommodates the SME space with a large open plan space with individual desks and break out areas.

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

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

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

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



Window arrangement to Hulme Street elevation

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



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

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

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

It is considered that the development would bring some cohesion with the other tall building. Its narrow width would produce a slender addition to the skyline, particularly when viewed along Great Marlborough Street and long-range views along Hulme Street.



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



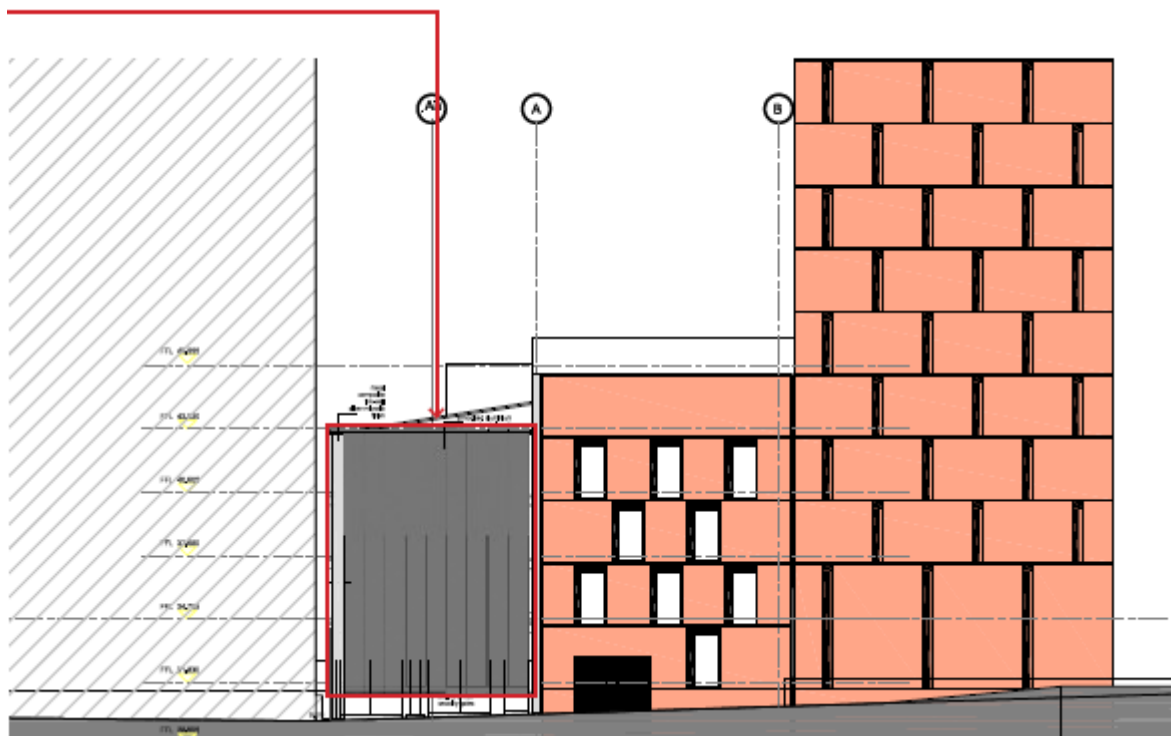
Hulme street elevation – showing deep regular window pattern and double height window to the crown of the building

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

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

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

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



Car park façade to Great Marlborough Street

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



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

Credibility of the Design

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

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

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

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

Impact of the historic environment and cultural heritage

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

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

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

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

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

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

The Dancehouse Theatre (Grade II) is a former cinema built between 1929-30. It is four storeys over nine bays, with a white faience principal façade with brick rear elevations and retains its internal layout of double auditoria over a first floor restaurant and waiting halls, foyer and shops. The building is located south of the site between Hulme Street and Chester Street. There would be long rang views of

the proposal behind the listed building when looking towards the City Centre. However, there is a degree of physical separation between the listed building and the site and it would not adversely impact on its setting or how it is appreciated and viewed in the street scene.

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

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

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

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

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

There are other listed building and a number of non-designated heritage assets in close proximity to the site, namely the former picture house cinema, textile finishing works, hotspur press (former Medlock Mill) and Kingston Public House. These buildings hold some historical value reflecting a way of life during their time of construction and intended use. Whilst there would be views of the proposal within the same context as these buildings, it is not considered that there would be any unduly harmful impacts in this regard and are considered as part of townscape and visual impact assessment.

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

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

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

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

The proposal would be highly visible but would be set back from the street so would not visually intrude on the enclosed views along Oxford Road. It would provide some verticality to the strong horizontal form of the lower buildings in the view. When considered alongside the other tall buildings nearby, the overall effect on the historic environment is negligible.

View 2 looks east along Hulme Street, at the junction with Cambridge Street and illustrates the industrial character of the area with views of the Grade II listed Chorlton Old Mill to the left side of the view and the Grade II Chorlton New Mill to the right appreciated and understood. The proposal would be seen as the backdrop to the listed buildings, but any harm would be minimised as the proposal would clearly be read as a contemporary development whose materials and articulation have contextual references. The overall effect is concluded to be negligible given the other large scale developments at 1-5 New Wakefield and Circle Square.

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

View 4 highlights the dominance of modern tall buildings contrasting against the horizontal form of the Grade II listed. Due to the length of the viaduct, its setting is vast thereby being understood and appreciated as part of the wider urban form. The proposal would be part of a cluster of tall developments and form a cohesive urban skyline and provide visual interest. There would be limited impact on the heritage assets and the historic environment remains legible and understood.

View 5 'Lower Ormond Street' illustrates a wider variety of height, form and materiality. The Grade II Chatham mill is visible. The assessment concludes that the building would give greater articulation to the junction of Great Marlborough Street and Hulme Street and the use of brick would give greater cohesion to the

urban form. Accordingly, there would be a minor beneficial impact on the setting of the Grade II Chatham Mill.

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

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

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

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

View 10 illustrates the character and appearance of the Whitworth Conservation Area at the junction of Princess Street and Whitworth Street and the proposal would not be visible. This development would be seen in the same context of a number of heritage assets. The current low-rise building has, at best, a neutral impact on the local area and the heritage assets.

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

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

There would be some low-level impacts on the surrounding listed buildings. The harm to the setting and significance of the identified heritage assets would be less than substantial as defined by paragraph 196 of the NPPF.

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

Assessment of Heritage Impact

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

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

The site would be redeveloped and provide 853 purpose-built student units. MMU have identified need and support nearby in the Oxford Road Corridor. 786 sqm of SME space would provide flexible workspace for start-ups and SMEs.

The proposal represents £130 million of investment and 1,289 construction jobs are expected to be created over the 5 year build period. This increases to 3,130 jobs when combined with the indirect jobs from the supply chain. Jobs would also be targeted at Manchester residents through local labour commitments which would form part of the condition. Once operational, the development would provide 15 jobs. 52-79 jobs would be created with the SMEs workspaces, which students would also be able to access.

Local business would benefit from expenditure during the construction period which is estimated to total £958,729 for the 5 year period. Once the development becomes operational, students are likely to generate expenditure in the region of £6,431,100 per year.

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

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

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

The heritage impacts would be at the lower end of less than substantial harm and would be outweighed by the public benefits associated with this development.

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

Impact on Archaeology GMAAS previously accepted the conclusions of an archaeological assessment in that it was unlikely that there would be any below ground archaeology of interest or heritage significance and therefore concluded that further archaeological requirement is not necessary. However, they have subsequently updated their advice and now wish for some targeted archaeology to take place in light of evidence from other recent developments in the area and further knowledge about the potential of this site. This is now included in the list of conditions in the report.

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

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

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

The on-site facilities management team would manage the loading bay to ensure that it remains clear and available at all times. This is particularly important in order

to manage taxi and food/online delivery services which have become particular characteristic of student accommodation and can cause disturbance locally. It is recommended that a management strategy for this loading bay is agreed in order to minimise the effects of taxis and food deliveries which are likely to be attracted to this development.

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

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

The MSCP would be modified to facilitate the development. Parking rights would be retained for the duration of the construction phase and when the development becomes operational. A proposal requiring the demolition of the MSCP would require planning permission.

There are 391 spaces within the car park a proportion of which are the subject of long leases by residents who live in Macintosh Village. Planning permission was granted in 2002 for a 395 space car park (ref. 063835/FO/CITY3/01).

The number of spaces would be reduced to 101 and the required number made available for those with a right to park in the car parking. 5% of the spaces would be disabled accessible.

The car park is relatively underutilised with the exception of those with a right to park. Given the desire to reduce parking in the city centre in favour of more sustainable travel patterns, it is not considered that the loss of parking in this instance is significant.

The applicant would improve CCTV and install electric vehicle charging points to 20% of the spaces. In addition, a 64 space cycle store would be created behind the secure boundary line of the car park for the sole use of the lease holders.

Highways works would be required including traffic calming on the surrounding road network to reduce traffic speeds at appropriate locations around the site.

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

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

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

Ecology An ecological appraisal considers the impact on bats, birds, other species and habitats and the proximity to the river Medlock. GMEU concur with the results but have subsequently recommended that an updated bat survey is undertaken given the length of time since the original report was prepared. This should be undertaken prior to any demolition works at the site. An informative should also be included advising that if bats and birds are found during the works all work should cease until an assessment has been made by a suitably qualified individual. They also recommend a method statement should be submitted to protect the River Medlock from spillages, dust and debris.

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

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

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



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

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

Effect of the development on the local environment and existing residents

(a) Sunlight, daylight, overshadowing and overlooking

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

The following residential properties were assessed:

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

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

The BRE guidelines provide advice on daylight to existing residential buildings around development sites. The light available to a window depends on the amount of unobstructed sky that can be seen from the centre of the window. The amount of visible sky and amount of available skylight is assessed by calculating the vertical sky component (VSC) at the centre of the window. The guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. They also suggest that distribution of daylight within rooms is reviewed although bedrooms are considered to be less important.

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

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

The no sky line or daylight distribution (DD) shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a significant element of a room does not receive direct daylight penetration then the distribution of light within the room may look poor. As with the VSC assessment, if the reduction in daylight is within 0.8 times its former value there would not be a noticeable reduction in daylight and would not therefore be considered material.

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 n daylight levels. In terms of the magnitude of the impact the effects can be negligible, minor, moderate or major.

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

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

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

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

For sunlight, there is a requirement to assess main windows which face within 90 degrees due south. Windows which do not face within 90 degrees due south do not get direct sunlight. The guidelines consider kitchens and bedrooms to be less important when considering sunlight. A good level of sunlight to a window is 25% annual probable sunlight hours, of which 5% should be in winter months. Where sunlight levels fall below this level a comparison with the existing condition is made and if the reduction is within 0.8 of its former value the loss would not be noticeable.

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

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

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

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

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

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

A summary of the impacts is detailed below:

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

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

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

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

None of the bedroom areas currently achieve 1% ADF. The DD results show that 3 bedrooms DD is currently less than 50% of the relevant area. As a result of the development, 2 of these bedrooms achieve DD to over 75% of the relevant area with the reduction to these areas being less than 11% of their current condition. The DD reductions to the remaining bedrooms range from some 24% to 54% and are, to a large extent a function of their current low DD.

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

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

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

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

7/9 Hulme Street 67 windows (20 in 9 Hulme St and 47 in 7 Hulme St) were assessed for daylight to 31 lounge/living room areas (11 in 9 Hulme St and 20 in 7 Hulme St).

Currently, none of the windows in 9 Hulme St achieve a VSC at or above 27% and only 6 windows achieve 27% VSC in 7 Hulme St. No windows in either property would achieve 27% VSC. However, the reduction in VSC from those currently are significantly below 20% - the highest reduction being 16%.

The ADF results show that 18 room areas would achieve above 1.5% ADF with the development in place. The DD analysis shows no reduction from the current position to the 16 rooms, with 9 rooms showing a reduction of 1% with the remaining 6 rooms showing reductions of less than 5%.

The magnitude of the effects on 7 and 9 Hulme Street are considered to be minimal/negligible and any impacts to single aspect apartments will not be of any significance or be noticeable to the occupants.

2 Lower Ormond Street 42 windows were assessed for daylight to 7 lounge/living room areas (3 windows each) and 21 bedrooms (one each). The total number of rooms assessed was 28 (four at each level ground and 6 upper floors).

Currently, none of the windows below the third floor achieve a VSC at or above 27% with the range in VSC for these windows being 12.59% to 24.03%. 12 windows at and above the 3rd floor currently achieve 27% VSC with a further 10 achieving VSC between 20% and 27% and the remaining 2 achieving VSC of 16.6% and 18.77%.

The proposal would result in all but 3 of the windows below the 3rd floor having a VSC reductions above 20% (the range being 21.6% to 26.14%). At and above the 3rd floor, 3 windows would retain over 27% of VSC and a further 5 show VSC reductions below 20%. The remaining windows show VSC reductions above 20% (ranging between 21.85% to 34.94%).

The ADF results show that all 7 of the lounge/living room areas achieve over 1.5% ADF with the lounge/living room areas at the 2nd floor level and above (5 in total) achieving over 2% with the development in place.

The ADF range for the bedrooms is currently 0.81% to 1.47% (13 bedrooms achieving at least 1% ADF). With the development in place, the ADF range is 0.68% to 1.22% (with 6 bedrooms achieving at least 1% ADF and 11 achieving over 0.9% ADF).

The relatively small daylight reduction to the bedroom areas in the ADF analysis are reinforced by the results of the DD analysis which show that 14 bedrooms show DD

reductions of below 7% and only a single bedroom shows a DD reduction above 20% - the relevant figure being 20.51% and exceeds the 'target' 20% reduction by a negligible amount. The DD analysis results for the lounge areas show that all retain DD to over 90% with the proposal in place with minimal reductions – the reduction range being 0.00% to 2.12%.

The overall the impacts are considered to be negligible in respect of daylight impacts. 12 bedroom windows would suffer minor impacts but this is considered acceptable within the city centre context and the harm would not warrant refusal. Single aspect apartments within this building are not impacted by the development.

Quadrangle development 422 windows were considered for daylight to 119 lounge/living rooms and 214 bedrooms, 333 in total. The majority of rooms have a single windows with those with multiple windows on the ends/corners of elevations. The windows and rooms are best considered in two distinct groups – the Hulme Street (site) facing group (Group A) and the Courtyard facing group (Group B). Group A comprises 169 windows to 37 lounge/living rooms and 62 bedrooms and Group B comprises 253 windows to 82 lounge/living rooms and 152 bedrooms.

Currently, the Group A VSC ranges between 1.10% to 39.02%. This changes to 0.10% - 38.31% with the development in place. The higher VSC figures relate to the windows at the ends/corners at each level of the Hulme Street elevation which generally show only a minimal reduction in VSC levels. 116 Group A windows (68.63%) show VSC reductions of at least, and in the majority of cases significantly above, 40%. These windows serve 26 lounge/living rooms and 48 bedrooms. Within Group A the majority of the rooms with windows showing VSC reductions above 40% are bedrooms which the BRE Guide recognises are less sensitive to daylight levels.

Currently, the Group B VSC ranges between 3.29% to 32.06%. With the development in place, this changes to 3.29% - 30.33%. The higher VSC levels (over 27%) are only achieved at floors 6 and above. The VSC reductions to Group B are less than the corresponding reductions to Group A with 178 windows (70.35%) showing reductions of less than 20% and 12 (4.75%) showing reductions of over 40%. In Group B the rooms served by windows showing VSC reductions above 40% are located at lower levels in the courtyard facing elevations and the relevant windows generally have low VSC levels currently which result in small numerical reductions being expressed as "high" VSC reductions in percentage terms.

It is important that the Group A VSC analysis results are considered in the context of a City Centre development. The BRE Guide was developed to assist in the design of low density, mainly suburban, residential developments. The BRE Guide recognises its limitations and the numerical guidelines need to be interpreted flexibly. The majority of the windows and rooms assessed in all neighbouring properties do not achieve, and are often significantly below, the BRE "target" VSC, ADF and DD figures currently.

The ADF and DD analysis results for the relevant lounge/living room areas and bedrooms follow the VSC analysis results. The Group A rooms sited in the central part of the Hulme Street elevation show generally low ADF values and large reductions to DD from the Baseline Conditions. The Group B rooms opening to the

Courtyard show generally acceptable ADF values and either minimal/minor or no reductions to DD.

The daylight analysis results for Quadrangle show that the impact to the majority of rooms will be either negligible or minor although some rooms, principally those rooms sited in the central section of the Hulme Street elevation show moderate and/or major impacts. When considered on an overall basis the adverse effects on daylight levels to Quadrangle are predominately negligible and/or minor. There will be instances of moderate and major adverse effects although mainly to bedrooms.

The impacts on the Quadrangle need to be considered in the city centre context with medium and high-density developments nearby. It is not unusual for developments in locations such as this to have impacts on neighbouring buildings. The harm caused would not warrant refusal of the proposal.

The Quadrangle building is the only property of those identified where impacts could be significant. The apartments which are predominately impacted are single aspect apartments at levels 1-4 on Hulme Street. There are 3 single aspect apartments, and 2 dual aspect apartments each at levels 1-7 (inclusive) to Hulme Street.

The analysis shows that the majority of the rooms/areas serving the single aspect apartments at level 5 show moderate adverse impacts whilst the majority of rooms/areas serving the single aspect apartments at levels 6 and 7 show either moderate, minor or negligible adverse impacts when assessed against the criteria.

The apartments which are north facing and single aspect and do not currently receive direct sunlight.

Whilst the proposals will result in adverse impacts on some of these apartments, these impacts are to a limited number of apartments and entirely consistent with impacts that have been considered acceptable in previously approved developments in the immediate locality.

In line with paragraph 123c of the NPPF, it is essential that Local Authorities ensure that there is an efficient use of land and in doing so, should take a flexible approach when applying guidance relating to daylight and sunlight.

Whilst acknowledging the impacts on the Quadrangle building, a lower level of daylight can be accepted in a city centre location where a reduction is unavoidable if development densities are to be achieved. The levels of daylight in this instance are not considered to be unduly harmful that it would warrant refusal of the application.

14 windows were assessed for sunlight. The windows at floors 2-6 is one of several windows which serve the relevant area at each level of the building. None of these windows show a reduction in winter APSH levels with the windows at the 7th and 8th floors all retain 25% APSH and show no reduction to winter APSH.

Shell House, Oxford Road 18 first floor windows were assessed for daylight serving 5 bedrooms and 3 lounge/living rooms. The 3 lounge/living areas and 2 of the

bedrooms have at least 2 windows. This property was assessed in order to assess any cumulative impacts as a result of the development at 1/5 New Wakefield Street.

Currently, only one window achieves a VSC at or above 27% (with the VSC range being 16.18% to 27.51%). The VSC reductions are below 20% with several windows showing no VSC reduction. The reduction range is 0.00% to 5.55%.

The VSC results are reinforced by the ADF and DD analysis results which show only a minimal impact to daylight and are considered negligible.

17 windows were assessed for sunlight. 8 show no reduction in ASPH and 6 show total APSH reduction of less than 20% with no reduction in winter APSH.

3 windows show total APSH reduction of less than 20% but with winter APSH reductions of 25%, 33.33% and 100% respectively. The reduction to the window of 100% only has 1% winter APSH currently.

The analyses show that any impacts to these properties would be minimal/negligible and that any impacts to single aspect apartments will not be of any significance or be noticeable to the occupants.

7/9 New Wakefield Street 32 windows were assessed for daylight to 13 bedrooms and 9 lounge/living rooms. A single lounge/living area has 3 windows with the remaining lounge/livings each having 2. All bedrooms have a single window.

Currently, none of the windows below the 5th floor achieve a VSC at or above 27% with the VSC range for these windows being 7.82% to 24.69%. 4 windows achieve over 27% at 5th floor level, 3 windows achieve VSC between 20% and 27% with the remaining 4 windows achieving VSC between 16.46% to 18.57%.

1 window would retain a VSC above 27% and 5 show either no or minimal VSC reductions below 1%. The remaining windows all show reductions in excess of 20% (the range being 29.48% to 71.15%).

The ADF results show that a single lounge/living room area achieves over 1.5% ADF with 4 windows achieving 1% ADF and the remaining 4 achieving over 0.75% ADF.

The current ADF range for the lounge/living rooms are 0.93% to 2.33%. With the development in place, the ADF range would be 0.75% to 1.52%.

The current ADF range for the bedroom areas are 0.30% to 2.44%. With the development in place the range would be 0.25% to 1.36%. Currently, 7 bedrooms achieve over 1% ADF, 4 between 0.5% and 1% ADF and 2 have ADFs below 0.5%.

With the development in place, 4 windows achieve over 1% ADF, 4 between 0.5% to 1.00% ADF and 5 below 0.5% ADF.

The results of the DD analysis show DD reductions of less than 20% to 7 lounge/living areas (5 showing reductions of less than 10%). 2 lounge/living areas

and 6 bedrooms show DD reductions in excess of 20%. 8 bedrooms show DD reductions below 20%.

The proposal would have a moderate impact on 1 lounge/living room and 9 bedrooms and a minor impact to 7 lounge/living rooms and 4 bedrooms and a negligible impact on 1 lounge/living area.

Given the city centre context and as the most significant impacts are to bedrooms the level of harm would not warrant refusal with the rooms retaining a reasonable amount of daylight.

26 windows were assessed for sunlight which are situated immediately due north of the application site. 17 windows currently achieve 25% APSH with at least 5% winter APSH, 3 achieve at least 20% APSH with over 5% winter APSH, 5 achieve over 15% APSH with over 5% winter APSH and a single window received 19% APSH with 2% winter APSH.

Due to orientation, it is inevitable that the impacts would show APSH reductions. 21 windows show a total APSH reduction of over 50% and 3 show a total APSH reduction of over 40%. The remaining 2 windows show reductions in APSH of 36.84% and 25%.

6 windows do retain 5% winter APSH, 12 retain levels between 4% and 2% and 6 show winter APSH below 2%. 14 would retain summer APSH levels of at least 10% or above with the remaining windows all retaining at least 5% summer APSH.

The impact on sunlight would be moderate to minor with 3 instances of major effects. On balance, these impacts are considered to be acceptable in a city centre context and the more significant levels of harm are associated with a low number of windows.

There are no single aspect apartments impacted within this development that would be impacted by the proposal.

Blocks A and B Lockes Yard 147 windows were assessed for daylight to 20 bedrooms and 17 lounge/living room areas across 2 accommodation blocks. All the lounge/living areas and 10 of the bedrooms have at least 2 windows.

Currently, only 8 windows achieve a VSC at or above 27% (one in block A and 7 in block B) within the remaining windows having a range of 0.36% to 27.45% for block A and 5.57% to 28.49% for block B.

The VSC reductions would be significantly below 20%. There are, however, several windows showing no VSC reduction or small gains. 5 windows retain over 27% VSC. The combined VSC reduction range for blocks A and B is -0.27% (a small gain) to 35.28%. Only 17 windows show VSC reductions above 20% and all serve bedrooms which have multiple windows which would minimise the impact.

The VSC results are reinforced by the ADF and DD results which both show a minimal impact to daylight. The ADF analysis results show only minimal changes between the current conditions and with the development in place. The DD analysis

also indicate minimal impact on daylight and also demonstrate a small improvement to some of the windows like the VSC result.

The impact on these properties is therefore considered to be minimal/negligible when considered against the current conditions.

There are no single aspect apartments within this development that would be impacted by the development. The analyses show that any impacts to these properties will be minimal/negligible and that any impacts to single aspect apartments will not be of any significance or be noticeable to the occupants.

Overlooking The only windows in the Great Marlborough Street elevation are in the 4 storey element. Great Marlborough Street is a relatively wide road which provides a degree of separation between buildings. It is therefore considered that there would not be an impact on privacy from overlooking to properties on the western side of the road, particularly the residential building of Lockes Yard A and B.

The Hulme Street elevation would contain a significant number of windows at all levels. All buildings along Hulme Street including The Quadrangle and 2 Lower Ormond Street are at back of pavement line. The carriageway is narrow and reflects the tight grid network which is evident throughout Macintosh Village.

There are windows and balconies on the Hulme Street elevations of the Quadrangle and 2 Lower Ormond Street that would directly face the proposal. However, this same relationship exists in other tight grid networks within the city centre and is not unusual. Similar levels of impact would occur if a lower scale building was to be progressed at the site. The loss of privacy which would arise from overlooking would not be unusual and would not warrant refusal.

The rear of the building would contain a significant number of windows which would face the rear elevation of 7/9 New Wakefield Street. These properties have a relatively open outlook over the car park. The relationship between the proposal and these properties would generate some overlooking. The gap between them is similar to that of other developments within Macintosh Village where there is also a degree of overlooking between properties. Any impact on privacy would be acceptable in this context.

The other properties in the study area are considered to be sufficiently far away from the application site to not result in any loss of amenity from overlooking.

The proposal would result in minor to moderate localised impacts on daylight, sunlight and loss of privacy. Such impacts are not unusual in a city centre context and are not considered to be unduly harmful to the extent that they would be considered unacceptable and therefore warrant refusal of this planning application.

(b) TV reception

A TV reception survey has concluded that there is likely to be minimal impact on digital television services or digital satellite television services but should any arise it could be mitigated through antenna upgrade or realignment of the transmitter. A

condition would require of a post completion survey to be undertaken to verify that this is the case and that no additional mitigation is required.

(c) Air quality

The site is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of emissions from roads. An assessment has considered the impact on air quality during construction and operational.

Dust would be inevitable during construction but there is limited demolition with works mainly associated with earthworks and above ground construction. Good on site practices would ensure dust and air quality impacts are not significant and should be in place for the whole construction period. This should be a condition.

The impacts on air quality once the development is complete would be negligible. The only car parking would be two on street bays for disabled people. Students would be encouraged to cycle and there is 30% on site provision and 60 bikes provided by the operator. The applicant would improve green travel in the MSCP by providing 64 secure cycle for local residents and fitting 20% of the spaces with an electric car charging point. Given the proximity of the Universities to the application, a large number of students would walk or use public transport.

In light of the above, it is considered that the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF and the development would not have a detrimental impact on air quality.

(d) Wind environment

A wind assessment of potential effects in and around the site 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. Effects beyond this area are considered insignificant in line with best practice guidance.

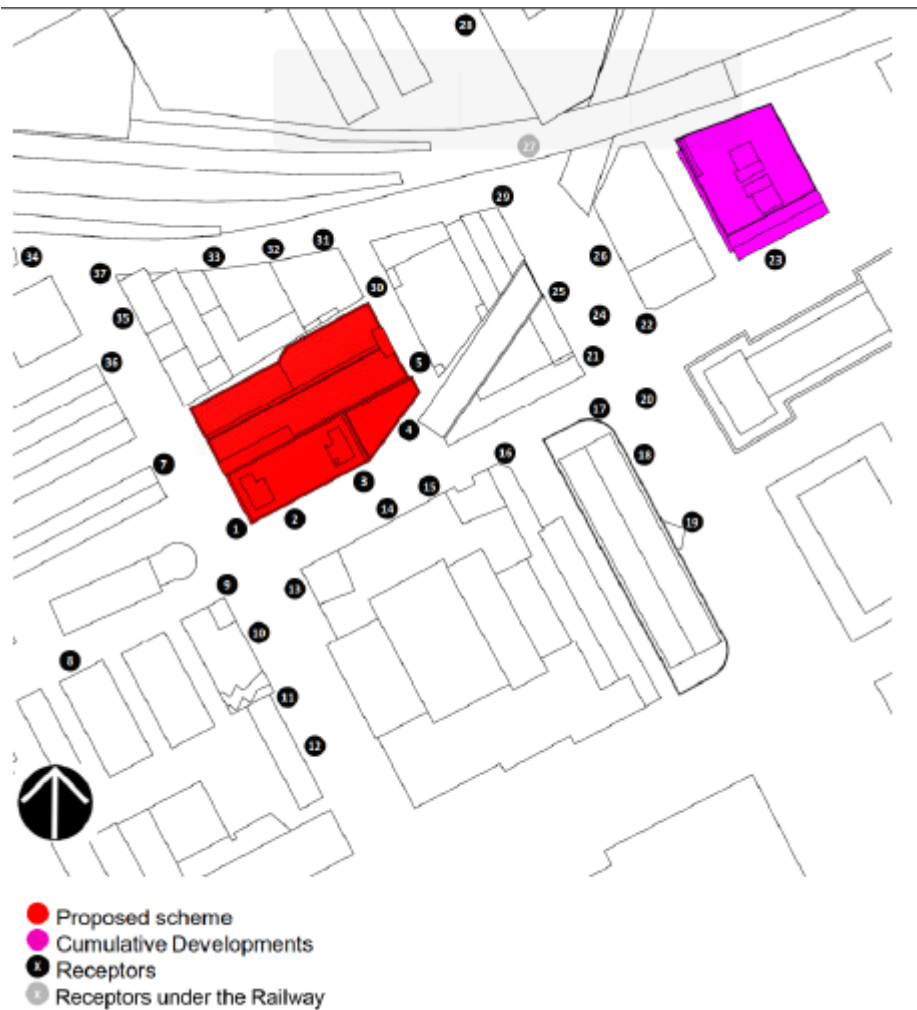
The technical method used to assess the were a wind tunnel analysis. A Computational Fluid Dynamics (CFD) analysis was also carried out to verify the results of the wind tunnel analysis. This considered the effects of the development on existing wind conditions, the conditions with the development in place and the cumulative scenario with other committed developments. Considering the proposal against these methodologies follows the most up-to-date guidance for assessing wind impact for buildings over 100 metres.

The wind assessment takes into account the season and expected activity based on a number of criteria: -

- Outdoor amenity and seating areas: Sitting during the summer season
- Building entrances, bus stops, drop off areas: Standing throughout the year;
- Pedestrian circulation routes: Leisure walking during windiest season;
- Pedestrian thoroughfares (minor pedestrian routes: Business walking during windiest season;

- Areas reporting winds within uncomfortable classification are preferably to be avoided because of their association with occasional strong winds (safety concerns)

37 sensitive receptors were identified and all pedestrian circulation routes, building entrances, bus stops at the site and the surroundings (500m) have been assessed. The magnitude of changes caused by the development is assessed on a scale of major, moderate, minor, negligible or no change.



Receptors identified within the wind assessment

The assessment indicates that the proposal would create some localised wind accelerations at pedestrian level. However, in the majority of cases there would be little to no change on the suitability of the receptors for use compared to the existing conditions, with the effects being the same or with only minor or negligible changes.

Currently, the areas immediately around the site are deemed to be safe for all pedestrians within relatively calm conditions. There are, however, areas of increased windiness further away from the site along New Wakefield Street and Oxford Road.

The wind conditions when assessed for pedestrian comfort are currently largely suitable for standing throughout the year. Whilst there are areas of increased

windiness, particularly during winter months, the conditions are suitable for leisure walking at the north and east areas outside the site.

As a result of the development, the assessment indicates that pedestrian entrances to the proposed building, and those in the surrounding area, would be suitable for standing and suitable for their intended use. There is an exception at 21 to 26 on Oxford Road where wind conditions are higher than recommended, however, this is currently the case and cannot be attributed to this development.

The wind conditions at all bus stops assessed would be suitable for their intended use except for one on Oxford Road where wind conditions would be higher than recommended. This is, however, currently the case and cannot be attributed to this development. The same level of impact would also occur in the cumulative scenario.

Wind conditions for pavements/walkways around the site, and in the wider study area, would remain suitable for intended use and in the cumulative scenario.

The magnitude of change to pedestrian comfort is considered to be neutral with there being no significant change when compared to current conditions.

The impact on the wind conditions, when assessed for pedestrian safety immediately around the site indicate that they would be safe for intended use. In the wider area, a small area opposite receptor 37 on New Wakefield Street would exceed the relevant criteria for its use. However, this is a small area, is not a pedestrian thoroughfare and is not located along a cycle path. In addition, the size of the impact marginally reduces in the cumulative scenario. As such, the impact of this change is not considered unduly harmful to warrant refusal.

The magnitude of change to pedestrian safety is considered to be negligible with there being no significant change when compared to current conditions.

Local residents have expressed concerns about the impact of the proposal on local wind conditions and believe that the assessment fails to consider the wind conditions of the courtyards of the Quadrangle and Cotton Mill as well as walkways/passageways internal to and in between The Foundry, Lockes Yard, 6/8 Great Marlborough Street, River Street Townhouses and the Green Building.

The wind assessment was updated during the course of the application to ensure that the results were comprehensive and robust. The technical methods used to assess the impact of wind are sufficient to understand the impact on the Quadrangle (and its courtyard) and the passageways/entrances to Lockes Yard, 8 and 6 Great Marlborough Street. The result did not indicate that the proposal would have an unduly harmful impacts on these properties or external areas that would warrant refusal of the application with conditions remaining safe for their intended use.

A sensor was placed near the corner of the River Street apartments and 6 Great Marlborough Street to consider if wind accelerations might occur as a result of the development. The result did not reveal any significant impacts in this area or that safety would be compromised.

River Street (the Green Building) and the courtyard associated with Cotton Mill are relatively far from the site and there are buildings located between these areas which would act as barriers to any down drafts. These areas are also not in the prevailing wind directions for the site. The wind conditions at these locations were not required to be measured in the assessment based on the relevant assessment criteria as any changes in these locations would not be material.

The proposal would result in some very minor, localised impacts on the wind environment. Such impacts are not unusual in a city centre context and would not warrant refusal of this planning application with conditions remaining safe for their intended use.

Fume extraction Fume extraction for the commercial operations and kitchen areas could be integrated into the scheme and a condition is recommended.

Noise and disturbance A noise assessment has considered the noise insulation requirements for the accommodation. The main sources of noise from the development are from the construction activities and plant. Consideration has also been given to external noise sources on the habitable accommodation.

Noise levels from construction would not be unduly harmful provided the strict operating and delivery hours are adhered to along with the erection of a hoarding with acoustic properties, silencers on equipment and regular communication with nearby residents. It is recommended that such details are secured by a condition.

The proposal is likely to require plant and details are required prior to first occupation and it is recommended that this is included as a condition of the planning approval.

The report also considers external noise sources on the proposed accommodation. The main sources of noise would be from the traffic, and other noise, along Oxford Road and the railway line. The accommodation would have to be acoustically insulated to mitigate against any undue harm from noise sources.

It is anticipated that through the use of mechanical ventilation and appropriate glazing, the necessary noise criteria within the studios can be met. Further information is required about measures together with a verification/post completion report prior to the first occupation of the studios and commercial accommodation.

Provided that construction activities are carefully controlled and the plant equipment and student accommodation is appropriately insulated the proposal is considered to be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Waste strategy and servicing management A development of this nature is likely to generate a significant amount of waste which has to be managed on a daily basis. There are challenges in ensuring efficient waste removal within a tall building including ensuring that waste is recycled.

The waste management arrangements have been agreed with Environmental Health. There is no City Council waste guidance for purpose-built accommodation such as

this which is a bespoke product. The waste management strategy acknowledges that both the size and number of bin falls short of the residential waste guidance and the arrangements include private collections. The arrangements are similar to other PBSA buildings including the recently completed scheme on New Wakefield Street.

There is a dedicated waste store on the ground floor measuring 133 sqm and it is expected that waste would be collected 3 times a week (1 Council and 2 private collections). Anticipated waste generation is expected to be around 50,000 litres.

The waste store would accommodate 46 x 1,100 litre Eurobins (including 14 dedicated for recycling) for the student accommodation and 6 x 660 litre bins for the SME space.

Students would be expected to take their own waste to the waste storage area which is next to the main entrance to encourage refuse to be deposited as students leave the building. All students would be issued with guidance on how to manage their waste and encourage them to recycle and they would have separate bins in their studio apartments.

The weekly Local Authority refuse collection would be supplemented by two additional private collections. The waste would be collected from a newly created layby on Hulme Street. The on site facilities management team would move the refuse bins from the store directly onto Hulme Street, and directly to the waiting lorry to avoid bin being stored on the highway. Each refuse vehicle pick up is estimated to last 15 minutes, with bins moving directly from the store and back as part of a carefully controlled management regime. There are more bins within the internal store than required which allows for bins to be rotated and not all the bins would be presented for collection at one time.

The layby has been tracked and is of sufficient size and appropriate location to enable suitable manoeuvring of the largest refuse vehicles. In reality, smaller refuse vehicles are expected to be used. When not in use by a refuse vehicle, the layby provides sufficient space for two vehicles at any one time and considered to be sufficient for any other servicing requirements.

The refuse arrangements have been carefully considered and are appropriate. It is recommended that a condition of the planning approval is that the agreed strategy is implemented.

Servicing is also expected to take place from the layby. The applicant would regulate deliveries through agreement with the main distribution companies. This means that deliveries from a particular courier would be consolidated at the depot before being delivered to the site in a single batch delivery within an allocated delivery slot. This arrangement would ensure that individual deliveries to the building would be minimised as much as possible and become part of the overall building management regime.

Taxis would also form part of the management regime. Residents would be required to book through the on-site management team. This again would assist in the management of vehicular movements at the site.

The applicant has sought logistical advice on food deliveries. This has indicated that supermarkets are generally unwilling to deliver to this form of development and residents would be discouraged from using any such service. There are also a range of convenience food stores within easy walking distance, so these deliveries are expected to be very low. If such deliveries do occur, the reception staff will be responsible for receiving and storing the delivery in order to minimise vehicle waiting times in the layby.

Whilst hot food deliveries are likely to take place, there a huge variety of food options in the local area, which means the vast majority of these would be by bike. The proposals include a generous space in front of the building where bike deliveries would be able to wait off the public highway and so pedestrian and vehicle movements would be unaffected.

Water quality, drainage and flood risk The site is in flood zone 2 'medium risk of flooding'. As the upper floors of the building are intended to be occupied by students, the development is classified as 'vulnerable'. As such, the sequential and exception test is required. A flood risk assessment has concluded that the site is at risk of fluvial flooding from the River Medlock. The sequential test requires consideration to be given to alternative, less vulnerable sites. There were no other reasonably available sites identified locally.

The ground and upper floors are set above the 1 in 100 year plus climate change floor level and are considered to be acceptable. The lower ground floor areas are for plant and whilst accessible from ground, would be unaffected during the 1 in 100 year plus climate change even. The ground floor would flood 1 in 1000 year floor level. There are no habitable rooms on the ground floor and safe refuge above the flood level is available within the communal areas and bedrooms.

Although the development is classified as vulnerable due to its end user within flood zone 2, it would be 500 mm above the 1 in 100 year plus climate change flood event.

The Environment Agency has no objection if the mitigation outlined is implemented which includes raising of the finished floor levels of the building. It is therefore recommended that this forms part of the conditions of any planning approval.

The site is at risk of surface water flooding and is in a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. The flood risk management team have assessed the drainage strategy which details that the scheme would incorporate measures to minimise any incidents of surface water flooding and reduce flow rates. This includes discharging some of the surface water into the adjacent watercourse (i.e. the Medlock) at an agreed discharge rate.

A detailed drainage scheme would be required through a condition along with a management/verification plan. In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that this flood resilience measures, together with the drainage plan, form part of the conditions of the planning approval.

Designing out crime A Crime Impact Statement (CIS), prepared by Design for Security at GMP, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition requires the CIS to be implemented in full to achieve Secured by Design Accreditation.

Impact of rail infrastructure Network Rail have provided comments on conditions and informative which seek to protect the rail infrastructure from damage and obstruction during construction and conditions are recommended.

Ground conditions Previous industrial uses increases the likelihood of land contamination being present that may impact on the water environment. There are no unusual or complex contamination conditions. A detailed risk assessment remediation strategy is required together with conditions relating to understanding the methods for piling or other foundation design in order to ensure that there is no unacceptable impact on ground water.

Dust suppression measures are also required to be agreed as part of the construction management plan. This would enable the continued use of the car park whilst the remediation strategy and construction works are being implemented. There is no powered ventilation within the car park which would be naturally ventilated and sealed off from the main development site.

The implementation of the remediation strategy should be confirmed through a verification report to verify that all the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

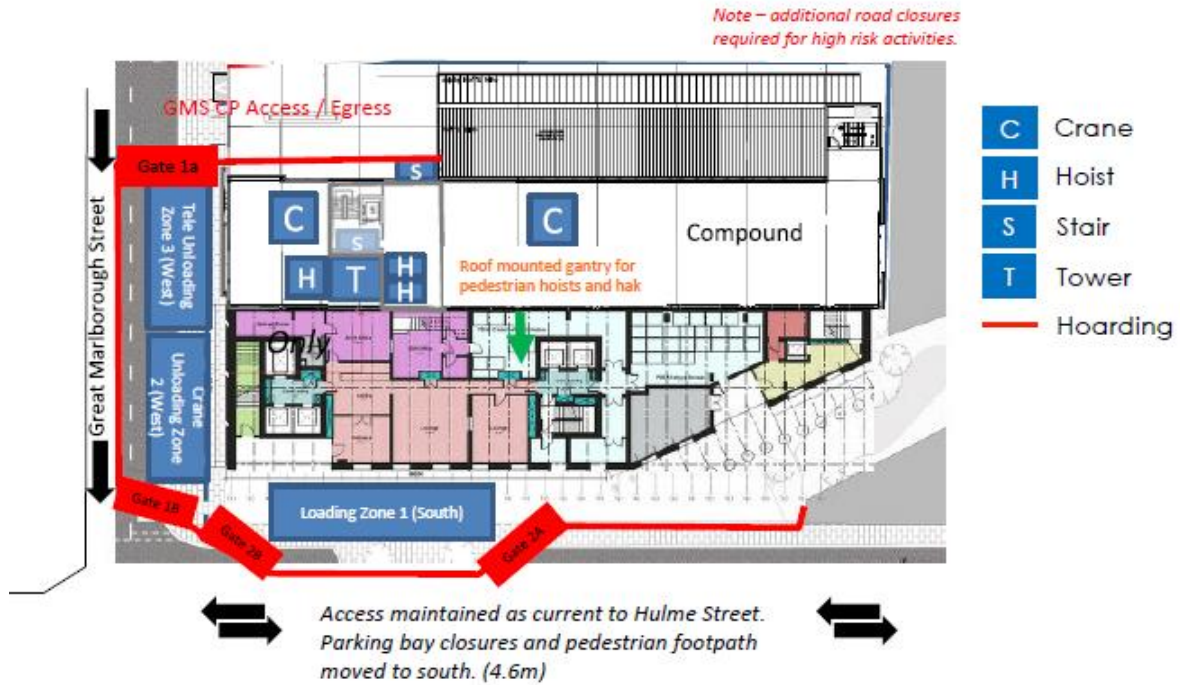
Construction Management The applicant acknowledges that the constrained nature of the site, and the need to keep the MSCP open, creates construction and highway management challenges together with the need to minimise disruption to residents from noise, dust and traffic.

The specific logistical requirements are still being considered but the applicant has prepared a Highways and Logistics statement as part of their planning submission together with a Construction Environmental Management Plan.

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

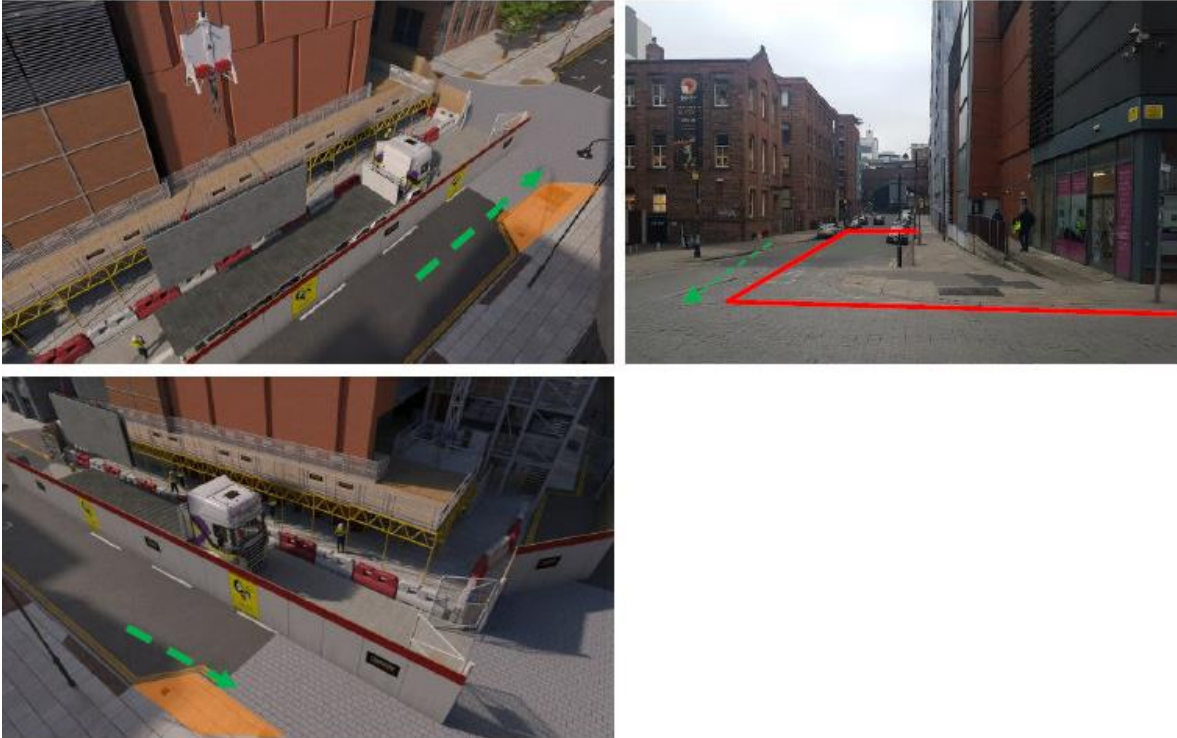
The originally submitted Highway and Logistics Strategy submitted with the planning application in 2018 required full footpath closures on Hulme Street and Great Marlborough Street in the interests of pedestrian safety whilst the building was under construction and the MSCP remodelled. A 4 year construction programme was anticipated at that time. This strategy also required the creation of temporary entrance to Hulme Street whilst the car park enabling works were complete.

A revised Highway and Logistics Strategy has now been submitted as a consequence of being able keep the existing car park operational for the duration of the construction period including retaining the existing car park entrance off Great Marlborough Street, albeit with temporary arrangements in place during this time.



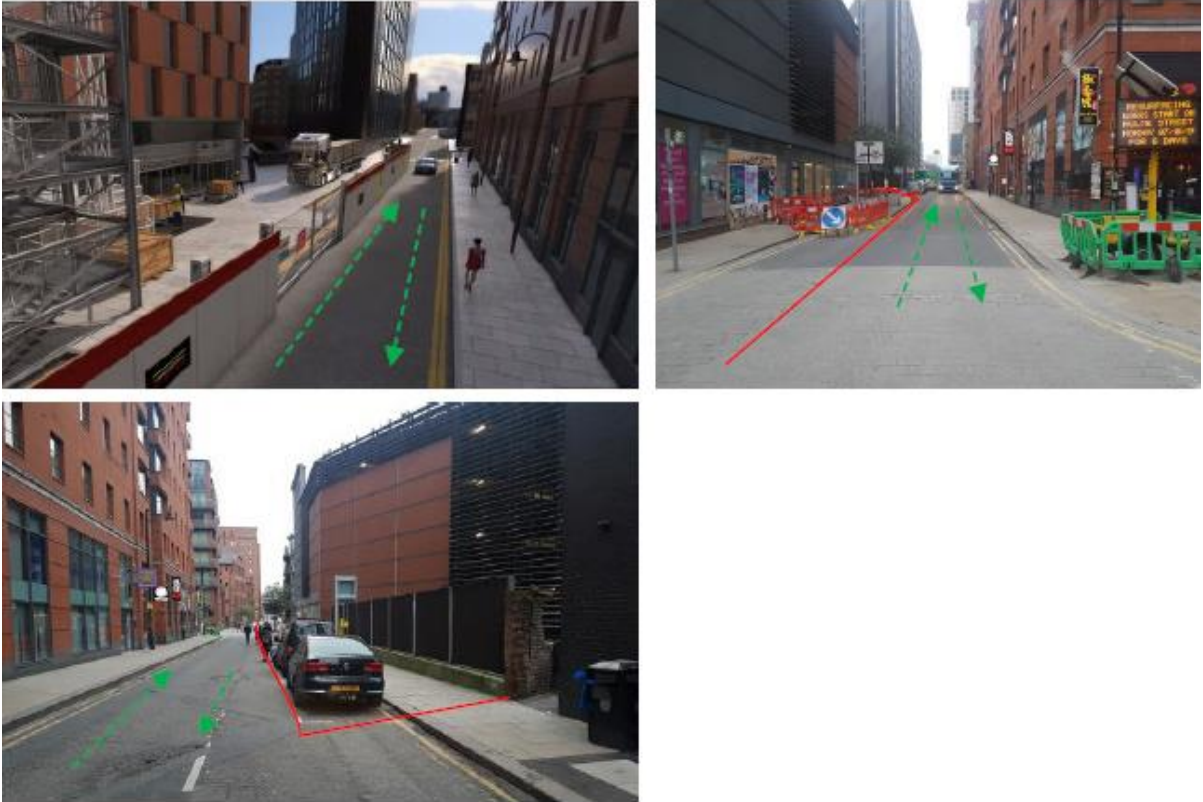
Logistics plan for the development

This arrangement would require a 3-metre lane (one way) being implemented on Great Marlborough Street due to the extent of the site hoarding. The pedestrian footpath would be diverted to the west side of Great Marlborough Street. Street furniture and parking bays in this area would temporarily be closed/removed.



Proposed temporary highway arrangements along Great Marlborough Street

Traffic flows along Hulme Street would be retained in both directions with a carriageway at 4.6 metre retained along the full length of the construction site as per existing conditions. This arrangement would require the pedestrian footpath on the south side of Hulme Street to be temporarily closed and street furniture removed.



Proposed temporary highway arrangements along Hulme Street

The applicant has indicated that there would be no full road closure for extended periods with the exception of when high risk items of work are taking place i.e. crane erection.

A 5 years construction period is programmed but they aim to deliver within 4 and a half years if possible. Subject to planning permission, the applicant intends to commence work in the second quarter of 2022. This would involve a series of enabling works including the partial demolition of the MSCP and site clearance works

Ground works would begin in the third quarter of 2023 with work on the main structure beginning in the second quarter of 2024 for a period of approximately 2 and a half years. The remaining time would be for internal fit out works.

Street	2022				2023				2024				2025				2026				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Great Marlborough Street		■			A – Enabling works																
Hulme Street		■																			
Great Marlborough Street							■		B – Groundworks												
Hulme Street						■															
Great Marlborough Street									C – Frame and envelope				■								
Hulme Street										■											
Great Marlborough Street																				■	
Hulme Street																				■	

No full road closures will be necessary for extended periods, but there will be intermittent periods of road closures for high risk items of work, i.e. crane erection.

- Two Way Traffic (Min 4.6m Wide)
- One Way Traffic (Single Lane Closure)
- Full Road Closure

Construction programme and works

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

The scope of the development has been reviewed by the preferred contractor and crane specialist who consider there are no impediments to delivering the scheme.

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

For crane erection, assembly and removal would require some general access road closure on Great Marlborough Street. Access to the car parks on either side of the road, including the MSCP, would be maintained through safe management. Some short term full road closures would be unavoidable, but this is a very common requirement for construction sites in the city centre.

During these periods, some intermittent car park entry/exit restrictions would be implemented. These are expected to be short in duration for up to 30 minutes at a time. Any short-term closures would be managed and would only be in place when loads are lifted over the car park during crane assembly/removal.

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

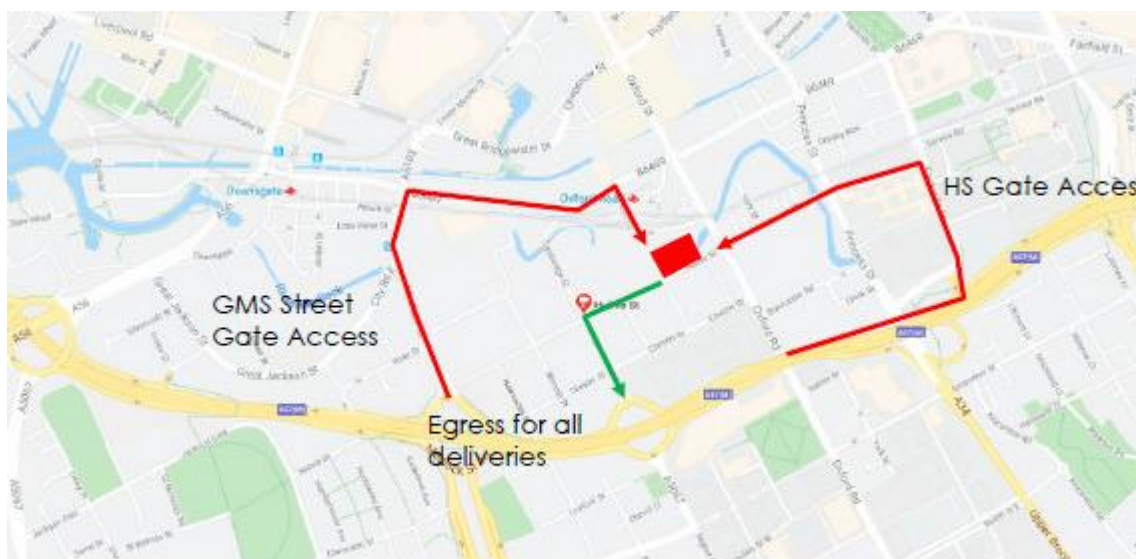
Once the crane has been erected, there would be no other instances during normal construction where loads would be required to pass over the MSCP. General construction exclusions zones would only apply to specific construction areas of the MSCP which include its roof.

The car park would remain in use with appropriate protection measures in place to ensure segregation from the construction site. The lifts and main stair core would remain accessible. Any changes to access routes would be communicated in advance and clearly sign posted. Crash decks would be introduced around the development for added safety measure.

The cranes would fitted with boundary and anti-clash protection software to limit movements. This would ensure that there was no oversailing of the operational public highway or private land and minimise disruption to users who require access/egress from the car park.

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

The contractor has developed management measures to minimise impacts on residents and the local highway network. The indicative delivery strategy has considered the optimal delivery routes and egress onto the Mancunian Way.



Indicative delivery route

The contractor has also considered measures that minimise impacts and reduce the number of vehicles attending the site. This includes component led building strategy reducing the number of vehicles and operatives at the site and ensuring that work elements of the construction work are as quiet as possible. Just In Time (JIT) deliveries would prevent waggons from idling on surrounding roads and monitoring arrangements including air quality monitoring would be in place with gate operative and logistics manager wearing air quality monitoring equipment to monitor local air quality conditions.

In addition, measures would be put in place to help minimise the impact of the development on local residents such as dust suppression, minimising stock piling and use of screenings to cover materials. Plant would also be turned off when not needed and no waste or material would be burned on site. It would not be possible to site the compound/welfare facilities within the site boundaries due to the restricted size and this would need to be created locally and early indication indicated this would be accommodated on the local highway network.

There is unlikely to be any cumulative impact from the construction elements of the development. Whilst there is a large amount of activity in the local area, the close proximity to major roads would ensure such activities should not have a detrimental impact on the surrounding area.

As recommended by GMEU and the Environment Agency, it is recommended that detailed consideration is given to the impacts of the construction activities on the River Medlock to ensure appropriate mitigation measures are put in place. In addition, and in line with the comments of Network Rail, it is recommended that informatives and conditions are used to protect the surrounding railway infrastructure from an impacts associated with the construction activities.

The site does not present abnormal environmental constraints or complexities. The construction impacts can be managed and mitigated so that amenity or highway impacts would not warrant refusal. A planning condition would ensure that construction impacts are mitigated to maintain the operational effectiveness of the highway network, pedestrian safety and minimise impact on residential amenity.

Provided appropriate measures are put in place the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition should require the final construction management plan is agreed to ensure the process has the minimal impact on surrounding residents and the highway network. The developer would also be encouraged to sign up to Membership of the Considerate Constructors Scheme and this would also be secured by planning condition.

Public opinion Objections have been received on the grounds that the principle of development is unacceptable due to lack of demand for student accommodation, impact on the residential character of the area and that the scheme is not deliverable due to the effects on the rights to park by leaseholders.

Objections also contend that the proposal is overdevelopment, excessive in height and scale and would impact on key listed buildings in the surrounding area. Localised impacts on the wind environment, loss of daylight and sunlight, overlooking, generation of crime, inadequate waste management arrangements, impacts of noise and disturbance (from taxis and deliveries) and logistical impacts from the construction process are also highlighted.

This report provides a detailed analysis of those comments and concerns. The principle of development, contribution to regeneration and need for the student accommodation has been tested, meets the required planning policy criteria and

guidance and has the support of Manchester Metropolitan University. The site location close to Oxford Road and the University Campuses makes it suitable. The rights of the car parking space holders are not material to the consideration of this application. The applicant, would maintain these rights and ensure the required number of spaces is available both during construction and when the site has been redeveloped.

The impact on the in and around Macintosh Village has been considered. Whilst there have been a number of high density student schemes which have been developed nearby in recent years, there have also been a number of residential schemes some of which are still being developed such as Circle Square, First Street and Great Jackson Street. These developments would ensure that neighbourhoods in and around the Oxford Corridor are sustainable and meet the needs of mainstream residential accommodation.

The development may have some localised impacts such as change in outlook, impact on daylight, sunlight and wind conditions. In addition, there would be some disruption during construction. These matters are not considered to be unduly harmful in a city centre context and the construction management plan should help to mitigate this.

The operational impacts of the development can also be managed and the developer is an experienced operator. A well being strategy would be put in place to support students. Impacts from Waste, online deliveries, servicing and taxis can be managed. The layby on Hulme Street would be utilised for taxis and online deliveries and would be managed by the applicant to prevent congestion on local roads.

The changes in outlook from surrounding residential buildings and changes to daylight and sunlight are not unusual in a City Centre context and would not warrant refusal.

The proposal would bring significant economic, social and environmental benefits to the city and the local area. This must be given significant weight in the decision-making process as directed by the NPPF.

Aerodrome safeguarding There would be an impact on the airport radar which would require mitigation. This would be secured by a condition with an informative about the use of cranes.

Legal Agreement This application will be subject to a legal agreement which will secure a contribution for general infrastructure improvements in accordance with criteria outlined in policy PA1 of the Core Strategy.

In addition, the applicant has also offered an additional voluntary sum specifically towards affordable housing in the City. The applicant has stated that the purpose of this is that, in their view, the site would have been suitable for residential development in accordance with the Development Plan and could therefore have been progressed as an alternative use of the site, in the event a residential developer had owned the site. Had that been the case, the City Council's Core Strategy policy H8 regarding the provision of affordable housing would have applied to the scheme.

Members are advised that as the additional sum for affordable housing is not required to make this development acceptable, and is being offered on a wholly voluntary basis by the applicant, this is not a material planning consideration and Members should not take this into account in the determination of this planning application.

Conclusion The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The proposal represents £130 million of investment with the Oxford Corridor and is wholly consistent with planning policies for the site (policy H12) and would help realise regeneration benefits and meet demand for student accommodation in a sustainable location. Significant weight should be given to this (paragraph 80 of the NPPF). This investment also comes at a critical time as the City recovers from the economic effects of the Covid 19 pandemic.

The design would set high standards of sustainability (paragraph 131 of the NPPF). A comprehensive travel plan and improvements to the pedestrian and cycling environment would exploit the city centre location and support walking, cycling, tram, rail and bus journeys to the site (paragraphs 103, 105 and 111 of the NPPF).

The site would be car free (except for disabled and servicing provision) which would minimise emissions. The rights to park would be retained within the MSCP, however, there would be an overall reduction in car parking space in line with Council objectives of minimising the reliance on the car within city centre locations.

Careful consideration has been given to the impact of the development on the local area. There would inevitably be impacts in terms of the use and the scale of the building on light, noise, air quality, water management or wind conditions. However, none of these impacts would be unusual in a city centre context and mitigation measures are in place to help to address them. Waste can be managed with recycling prioritised. Online deliveries and taxis would be managed to minimise impacts on the residential neighbourhood.

There would be some localised impacts on the historic environment (to the conservation area and nearby listed buildings) with the level of harm being considered low, less than substantial and significantly outweighed by the public benefits which would be delivered as a consequence of the development socially, economically and environmentally. The proposal therefore accords with paragraphs 193, 194 and 196 of the NPPF and sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved 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 legal agreement in relation to infrastructure improvements

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the scheme including height appearance and impact on surrounding receptors. Further work and discussions have taken place with the applicant through the course of the application as a result of matters arising from the consultation and notification process. The proposal is considered to be acceptable.

Reason for recommendation

Conditions to be attached to the decision

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

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

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

Drawings

2142-A-L001, 2142-A-L-005, 2142-A-L-010, 2142-A-L-015, 2142-A-L-156, 2142-A-L-202, 2142-A-L-400 and 2142-A-L-401 stamped as received by the City Council, as Local Planning Authority, on the 18 September 2018

PL 10 REV P9 stamped as received by the City Council, as Local Planning Authority, on the 16 November 2018

2142-A-L-105 A, 2142-A-L-106 A, 2142-A-L-107 A, 2142-A-L-108 A, 2142-A-L-112 A, 2142-A-L-113 A, 2142-A-L-114 A, 2142-A-L-125 A, 2142-A-L-126 A, 2142-A-L-127 A, 2142-A-L-128 A, 2142-A-L-130 A, 2142-A-L-154 A, 2142-A-L-155 A, 2142-A-L-200 A and 2142-A-L-203 A stamped as received by the City Council, as Local Planning Authority, on the 21 May 2019

2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C , 2142-A-L-103 C, 2142-A-L-104 C, 2142-A-L-201 REV C, L1917R-SK01 (D06), L1917R-SK02 (D06), L1917R-SK03 (D06), L1917R-SK04 (D05), L1917R-SK05 (D05), L1917R-SK06 (D05), L1917R-SK07 (D05), L1917R-SK08 (D07), L1917R-SK09 (D04), L1917R-SK10 (D04), L1917R-SK11 (D04), L1917R-SK12 (D02), L1917R-SK13 (D02), L1917R-SK14 (D01), L1917R-SK15 (D01), L1917R-SK22 (D03), L1917R-SK23 (D03), L1917R-SK24 (D03), L1917R-SK25 (D03), L1917R-SK26 (D03), L1917R-SK27 (D03) and L1917R-SK28 (D03) stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020

Environmental Statement

Environmental Statement comprising:

ES Volume 1 Main Text:

- Chapter 1 – Introduction;
- Chapter 2 – EIA Methodology
- Chapter 3 – Site and Development Description
- Chapter 4 – Construction Methodology and Programme
- Chapter 5 – Consideration of Alternatives
- Chapter 6 – Townscape and Visual Impact
- Chapter 7 – Built Heritage
- Chapter 8 – Noise and Vibration
- Chapter 9 – Daylight, Sunlight and Overshadowing
- Chapter 10 – Transport
- Chapter 11 – Flood Risk, Drainage and Water Resources
- Chapter 12 – Wind
- Chapter 13 – Air Quality
- Chapter 14 – Ground Conditions
- Chapter 15 – Socio Economic
- Chapter 16 – Climate Change
- Chapter 17 – Human Health
- Chapter 18 – Summary of Residual Effects
- Chapter 19 – Type 1 Cumulative Impact Assessment

stamped as received by the City Council, as Local Planning Authority, on the 24 May 2021

ES Volume 2: Technical Appendices

- Appendix 2.1 EIA Screening and Scoping Report
- Appendix 6.1 Maps

- Appendix 7.1 Heritage Statement
- Appendix 8.1 Glossary of Terms (noise and vibration)
- Appendix 8.2 Summary of Technical Documents (noise and vibration)
- Appendix 9.1 Plans BRE/28 – BRE/31
- Appendix 9.2 Plans BRE/64 – BRE/76
- Appendix 9.3 Plans BRE/32 – BRE/50
- Appendix 9.4 BRE Daylight Analysis Results
- Appendix 9.5 BRE Sunlight Analysis Results
- Appendix 9.6 Overshadowing (Transient Shadow) Studies
- Appendix 10.1 Transport Statement
- Appendix 10.2 Travel Plan
- Appendix 13.1 Traffic Data
- Appendix 13.2 Summary of modelling inputs
- Appendix 13.3 Full modelling results
- Appendix 14.1 Phase 1 Ground Conditions Report

All stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018

- Appendix 11.1 Tier FRA
- Appendix 11.2 WSP FRA
- Appendix 11.3 WSP – Confirmation Letter regarding FRA and Drainage Strategy

All stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020

- Appendix 2.2 List of Committed Development
- Appendix 4.1 Highways and Logistic Plan
- Appendix 4.2 A Framework Construction Environmental Management Plan
- Appendix 6.2 Viewpoint and townscape photographs including AVR and block images
- Appendix 6.3 Visualization of Development Proposals
- Appendix 12.1 Wind Tunnel Testing Report
- Appendix 12.1 Wind Contour Map

All stamped as received by the City Council, as Local Planning Authority, on the 24 May 2021

ES Volume 2: Non-Technical Summary stamped as received by the City Council, as Local Planning Authority, on the 24 May 2021

Supporting Information

Design and access statement stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020

Outline method statement stamped as received by the City Council as Local Planning Authority, on the 21 May 2019

Statement of Community Consultation – prepared by Deloitte Real Estate, planning statement - prepared by Deloitte Real Estate, Ventilation Statement - prepared by WSP; Management Plan - prepared by Student Castle; Ecology Statement – prepared by ERAP; Crime Impact Statement prepared by GMP; Framework Travel Plan – prepared by SAJ; Refuse Management Plan - prepared by Student Castle, Baseline Television and Television Reception Impact Assessment – prepared by GTech and Archaeological Desk Based Assessment – prepared by Oxford Archaeology stamped as received by the City Council as Local Planning Authority, on the 18 September 2018

Accommodation Schedule – prepared by Glen Howells Architect, Amenity block design justification – prepared by Glen Howells Architect, Environmental Standards Statement (inc. BREEAM Pre-Assessment) – prepared by WSP; Energy Statement – prepared by WSP; Accom, Student Wellbeing Strategy, Waste management, stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020

Response letters from Deloitte dated 11 January 2021 and 16 September 2020.

GMS (Parking) Ltd - Affordable Rent Provision stamped as received by the City Council, as Local Planning Authority, on the 9 February 2021

Covering Letter from Deloitte, Construction Environmental Management Plan and Highways Logistics Plan (prepared by Land O'Rourke) stamped as received by the City Council, as Local Planning Authority, on the 24 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) Prior to any above ground works, a radar mitigation scheme (RMS) (including a timetable for its implementation during construction) should be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented in accordance with an agreed timetable.

Reason - In the interest of aircraft safety and operations pursuant to policy DM2 of the Manchester Core Strategy (2012).

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

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

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

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

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

- 5) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

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

- 6) (a) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by WSP (ref: 70035213-FRA-001 dated 11/0/18) and the mitigation measures detailed within section 8 of the FRA stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018 (and update letter dated 18 September 2020:

(b) The mitigation measures hereby approved shall be implemented prior to the first occupation of the development and a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason: To reduce the risk of flooding to the proposed development and future occupants and reduce the impact of flooding on the development pursuant to policy EN14 of the Manchester Core Strategy.

- 7) (a) Prior to any above ground works, details of the disposal of foul and surface water from the development shall be submitted for approval. This shall include details of any potential impacts on the River Medlock and appropriate mitigation.

(b) The approved details shall be implemented in full prior to the first occupation of the student accommodation element of the development and a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved detail.

Reason: In the interest of the ecology of the River Medlock pursuant to policy EN15 of the Manchester Core Strategy (2012).

- 8) Notwithstanding the Flood Risk Assessment (FRA) and drainage report by WSP (ref: 70035213-FRA-001 dated 11/0/18) and the mitigation measures detailed within section 8 of the FRA stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018 (and update letter dated 18 September 2020), (a), the development shall not commence (excluding demolition) until a scheme for the drainage of surface water for the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
 - Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
 - Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
 - Hydraulic calculation of the proposed drainage system for 1 in 2, 1 in 30, 1 in 100 and 1 in 100 + 40% climate change;
 - Construction details of flow control and SuDS elements.

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

(c) Prior to the first occupation of the development a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

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

- 9) Notwithstanding the preliminary risk assessment (Great Marlborough Street) prepared by Tier Consult (ref. T/14/1396/PGIR) (Dated 11/09/18) stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018, (a) prior to the commencement of the development (excluding demolition), the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Provision of the calibration certificate(s) for the gas monitoring equipment to cover the whole monitoring period;
- Provision of findings of any further site investigations to support the preliminary investigations;
- Submission of an updated Risk Assessment and Remediation Strategy in required.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the first occupation of the development.

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

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

10) If, during the development, contamination or conditions not previously identified as part of the agreed documents within condition 9 are found to be present at the site (or in the monitored vicinity) then no further development shall be carried out in the affected area until a strategy which details how this unsuspected circumstance shall be dealt with has been submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and then verified as required by part (b) of condition 9.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

11) Notwithstanding highways logistics plan stamped as received by the City Council, as Local Planning Authority, on the 24 May 2021, prior to the commencement of development, a detailed construction management plan outlining working practices for the proposed development construction shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the construction management plans shall include:

- Display of an emergency contact number;

- Measures to protect the River Medlock from spillages, dust and debris;
- Communication strategy with residents;
- Tower Crane Strategy;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound and hoarding locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

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 plans for the duration of the demolition and construction parts of the development.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

- 12) Prior to the commencement of the development, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a preparation of a sample panel(s)) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, soffit details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management along with details of Public Art to Great Marlborough Street.

The approved materials shall then be implemented as part of the development.

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

- 13) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

- Verification report providing photographic evidence of construction; and
- Management and maintenance plan for the lifetime of the development which

shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

- evidence that there will be no impact on the River Medlock from the disposal of water from the development.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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

- 14) The development hereby approved shall be carried out in accordance with the Energy Statement prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020.

A post construction review certificate/statement for the development shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

- 15) (a) prior to the first occupation of the development hereby approved details of a hard and soft landscaping scheme (including appropriate materials specifications and street trees) for the public realm area shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development

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

- 16) Prior to the first occupation of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The bat and bird boxes shall be installed prior to the completion of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).

17)(a) Prior to the occupation of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first occupation of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18)(a) Prior to the first use of the SME accommodation, as indicated on drawings 2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C , 2142-A-L-103 C, 2142-A-L-104 C stamped as received by the City Council, as Local Planning Authority, 18 September 2020, a scheme to acoustically insulate the accommodation to limit the break out of noise in accordance with a noise study shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved scheme shall be implemented and prior to the first use of the SME accommodation, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To safeguard the amenity of the student accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

- 19)(a) Notwithstanding the noise chapter of the Environmental Statement and Appendix 8.1 Glossary of Terms (noise and vibration), Appendix 8.2 Summary of Technical Documents (noise and vibration) stamped as received by the City Council, as Local Planning Authority, 24 May 2021 and 13 September 2021 respectively, prior to the first occupation of the student accommodation hereby approved, a scheme for acoustically insulating the proposed accommodation against noise from Great Marlborough Street and Hulme Street shall be submitted for approval in writing by the City Council, as Local Planning Authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB, respectively

- (b) The approved scheme shall be implemented and prior to the first occupation of the student accommodation, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason: To secure a reduction in noise in order to protect future occupants from noise from the surrounding road and rail network pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

20) The waste management strategy shall be carried out in accordance with drawing 2142-AL0100 C and strategy stamped as received by the City Council, as Local Planning Authority, on the 18 September 2021. The details of the approved scheme shall be implemented as part of the first occupation of the student accommodation and/or commercial element and shall remain in situ whilst the use or development is in operation.

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

21) Prior to the first use of the SME accommodation, as indicated on drawings 2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C, 2142-A-L-103 C, 2142-A-L-104 C stamped as received by the City Council, as Local Planning Authority, 18 September 2020 details of the hours of use of the workspace shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then be implemented for as long as the accommodation remains in use.

Reason – In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

22) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of the development, full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the building and surrounding area and ensure that lighting is installed which is sensitive to the bat environment the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

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

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

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

Monday to Saturday 07:30 to 20:00
Sundays (and Bank Holidays): 10:00 to 18:00

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

26) The SME workspace, as indicated on drawings 2142-A-L-100 C, 2142-A-L-101 C, 2142-A-L-102 C , 2142-A-L-103 C, 2142-A-L-104 C stamped as received by the City Council, as Local Planning Authority, 18 September 2020 can be occupied as offices/workspaces (Use Class B1) and for no other purposes of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason – In the interest of retaining the provision of office/employment space within the development pursuant to policies EC1, EC4 of the Manchester Core Strategy (2012).

27) The student accommodation element of the development hereby approved shall be used as purpose built student accommodation (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) (including serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights).

Reason - To ensure that the accommodation is used solely for the intended purpose - student accommodation and to safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

28) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018.

The development shall only be carried out in accordance with these approved details.

Prior to the first occupation of the development the Council as Local Planning Authority must acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

29) The development hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020.

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

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

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

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

30) Prior to the first occupation of the student accommodation hereby approved, the cycle store and provision of 262 cycle stands (including 60 bookable bikes) as indicated on drawing 2142-A-L-100 C stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020 shall be implemented and made available for the occupants of the development. The cycle store shall remain available and in use for as long as the development is occupied.

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

30) Prior to the first occupation of the student accommodation hereby approved, the 64 space cycle provision within the Multi Storey Car Park as indicated on drawing L1917R-SK02 (D06) stamped as received by the City Council, as Local

Planning Authority, on the 18 September 2020 shall be implemented and made available for the occupants of the development. The cycle store shall remain available and in use for as long as the development is occupied.

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

31) Prior to the first use of the modified multi storey car park hereby approved, final details of the layout of the car park and security measures shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include dimensions of the parking bays, number and location of disabled parking bays, location of a minimum of 20% 7kw electric vehicle charging points, details of CCTV provision and any other security measure.

Reason – In order to ensure that the car layout and function of the car park is acceptable pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

32) Prior to the first occupation of the student accommodation element of the development hereby approved, details of a cycle provision strategy for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The strategy shall include the on cycle provision, and measures to encourage the use of cycling for the development. The approved strategy shall be implemented prior to the first occupation of the student accommodation element of the development and remain in use for as long as the development is occupation.

Reason - To mitigate against the lack of on site car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

33) Prior to the first occupation of the student accommodation element of the development, a detailed servicing and deliveries strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include details of the management arrangements for moving in and out times, taxi pick up and drop off and food and online deliveries and any other associated management and operational requirements. The approved strategy, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the student accommodation element and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing management arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

34) Prior to the first occupation of the student accommodation element of the development hereby approved a scheme of highway works and details of footpaths

reinstatement/public realm for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Improvements to the public realm including the provision of street trees where possible;
- Creation of layby to Hulme Street and associated Traffic Regulation Orders (TROs);
- Creation of a disabled bay/car club bay in close proximity to the development.
- Traffic calming measures (in the form of speed cushions and other associated works) from Whitworth West (under the railway bridge), along Great Marlborough Street, across to Lower Ormond Street terminating at Chester Street together with measures to restrict vehicle access from Whitworth St into Great Marlborough Street.

Improvements to the public realm including details of materials (including high quality materials to be used for the footpaths and for the areas between the pavement and building line) and tree planting and soft landscaping where appropriate.

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

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

35) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 13 September 2018, within one month of the practical completion of the development, and at any other time during the construction of the development if requested in writing by the City Council as Local Planning Authority, in response to identified television signal reception problems within the potential impact area a study to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before each phase is first occupied or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Manchester Core Strategy (2012).

36) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 3 shall be retained as a clear glazed window opening at all time and views into the premises shall not be screened or obscured in anyway.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

37) The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Manchester Core Strategy (2012) policy DM1.

38) Prior to the first operation of the development hereby approved a signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

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

39) Prior to the first occupation of the development hereby approved, details of scheme to extract fumes, vapours and odours from the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation the development and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

40) Prior to the occupation of the development, a scheme for the provision of affordable rental accommodation as part of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The affordable accommodation shall be provided in accordance with the approved scheme and the affordable rent provision strategy stamped as received by the City Council, as Local Planning Authority, on the 8 February 2021.

The affordable rent provision shall be implemented as part of the development and thereafter retained in perpetuity.

Reason - In order to provide affordable rent at the site in accordance with policy SP1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

41) Prior to the first occupation of the development hereby approved, details of the renewable electricity energy contractor for the building shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with the Energy Statement prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 18 September 2020.

Any subsequent energy contract related to the building must also supply 100% renewable energy shall then be as part of the development and thereafter retained and maintained for as long as the development remains in use, in accordance with the approved Energy Strategy.

Reason – In the interest of securing an all renewable electric energy supply for the building pursuant to policies SP1, H12, EN6 and DM1 of the Manchester Core Strategy (2012).

42) No groundworks 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 for approval in writing by the City Council, as Local Planning Authority. The WSI shall cover the following:

1. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:

- an archaeological watching brief during post-demolition ground works;
- dependent on the above, targeted open-area excavation and recording (subject to a separate WSI).

2. A programme for post-investigation assessment to include:

- production of a final report on the significance of the below-ground archaeological interest.

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, which may include the installation of an information panel.

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 heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995).

43) Prior to any demolition works, a bat survey shall be submitted to the City Council, as Local Planning Authority. This shall include any appropriate mitigation required to minimise the impact on bats and their habitats. The development shall be carried out in accordance with the approved bat survey and any mitigation required by it within agreed timescales.

Reason – In the interest of protecting bats and their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

Informatives

- 1) Under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
- 2) This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the River Medlock which, is designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits>.
- 3) The developer or crane operator must contact Manchester Airports Control of Works Office at least 21 days in advent of intending to erect a crane or other tall construction equipment on the site. This is to obtain a tall equipment permit and to ascertain if any operating restrictions would be required. Any operating restriction that are subsequently imposed by Manchester Airport must be fully complied with.
- 4) You should ensure that any external wall treatments approved for planning purposes are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.
- 5) - With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail's Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could oversail onto Network Rail air-space and potentially impact any over-headlines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.

- Network Rail will need to review and agree all excavation and earthworks to determine if the works impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree to the following:

- o Alterations to ground levels
- o De-watering works
- o Ground stabilisation works

Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail.

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

- Soakaways, as a means of storm/surface water disposal must not be constructed near / within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.

Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property.

Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Drainage works could also impact upon culverts on developers land. Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land causing flooding, water and soil run off onto lineside safety critical equipment / infrastructure; or lead to de-stabilisation of land through water saturation.

- To note are:

The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.

Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.

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

Network Rail may need to conduct emergency works on the existing operational railway line and equipment which may not be notified to residents in advance due to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.

Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for project or emergency works. The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.

- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.
 - o Any assessments required as a part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.
 - o Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.
 - o Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.

- The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken in proximity of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to:

- As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

For major works / large scale developments an Asset Protection Agreement will be required with further specific requirements.

AssetProtectionLNWNorth@networkrail.co.uk

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 121252/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

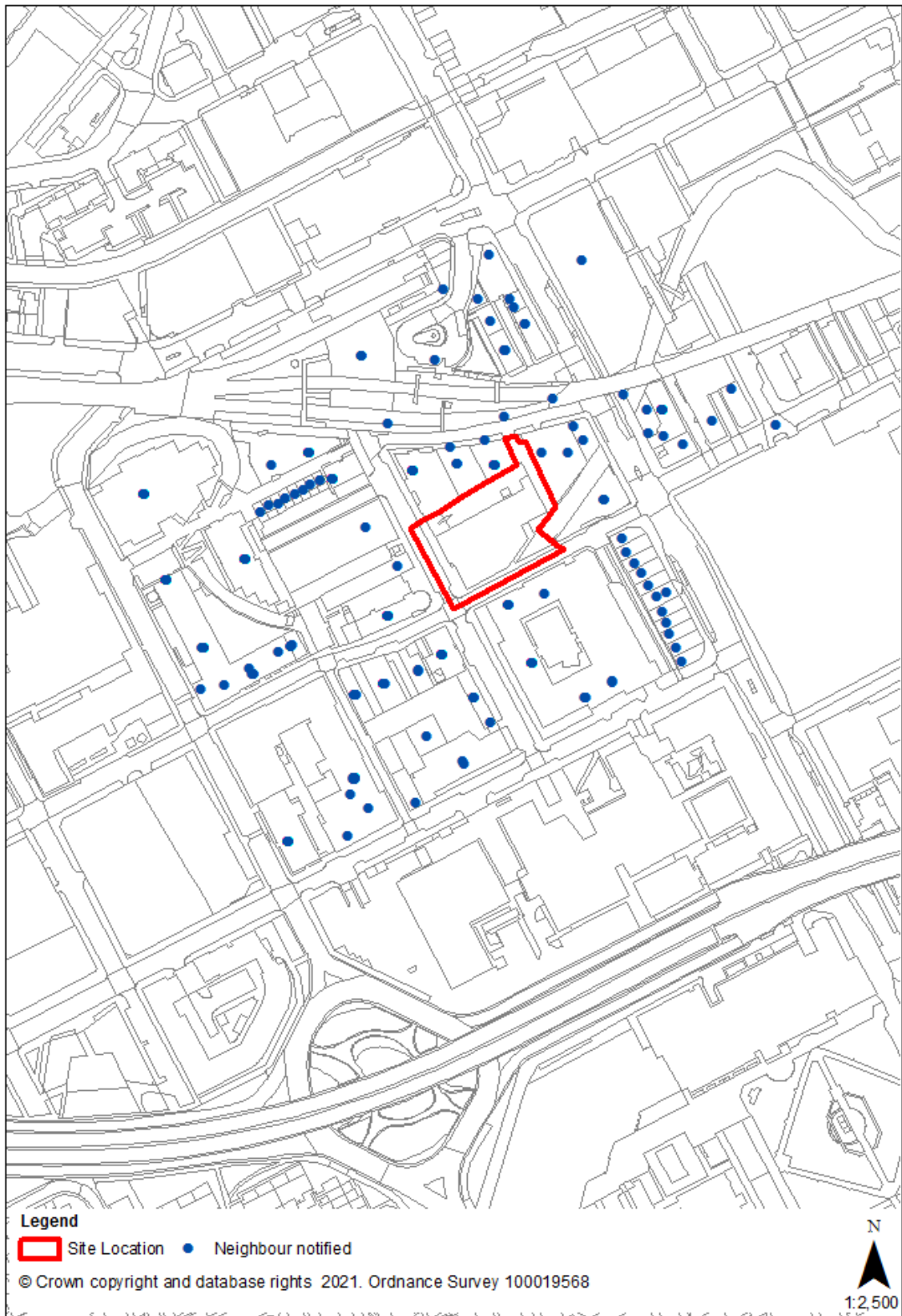
The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Planning Casework Unit
Network Rail
Environmental Health
MCC Flood Risk Management
Highway Services
Greater Manchester Ecology Unit
Manchester Metropolitan University
University Of Manchester
Environment Agency
Greater Manchester Archaeological Advisory Service
Greater Manchester Police
Historic England (North West)
Manchester Airport Safeguarding Officer
National Amenity Societies
Transport For Greater Manchester
Canal & River Trust
Historic England (North West)**

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

Representations were received from the following third parties:

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



Application Number	Date of Appln	Committee Date	Ward
130475/LO/2021	19 May 2021	1 July 2021	Piccadilly Ward

Proposal Demolition of 42, 44 and 46 Thomas Street (including 41, 43 and 45 Back Turner Street) to facilitate redevelopment of the wider site under application ref no 113475/FO/2016.

Location 42, 44 And 46 Thomas Street (Including 41, 43 And 45 Back Turner Street), Thomas Street, Manchester, M4 1ER

Applicant Real Estate Investment (Thomas Street) Ltd, 80 Mosley Street, Manchester, M2 3FX,

Agent Real Estate Investment (Thomas Street) Ltd, 80 Mosley Street, Manchester, M2 3FX,

Executive Summary

The application proposes the demolition of the Grade II Listed former Weavers Cottages 42-46 Thomas Street that were listed in 2018 following the grant of planning permission for their demolition in 2017. Approval of this proposal would enable the delivery of the wider site proposal including the retention and refurbishment of 7 Kelvin Street.

2 letters of objection and 3 letters of support have been received. An objection accompanied by the 73 signature 'Save the Weavers Cottages' Petition has been received from the Piccadilly Ward Members.

Key Issues

Viability: The retention of 42-46 Thomas Street within a scheme with the same level of return as the 2017 approval would require a 10 storey building on the corner of Thomas Street and Kelvin Street. A normal developer's profit would require a 17 storey building.

Principle of the proposal and the schemes contribution to regeneration: The development of the wider site accord with national and local planning policies, and the scheme would bring significant economic benefits in terms of investment and job creation and would facilitate City Centre living. It would be close to sustainable transport, enhance the built environment, create a well-designed place and reduce the need to travel.

Economic Benefits: The proposal would facilitate development of an underutilised site creating employment during construction and permanent employment in the commercial units. It would be consistent with the GM Strategy's key growth priorities by delivering appropriate housing to support a growing economy and population. This would help to build a strong economy and assist economic growth. New residents would support the local economy and use local facilities and services. The development would enhance the built and natural environment and create a well

designed place that would enhance and create character and would create a neighbourhood where people choose to be and to live. It would not be viable to deliver these benefits without these buildings being demolished. It would support population growth, contribute to the economy and help to sustain the Northern Quarter as a vibrant place to work and live.

These benefits would not otherwise be viable in a form which is acceptable, if these listed buildings are not demolished. The site will continue to deteriorate with the ongoing risk to 7 Kelvin Street. Investment could be lost to the area due to the overall impression of dereliction and decline at this and the adjacent semi derelict site.

Social Benefits: A local labour agreement would secure opportunities for Manchester residents. The renewed use of the site and vitality would improve the area and contribute to the regeneration of and around the Northern Quarter.

Environmental Benefits: This is a highly sustainable location. The redevelopment of the wider site and restoration of 7 Kelvin Street would secure a sustainable use, avoid long-term vacancy and reverse the decline of the site. The development would be car free and encourage active travel and public transport use.

Climate change: The wider proposals would be a low carbon building in a highly sustainable location.

Heritage: The total loss of a designated heritage asset would cause substantial harm in heritage terms and this requires there to be exceptional circumstances. The proposal needs to meet one of the 2 sets of tests within paragraph 195 of the NPPF. It should have special regard to preserving the building and the desirability of preserving character and appearance and take into account the desirability of sustaining and enhancing the significance of heritage assets and of putting them to viable uses consistent with their conservation (NPPF para 192). It is noted that great weight should be given to the asset's conservation (NPPF para 193).

Officers believe there are exceptional circumstances. The demolition would enable a viable development with the delivery of substantial public benefits including heritage and regeneration benefits. In this particular instance, those benefits are considered to outweigh the loss. The loss of the Heritage Asset also needs to be balanced against the requirements set out in sections 193 and 196 with respect to the impact on the conservation area and setting of 7 Kelvin Street.

The delivery of the scheme would facilitate the restoration of 7 Kelvin Street and the negative impact that the vacancy and degree of dereliction of the site has on the quality of the physical and visual environment in the Northern Quarter.

A Viability Appraisal demonstrates that alternative proposals which retain and convert the building or retain the facades would not be viable. They would involve significant alteration of the building or unacceptable impacts on the character and setting of the Conservation Area and the Grade II Listed 7 Kelvin Street and other nearby listed buildings. As such the substantial benefits from the development can only be delivered if these buildings are demolished. Great weight must be given to

conservation, but it has been demonstrated that delivering the substantial public benefits and securing the sites optimum viable use could not be achieved with less or no harm by alternative design

The wider development would be viable and would enhance the special quality of the Smithfield Conservation Area. The improvements to the site would enhance the setting and character of the Smithfield Conservation Area and preserve the setting of adjacent listed buildings and the street and townscape as required by the Planning Act, NPPF, Core Strategy and sections 66 and 72 of the 1990 Listed Buildings Act.

Historic England and the Georgian Group have objected on the basis that the demolition would not meet the tests within the NPPF in relation to the substantial harm which would be caused by the loss of these buildings. However, Officers consider that on balance the tests would be met as the total loss of the buildings is necessary to achieve the substantial public benefits which would be derived from the development of the wider site to which the 2017 consent relates.

A full report is attached below for Members consideration.

BACKGROUND

A previous application (125871) for the: Demolition of 42, 44 and 46 Thomas Street (including 41, 43 and 45 Back Turner Street) to facilitate redevelopment of the wider site under extant planning permission and listed building consent ref: 113475/FO/2016 and 113476/LO/2016 was refused by the Planning and Highways Committee on the 24th September 2020 following a site visit.

The Officers recommendation was Minded to Approve : subject to referral to the Secretary of State in accordance with the Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015.

Officers did not believe that a reason for refusal could be substantiated. The application was refused for the following reason:

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

The application has now been resubmitted for the Committee's reconsideration.

INTRODUCTION

Planning permission and listed building consent were granted in August 2017 to develop a site bounded by Thomas Street, Kelvin Street and Back Turner Street. It incorporated 7 Kelvin Street, a grade II listed building, but removed the 3 storey former weaver's cottages at 42-46 Thomas Street (including 41, 43 and 45 Back Turner Street). 7 Kelvin Street is on the City Council's local Buildings at Risk list.

The Weavers Cottages were not then listed but they were considered to be non designated heritage assets. The impact of their loss was properly considered in the context of national and local planning policies. They have been heavily altered internally and much original fabric and character has been lost.



Images of approved 2017 scheme and 2017 site plan

The application approved the erection of a 4/5 storey building that retained and incorporated the Grade II Listed 7 Kelvin Street, to provide 20 dwellings, with active ground floor uses, following the demolition of 42 to 46 Thomas Street (113475).

A related application for listed building consent approved alterations and repair and change of use of 7 Kelvin Street to 3 apartments as part of this development (113476). This consent has now expired and a separate application ref no 130474/LO/2021 (which is a resubmission of application 113476 previously approved) has been submitted and this is being considered separately. Consideration of this will follow on from the Committees decision on this application.

In July 2018, following the acquisition of the site, the Weavers cottages were Grade II Listed, as such, all remaining buildings on-site are now grade-II listed.

Applications to discharge pre-commencement conditions on application relating to the parts of the site which are to be redeveloped have been approved. (CDN/20/0379)



Photos of current site condition

7 Kelvin Street, listed in 1994, has been comprehensively scaffolded, to ensure that it would not collapse, (illustrated above) in advance of the implementation of the consented development. The listing of 42-46 Thomas Street means that the approved scheme cannot be implemented unless and until a separate listed building consent has been granted for the demolition of these buildings. If listed building consent is not granted, the benefits of the consented scheme (discussed later in the Report) could not be delivered.

The approved scheme supported GM Strategy's key growth priorities by delivering housing for the growing economy and population and promoted sustainable economic growth. It would regenerate a brownfield site with a scheme responsive to its context.

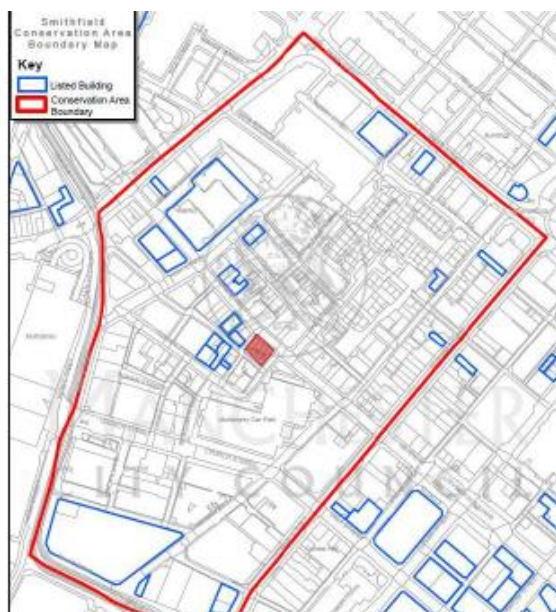
The scale and massing would not cause substantial harm to the character of the Smithfield Conservation Area or the setting of adjacent listed buildings; Street-frontages would be enclosed, and the design would complement the vertical rhythms of buildings within the immediate area. The scheme would add activity and vitality to the area and would reintegrate the site into its urban context, reinforcing the character of the streetscape;

Conditions attached to the consents required structural condition and historical surveys and recording to be undertaken. The applicant has struggled to find relevant professionals prepared to enter the listed building to carry out the works, owing to

their dilapidated condition, which delayed the start on site. 42-46 Thomas Street were listed prior to discharge of conditions and the demolition taking place.

DESCRIPTION OF SITE AND PROPOSALS.

The principle matter for consideration is the demolition of 42-46 Thomas Street to allow the 2017 consent to be implemented. In this Report, any reference to the wider Site refers to the 2017 consent rather than the listed 42-46 to which this application relates. The properties are in the Smithfield Conservation Area.



The following listed buildings are part of the setting of the site: 31-35 Thomas Street: 36 and 38 Back Turner Street: 40 and 42 Back Turner Street: 1 Kelvin Street: Grade II; and 30 and 35 Turner Street: all Grade II;

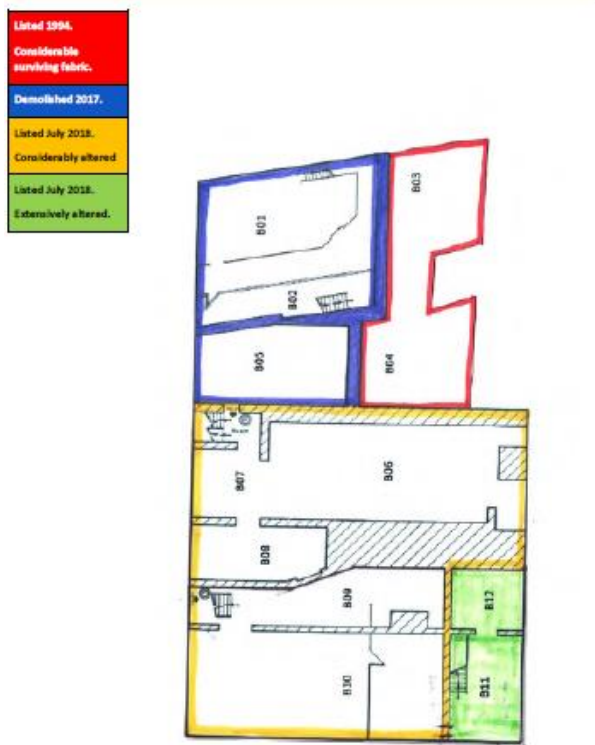
42/46 Thomas Street were constructed as workshop/dwellings in the late 18C and were part of a pair of three storey, single fronted red brick houses. The principle reason given for the 2017 listing was the typology of the property and its historic, rather than architectural significance.

The origins of the building group have been obscured by significant change to their elevations and plan form, but they retain some historic fabric and spatial elements of their late 18th Century fabric.

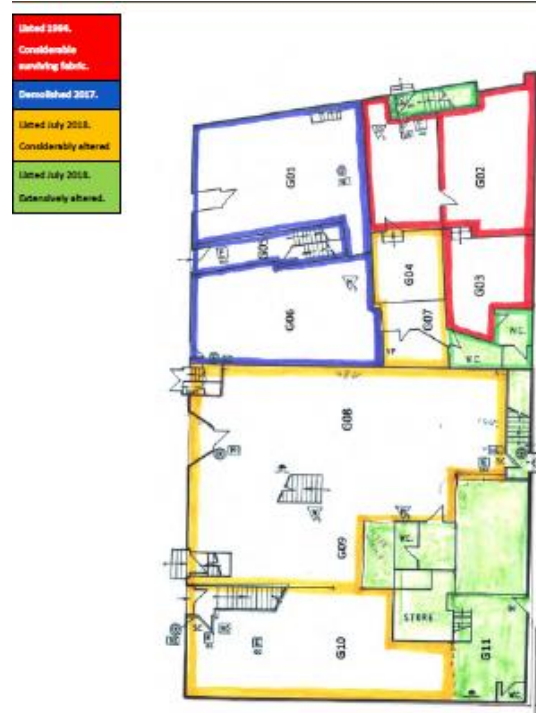
There is a modern ground floor shopfront on Thomas Street with wide, off centred upper storey windows. The buildings on Back Turner Street were once separate to those on Thomas Street and residential windows are evident. The ground floor has been altered and there is limited evidence of the historical use along Back Turner Street. Brickwork patching has occurred over time. Whilst 42-46 retain some original fabric and spatial elements, 41-45 Back Turner Street is substantially altered internally to open the one-room deep dwellings into a retail unit at 42-46 Thomas Street and laterally to create a single business unit, which has obscured the plan form and removed the basement access.

The elevations have been altered with windows removed and openings blocked with modern brick. The alterations to the internal layouts have been detrimental to the historic and architectural value of the building group. The properties have become interwoven to accommodate a single user and little of significant historic interest remains internally. More recently, the retail use was extended from Thomas Street to Back Turner Street, removing any signs of the original courtyards or separation. The upper levels were used for storage and there are networks of small-interlinked rooms connected by staircases with level changes. The floors are at different levels with different forms of constructions.

Plans below illustrate the levels of alteration as recorded within the submitted Heritage Assessment that have taken place to the buildings within the site with 42-46 at the bottom of the images (yellow areas indicate considerable alteration).



Basement



Ground Floor

Listed 1994. Considerable surviving fabric.
Demolished 2017.
Listed July 2018. Considerably altered
Listed July 2018. Extensively altered.



First Floor

Listed 1994. Considerable surviving fabric.
Demolished 2017.
Listed July 2018. Considerably altered
Listed July 2018. Extensively altered.



Second Floor

Thomas Street contains a diverse mix of building types from Georgian buildings to Victorian weaver’s cottages. Back Turner Street has a mix of back elevations, derelict buildings and bars.

The adjacent site bounded by Thomas Street, John Street, Back Turner Street and Kelvin Street includes a partially cleared site, 52 – 58 Thomas Street and 9 John Street. 52 and 54 Thomas Street were identified as being at risk in September 2018 and were partially demolished to make them safe. Parts of the site are boarded up and Kelvin Street is temporarily closed for safety reasons. That site’s current condition is shown below.





There are a variety of uses nearby including: digital, media and technology-based companies; creative and cultural industries; homes; traditional offices, hotels and serviced apartments, retail units and independent bars and restaurants.

Thomas Street is a focus of much activity in the Northern Quarter and has been designated as a main corridor of pedestrian and cycle movement. The deteriorating condition of this site forms the backdrop to this key city centre route which has outside seating for bars and cafes.





The site has a detrimental impact on the character of the Smithfield Conservation Area and the setting of listed buildings at 7 Kelvin Street, 42-46 Thomas Street and those adjacent. These impacts are compounded by the condition of the adjacent site such that this part of the Conservation Area has a poor quality environment, characterised by semi-dereliction and blight. It is clearly in need of significant investment. This negative impact has become even more conspicuous as lockdown is eased.

Consent to demolish the Listed 42-46 Thomas Street would enable the consented scheme to be developed and would sit alongside existing consents. However, it would not allow the buildings to be demolished independently.

The design of the proposal and its impact on the character of the Smithfield Conservation Area and the setting and character of the grade II 7 Kelvin Street have been accepted through the previous approval. This is relevant to this current proposal as it needs to be considered as part of the planning balance in relation to the loss of the listed building.

A series of Viability Assessments were prepared when the buildings were listed. These assessments examined alternative development options including the approved scheme, and the repair and restoration of the surviving buildings with a rebuild of the previously demolished elements. It also assessed façade retention with increased scale and massing and additional storeys above. The viability of these options has been assessed and, in each scenario, has concluded that the only development considered viable by the applicant is the consented scheme which would require the demolition of 42-46 Thomas Street.

In support of the application the applicants have stated that the delivery of the wider Development would:

- There is no alternative form of development which could be delivered in a viable manner. The applicants remain committed to this development including the retention of 7 Kelvin Street and have funding in place to deliver it;
- The proposal will provide retail / restaurant floorspace, contributing to the lively character of Thomas Street. The scheme will contribute positively to the vitality and viability of Thomas Street by providing active uses, creating a dynamic, safe environment consistent with the Northern Quarter's character and mix of uses. It would encourage footfall, activity at ground floor, diversify mix of uses and contribute to local economy. The retention of the building could not deliver equivalent benefits.
- Approval is crucial to the retention and sensitive restoration of the Grade II listed No. 7 Kelvin Street. Redevelopment of the site will generate the funds to deliver the works to 7 Kelvin Street which is the most significant building on site from a heritage perspective as a rare example of an early small-scale warehouse. Substantial investment is required and it's retention refurbishment would not be realised without delivery of the wider proposal.
- The viability of the wider redevelopment scheme is constrained which has guided the developer to promote a scheme that largely introduces a new, modestly scaled buildings, retaining the Grade II listed 7 Kelvin Street. The refurbishment of 42-46 Thomas Street was found previously unviable and this position has been exacerbated since permission was granted. The funds necessary to deliver the scheme would not be realised as part of an alternative proposal which retains the newly listed group which would undermine the future of 7 Kelvin Street.
- A new owner or tenant could not generate sufficient income or funding to repair, retain and operate the existing buildings for retail, commercial and/or residential uses. Without the current proposal the site will deteriorate further bringing the future of 7 Kelvin Street into jeopardy.
- The contribution of the scheme to the conservation area and the preservation and restoration of 7 Kelvin Street will outweigh the strong presumption in favour of retaining 42- 46 Thomas Street. The implementation of the consented scheme would bring this part of the conservation area back into positive, beneficial use and would outweigh the harm to the heritage value of the identified heritage assets.
- The need to resolve the negative impact of this derelict site and the erosion of the fabric and heritage value of 7 Kelvin Street and the character and appearance of the Smithfield Conservation Area remain valid. The loss of 42-46 Thomas Street and 41-45 Back Turner Street as components of the streetscape and conservation area was accepted as necessary to deliver the approved scheme in August 2017 even accepting the same extent of loss of historic fabric as is now proposed.
- The proposal would sustain and enhance the significance of the adjacent heritage assets and would make a positive contribution to local character and

distinctiveness and therefore meets with the requirements of paragraph 194 of the NPPF.

- Throughout the process of bringing forward development on this site we have demonstrated our commitment to delivering a high quality, design led development on the site. We remain fully committed to delivering the consent which we successfully secured. We have obviously considered a multitude of options since the point where the situation changed in terms of the listing status and if there was a more viable solution, we would have pursued it. The fact is that there simply isn't one. The Development Team remain committed to delivering the project because we feel that it will enhance the streetscape and will make a positive contribution to the area. We have hopefully further demonstrated our commitment to delivering on the proposals by continuing to endeavour to discharge the pre commencement planning conditions associated with the original consent, whilst incurring significant additional costs despite the uncertainty of the situation.
- They are eager to demonstrate their commitment to delivering the project as soon as we are able and aim to commence on site by the end of this year.
- We are a Manchester based company with strong roots to the City and the Northern Quarter area. There has therefore been a frustration that they have been unable to deliver on the plans that were set out, but we are hopeful of being able to put that right and providing a scheme that everyone can be proud of.
- Overall, the scheme represents sustainable development, by virtue of the identified specific economic, social and environmental benefits as follows:

Social benefits

The scheme would deliver the following social benefits:

- 20 new homes of varying sizes and boost the supply of housing;
- Deliver a policy-compliant end use on a site which is in danger of falling into further dereliction and disuse;
- Facilitate the provision of homes for private sale and comply with NPPF requirement to provide mixed communities and housing choice;
- The vacant site could lead to illicit activities, attracting anti-social behaviour causing problems to existing businesses and residents close to the site and discourages further investment; and
- Ground floor retail / leisure uses which create places for meeting and enjoyment which in turn promote social activity and inclusion.

Economic benefits

The scheme will deliver the following economic benefits

- Jobs would be created during the construction phase;
- The homes would drive sustainable economic growth and regeneration;

- There would be links to a range of employment opportunities including the independent commercial occupiers of the Northern Quarter;
- Provision of small-scale retail and restaurant floorspace which will encourage future investment in the area;
- Jobs within the ground floor uses promote vibrancy of the Northern Quarter and City Centre;
- Support for commercial, retail and leisure operators through increased spending from residents in accordance with the NPPF which welcomes mixed use developments and wider opportunities for growth.

Environmental benefits

The scheme will deliver the following environmental benefits:

- Arrest further deterioration and regenerate the wider site bringing the redundant site back in to positive use;
- Retain and restore the Grade II listed No. 7 Kelvin Street;
- Significantly improve the environment and visual quality of the site which detracts from the streetscene and conservation area;
- Make a positive contribution to local character and distinctiveness;
- Positive visual benefit to the Conservation Area;
- High quality design which will result in a significant improvement to the street scene;
- Promotion of urban vitality and place enhancements.

CONSULTATIONS

Publicity – The occupiers of adjacent premises were notified, and the development was advertised in the local press as affecting a Listed Building and affecting a conservation area. 2 letters of objection and 3 letters of support have been received. A 73 signature Petition objecting to the application has been submitted by the Piccadilly Ward Members

The 3 letters of support make the following points:

- I'm staggered this hasn't already been built as the new design looks great! There is nothing to 'preserve' or retain, it's just empty beer tins & rodents. I understand the objections, but I just don't feel the weavers are worth saving. Did anyone know they were there before this planning application? That tells you everything about their worth. At least these plans will save one of the cottages.
- The sites current state is unsightly and dangerous. It is devaluing property for property owners. But most importantly it is making an unsafe place to live. Crime is brought into the area because of it creating a blind spot. Perfect for antisocial behaviour. I am sight impaired and understand more than anyone the importance of and the need for safe surroundings. It has also caused the loss of business in the area because people don't feel safe,

- The development of the plot will light up the surrounding streets and implement cameras to ward away any antisocial behaviour. As well as bring money, property value and human safety back into a dark corner of Manchester.
- As owners of properties both alongside and opposite we support the scheme.

The objections have made the following points:

- The Council have a duty to ensure the owners maintain the listed buildings. They have been left to rot and were not dangerous when listed in 2018.
- The past year has demonstrated even more the community value of heritage buildings, human scale and what areas like the Northern Quarter contribute to the health, well-being and prosperity of the city. If these buildings have become unsafe that needs to be remedied, not used as an excuse to hand over more of our city to irreversible rapacious profit-driven development

Piccadilly Ward Members (Cllrs Jon Connor Lyons, Adele Douglas and Sam Wheeler) have submitted an objection and a 73 signature petition under the banner 'Save Our Weavers Cottages'.

They have made the following comments on behalf of themselves as Ward Councillors and those who have signed their petition:

We oppose this application to demolish the grade II listed site. We believe that our industrial heritage should be preserved, maintained and celebrated across our city. Historic England, the experts in heritage, have decided this site is worthy of restoring and keeping due to the historical importance to our city these weavers' cottages contribute. They've played an important role in our working class history and allowing these 18th century buildings to be demolished will be allowing our history to be erased. We believe that the developers should have taken the Planning Committee's previous refusal and the refusal before that as an indicator to change their application, however they have made no changes and insist on going ahead, despite the clear opposition by our community, residents, Cllr's and many across our city. As this building is a heritage asset, we call for the planning committee to uphold its previous decision and reject this application in order to protect our industrial heritage

Manchester Conservation Areas and Historic Buildings Panel – Have not been consulted on this application but had previously commented on the 2017 scheme and in relation to the proposed demolition of the former Weavers Cottages on the wider Development Site: In terms of this current proposal the following points from those comments are of relevance:

They were concerned of the precedent the demolition would set and proposals for similar characterful buildings will come forward which would further erode the character of the Conservation Area. Removing surviving buildings was misguided and the buildings retain a lot of their character and historic detailing such as hoists, brickwork details, mullions and gutters that should be retained and incorporated into the development.

The buildings have immense group value and are non-designated heritage assets and make a significant contribution to the Northern Quarter and were perhaps of listable quality. They felt that little justification had been provided for demolition in terms of the NPPF the proposals to demolish the buildings would be harmful and other options should be explored that retain these assets. They were not convinced by the viability arguments and felt that there was just as much value in retaining and converting the existing buildings into a successful mix of residential and commercial.

Historic England (HE) – Have noted that this is an exact resubmission of the application previously refused by Committee in relation to this site and have objected on heritage grounds considering that the application has not sufficiently met the requirements of the NPPF in particular paragraphs 192, 193, 194 and 195. They also advise that in determining this application, the City Council should bear in mind the statutory duty of sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

They note that the complete demolition of these buildings would result in the total removal of the evidence they provide, and the complete loss of their significance resulting in substantial harm. In terms of the significance of the buildings they note the following:

42-46 Thomas Street forms part of a transitional period of the history of Britain, exemplifying the movement from cottage industries to mass industrialisation. They are rare survivals of a period in the mid and later eighteenth century that changed the face of Manchester, and shaped Great Britain. From the mid eighteenth-century Manchester was at the forefront of the development of industry, and transport infrastructure, including the creation of the first industrial canal, the Bridgewater, in 1761. This opened the way for vast quantities of cotton to be moved from the Atlantic port at Liverpool to the heartlands of the textile industry in Lancashire and created a massive influx of people into the city to fill the newly created jobs. This in turn created the skilled workforce that laid the foundations for Manchester's meteoric rise in the nineteenth century.

The direct connection to the existing textile industry in Lancashire influenced the form and design of the weavers' cottages that sprang up in Manchester. These were usually three storeys in height, and recognisable due to the larger and longer windows at top floor, the result of seeking to create as much light as possible by which to work. The small scale and ad hoc nature of the industry's early expansion was also reflected in the fact that these cottages were often built individually or in pairs, something which can still be read in the vertical brick joints found between a number of these buildings.

The remaining examples of these buildings, of which it is estimated that there are considerably fewer than a hundred left in Manchester, are therefore important and rare survivals of its early industrial history and are central to how the city grew and flourished. More widely they are also hugely informative about the origins of the Industrial Revolution, a series of events that had a seismic effect on our national story, and on our physical and social landscape.

They do acknowledge that the cottages at 42-46 Thomas Street (and 41-45 Back Turner Street) have been considerably altered during their lifetime, and that the current state of repair partly hides and erodes the ability to appreciate their historic significance. However, they state that the historic importance of the buildings is still legible. This is particularly true when considered as part of a wider group that spans the Northern Quarter, which includes the adjacent contemporaneous warehouse at 7 Kelvin Street.

This retained significance is reflected in the fact that 42-46 Thomas Street are listed at grade II, as is 7 Kelvin Street. More widely the significance of these pockets of development to the history of Manchester is reflected in the inclusion of the Northern Quarter within the Smithfield Conservation Area. The site makes a positive contribution to its character and appearance, although it is acknowledged that its vacant nature means that this positive contribution is not wholly fulfilled.

In terms of impact they note that the total demolition of 42-46 Thomas Street would:

- Through the eradication all of the evidence that the buildings provide of the evolution of the textile industry, of the historic development of Manchester and of the origins of the Industrial Revolution entirely extinguishing the significance of the listed buildings constitute substantial harm which would also have a negative effect on its immediate environment. In particular adding to the piecemeal erosion of the architectural and historic interest of the Smithfield Conservation Area. This would harm its character and appearance and would remove the opportunity for the regeneration of the listed building to enhance the conservation area.
- Remove an important part of the immediate context of the warehouse at 7 Kelvin Street, which allows this building to be understood and experienced. The demolition of the cottages would therefore erode the contribution made by its setting to the significance of this listed building.

In terms of fit with National Planning Policies HE notes the following:

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that a decision maker, when considering whether to grant listed building consent, should 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. This requirement to have 'special regard' is repeated in section 66(1) of the same act in respect to the exercise of planning functions.

Within the same act, section 72(1) sets out that in regard to buildings or other land within a conservation area, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

The National Planning Policy Framework (NPPF) sets out in paragraph 192 that, in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of putting them to viable uses consistent with their conservation. It also elucidates the

positive contribution that the conservation of heritage assets can make to sustainable communities.

Paragraph 193 states that, when considering the impact of a proposed development on a designated heritage asset, great weight should be given to the asset's conservation, and that 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 clarify 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.

They note that most importantly in term of this application, paragraph 195 sets out 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;
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

As set out above they consider that the level of harm should be considered against the tests set out in paragraph 195 of the NPPF. These tests set a high bar for the applicant to justify why substantial harm should be permitted, and are structured to require the applicant to establish that there are no alternative solutions for the redevelopment of the site.

They comment on the meeting of the 2nd alternative requirements as follows:

- (a) **that the nature of the heritage asset prevents all reasonable uses of the site.** In establishing their response to the previous application, the site was visited by our Development Advice Team Leader and one of our Structural Engineers. Following this site visit they stated that, while the buildings were undoubtedly in a poor state of repair, the structural defects observed could be resolved through traditional means of repair. They therefore concluded that the buildings were not, in their view, 'of a condition that justifies demolition'. The applicant has provided no further information or evidence that would lead us to alter this judgement, and we would therefore continue to conclude that this test has not been met.
- (b) **no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation -** The previous application was also supported by a viability report, which was reviewed externally by appropriately qualified specialists (Avison Young). The

findings of this report strengthened our previous conclusions that the applicant had not clearly and convincingly proved that there was no alternative use for the site. We therefore did not believe that the viability assessment provided evidence that the tests set out in paragraph 195 of the NPPF had been met. No additional information has been submitted as part of this application which would alter our previous conclusions.

- (c) **conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible**-Paragraph 195 also requires evidence that conservation by grant-funding or some form of not-for-profit, charitable or public ownership is demonstrably not possible. While high level consideration has been given to this point, it has not been considered in detail and we would expect this to be challenged more deeply, reviewing the individual funding streams to illustrate that the site would not attract funding.
- (d) **that the harm or loss is outweighed by the benefit of bringing the site back into use.** The applicant notes that a balancing act was carried out in 2017, which concluded in favour of the redevelopment of the site, including the demolition of these buildings. However, this was prior to the site's inclusion on the National Heritage List for England, which fundamentally changes the building's status and the weight it is afforded in the planning balance. It also ignores the fact that, as the buildings would have previously been considered non-designated heritage assets, the proposals would not have been assessed against the tests currently set out in paragraph 195 of the NPPF.

Overall, they conclude that the application has not satisfied the tests set out in paragraph 195 of the NPPF, and that no clear and convincing justification has been made for the complete demolition proposed and the harm caused.

They have advised that should members be minded to grant consent for the application in its current form, in light of their objection we should treat their objection as a request to notify the Secretary of State of this application, in order or them to determine whether to call in the decision for their determination.

Georgian Society – Object to the demolition. They note that they were not consulted on the original application. As one of the Georgian Group objectives is to save from destruction or disfigurement Georgian buildings, whether individually or as part of a group and, where necessary, encourage their appropriate repair or restoration they strongly object to the loss of Georgian heritage, especially when it is listed. They state that it is unfortunate that changes in circumstance resulting in buildings on Thomas Street to be listed since planning permission was granted in 2017 has caused uncertainty for all involved but that despite the condition of the buildings in question, we are of the opinion that they are worthy of their new status, and that they do contribute to the character of the conservation area.

They also note the following:

- The documents provided disagree strongly with listing in 2018;

- Whilst they didn't oppose the 2016 scheme that was granted planning permission their view is that these buildings have historic and architectural merit and are important as contributors to Manchester's pre-eminence as the world's first industrial city, providing unique contextual evidence of the origins of industry in Manchester based on domestic scale manufacturing. They are architecturally important for their local distinctiveness as urban workshop dwellings and for their rarity as surviving examples of this type of building in Manchester and including single-depth examples on Back Turner Street. The building group retains considerable historic interest, despite being subject to extensive alterations in fabric and plan form.
- The proposed works would result in total loss of the significance and as a result substantial harm to a designated heritage asset. They do not believe that there is an exceptional case with a clear and convincing justification (paragraph 194 of the NPPF) or that the tests within paragraph 195 have been met.
- In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals, special regard should be given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest.

Greater Manchester Archaeology Unit (GMAAS) –Are satisfied that a full record of 42, 44 and 46 Thomas Street, including their cellars, has been generated (Discharge of condition application ref no CDN/20/0379) and is not seeking any further archaeological requirements in advance of demolition.

Greater Manchester Ecology Unit (GMEU)– Have no objections subject to a condition relating to the provision of nesting boxes and a requirement for further survey work in relation to bats should the demolition be delayed beyond April 2023.

ISSUES

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 sets out the long term strategic planning policies for Manchester's future development. The proposal has been considered in the context of the following Core Strategy Policies SP1, CC9, EN1, EN3, and DM1.

Saved UDP Policies

Whilst the Core Strategy has now been adopted, some UDP policies have been saved. The following saved UDP policies DC18, DC19.1, DC20 are relevant.

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

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 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 proposal is considered on balance to be consistent with sections 5, 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF for the reasons set out below.

Paragraph 117 planning decisions should promote effective use of land in providing homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes.

Paragraph 122 - planning policies and decisions should support development that makes efficient use of land and includes a requirement to take into account local market conditions and viability and the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change.

Paragraph 124 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.

Paragraph 131 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 in an area, so long as they fit in with the overall form and layout of their surroundings.

Section 6 - Building a strong and competitive economy and Core Strategy Policy SP 1 (Spatial Principles), Policy CC1 (Primary Economic Development Focus), CC8 (Change and Renewal) – The demolition of the listed buildings would facilitate the delivery of city living. It would be close to sustainable transport and would enhance the built environment, create a well-designed place and reduce the need to travel.

The proposal would allow an underutilised site to be developed and create employment during construction and permanent employment in the commercial units. This would help to build a strong economy and assist economic growth. The development would contribute to the local economy as residents use local facilities and services. On balance the development of the site would enhance the built and

natural environment and create a well designed place that would enhance and create character and would create a neighbourhood where people choose to be.

NPPF Section 2 (Ensuring the Vitality of Town Centres) and Core Strategy Policies SP 1 (Spatial Principles) and CC4 (Visitors, Culture and Leisure) - The Regional Centre is the focus for economic and commercial development, leisure and cultural activity and high quality city living. The development would help to make the City Centre competitive and encourage economic activity. It would help to create a neighbourhood which would attract and retain a diverse labour market in a well-connected location and therefore would assist sustained economic growth.

NPPF Section 7 Ensuring the Vitality of Town Centres and Core Strategy Policies SP 1 (Spatial Principles) and CC2 (Retail) – The Regional Centre will be the focus for economic and commercial development, leisure and cultural activity, and city living. The proposal would help to create a neighbourhood which would attract and retain a diverse labour market. It would support GM's growth objectives by delivering housing for a growing economy and population, within a major employment centre in a well-connected location and would help to promote sustained economic growth.

NPPF Section 9 Promoting Sustainable Transport, Core Strategy Policies CC5 (Transport), T1 Sustainable Transport and T2 Accessible Areas of Opportunity and Need - The Site is easily accessible for pedestrians and cyclists, and by a range of transport options. Metrolink stops at Market St, Shudehill and Exchange Square, Victoria and Piccadilly Train Stations and Shudehill and Piccadilly Garden exchanges are all nearby. The proposal would facilitate a development which would contribute to wider sustainability and health objectives and help to connect residents to jobs, local facilities and open space.

NPPF Section 5 (Delivering a sufficient supply of homes) and 11 (Making Effective Use of Land), Core Strategy Policies CC3 Housing, CC7 (Mixed Use Development), Policy H1 (Overall Housing Provision), H2 (Strategic Housing Location), Policy H8 (Affordable Housing) and Policy CC10 A Place of Everyone - The proposal would facilitate the delivery of housing in a sustainable location within part of the City Centre identified as a key location for residential development. It would facilitate an effective and efficient use of land to provide homes within an area identified for housing growth. This is a previously developed site and the development would contribute to the ambition that 90% of new housing should be on brownfield sites. It would on balance have a positive impact on the area and provide accommodation which would meet different household needs.

Housing is required in locations that would support and sustain Manchester's growing economy. The City Centre is the biggest source of jobs in the region and this proposal would provide accommodation to support the growing economy and contribute to the creation of a sustainable, inclusive, mixed and vibrant community.

It is expected that a minimum of 32,000 new homes will be provided within the City Centre from 2016-2025 and this scheme would contribute to meeting the City Centre housing target in the Core Strategy.

A Viability Appraisal demonstrates that alternative proposals for the wider Site which include the retention and conversion of the building or the retention of the buildings facades would not be viable and in any event would involve significant alteration of the building or unacceptable impacts on the character and setting of the Conservation Area and the Grade II Listed 7 Kelvin Street and other nearby listed buildings. This is discussed in more detail below.

It will be necessary to support economic development post the current crisis and investment is required in locations that would support and sustain this growth. The commercial units within the wider development would complement the existing mix of uses.

NPPF Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment), Core Strategy Policies EN1 (Design Principles and Strategic Character Areas), 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) - This would facilitate a wider high quality scheme would on balance contribute positively to sustainability and place making and would bring significant regeneration benefits.

The wider Development proposals would enhance the character of the area when compared with the current site condition. The new build elements which support for the demolition would facilitate would respond positively at street level and improve legibility within the Northern Quarter. In the context of this application members are only required to consider this in terms of the local and national policy requirements as set out below.

The applicant has sought to demonstrate that the substantial benefits which would be derived from the delivery of the wider development can only be delivered if the demolition of those buildings is supported. This is discussed later in this report.

On balance the delivery of the wider development would contribute positively to sustainability and place making and would bring significant regeneration benefits.

In terms of the NPPF the following should also be noted:

Paragraph 192. In determining 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.

Paragraph 193 states that when considering impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm is substantial, total loss or less than substantial.

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

Paragraph 195 states that where a proposal will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

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 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 200 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

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

The proposal would facilitate the redevelopment of an underutilised site which in its current condition makes a limited contribution to the townscape and has a negative impact on the setting of designated and character of non-designated heritage assets.

The wholesale loss of the buildings on the site would result in substantial harm in heritage terms and the proposal needs to meet one of the 2 sets of tests within

paragraph 195 of the NPPF. Officers are of the view that the demolition, would for reasons set out in more detail below facilitate the delivery of substantial public benefits including heritage and regeneration benefits from the delivery of the wider site and that this would in this particular instance outweigh that loss.

The loss of the Heritage Asset also needs to be balanced against the delivery of a scheme that would facilitate the restoration of 7 Kelvin Street and the negative impact that the vacancy and degree of dereliction of the site has on the quality of the physical and visual environment in the Northern Quarter.

In supporting the demolition of 42-46 Thomas Street as part of the 2017 approvals, the level of harm was identified at the higher end of the spectrum of less than substantial harm. This is a high test to overcome. The evaluation of the case to support additional 'harm' on the basis of the listing needs to acknowledge this.

The planning judgement was that the public benefits outweighed that higher level of less than substantial harm. As a result of the listing, the level of harm would now be substantial. The site has continued to deteriorate and the public benefit which would be derived from facilitating the wider Development through the demolition is considered to be significant and the circumstances are, in relation to paragraph 194 of the NPPF, 'exceptional'.

The demolition would result in less than substantial harm to the character of the Conservation Area as a whole which needs to be weighed against the public benefits as set out in paragraph 196 of the NPPF.

Owing to the fragmented character of the street block of which it forms part, the impact on the setting of the adjacent listed building (7 Kelvin Street) would be less than substantial and this harm also needs to be weighed against the public benefits as set out in paragraph 196 of the NPPF.

A series of option assessments have considered the retention of all or some of 42-46 Thomas Street. This would require significant internal and external refurbishment, and structural alterations to bring it back into use. The building layout reduces its attractiveness to potential occupiers. The proposal which an approval would facilitate offers a good quality design which would enhance the character of the area and the image of Manchester.

The positive aspects of the proposals and the justification for the level of harm and compliance with local and national policies relating to Heritage Assets are discussed in more detail below.

Saved UDP Policy DC20 (Archaeology) - A condition attached to the previous approval recommended an appropriate level of recording of the building prior to demolition which has now been completed to the satisfaction of GMAAS.

NPPF Section 10 (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), EN 8 (Adaptation to Climate Change), EN14 (Flood Risk) and DM1 (Development Management- Breeam requirements) – This is a highly sustainable location. An Energy Statement (ES) submitted in 2017 demonstrated that the development would accord with a wide range of principles that promote the responsible development of energy efficient buildings, integrating sustainable technologies from conception, through feasibility, design and build stages and also in operation. The wider Development would follow the principles of the Energy Hierarchy to reduce CO2 emissions and the Standards Statement sets out how the proposals would meet the requirements of the target framework for CO2 reductions from low or zero carbon energy supplies.

The listed status of 7 Kelvin Street means that it is difficult to implement renewable energy sources without altering the character or appearance of the buildings. The building is also exempt from compliance to building regulations Part L 2013 if this would unacceptably alter its character or appearance. The wider Development aims to improve energy efficiency as far as is reasonably practical.

The application sites lies within Flood zone 1 and is deemed to be classified as a low risk site.

NPPF Section 11 (Conserving and enhancing the natural environment), Core Strategy Policies EN 9 (Green Infrastructure), EN15 (Biodiversity and Geological Conservation), EN 16 (Air Quality), Policy EN 17 (Water Quality) Policy EN 18 (Contaminated Land and Ground Stability) and EN19 (Waste) - the 2017 application considered the potential risk of various forms of pollution, including ground conditions, waste and biodiversity and demonstrated that the application proposals would not have any significant adverse impacts in respect of pollution. Surface water run-off and ground water contamination would be minimised.

It would be consistent with the principles of waste hierarchy. A Waste Management Strategy detailed measures to minimise waste production during construction and operation. The onsite management team would manage the waste streams.

The buildings were assessed to provide low bat roosting potential. There are limited cracks and crevices, however a few potential bat roosting features were noted. Based on the urban location of the building and the lack of connectivity with suitable bat foraging habitat, the risk of occupation by bats within the building is considered to be low.

Policy DM 1- Development Management - Outlines a range of general issues that all development should have regard to and 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 above issues are considered as relevant to both the propose demolition and the wider development below.

Other Relevant City Council Policy Documents

In 1995 Manchester City Council commissioned a 'Northern Quarter Regeneration Strategy'. The Strategy set out '*a clear Vision for the area to build on its creative base and proximity to the main commercial core to assist its development as an attractive mixed use area*'.

The area experienced substantial investment in the following years but concerns that some of the underlying problems picked out in the 1995 study were not being fully tackled led to the Northern Quarter Development Framework being produced and formalised in 2003 this set out a vision to shape and guide development activities within the Northern Quarter

The Strategy clarified aspects of development that the City Council wished to avoid in the Northern Quarter which included the loss of architectural and heritage character of the built form.

The Strategy proposed a series of 10 core objectives. The most relevant of these core objectives to this application was the enhancement of the built form through addressing buildings that generally fail to make a positive contribution to the Northern Quarter these may be both derelict, unstable and empty buildings, as well as cleared (empty) sites.

The relevant aspects of the Strategy were considered when the Planning and Listed Building Consent application for the group of buildings formed by 42-50 Thomas Street and 7 Kelvin Street was granted. The August 2017 consented development thus makes a positive contribution to help deliver the policy aspirations and requirements of the Northern Quarter Development Framework

Whilst the Strategy sought to avoid the loss of heritage assets it also acknowledged that there were areas which due to building condition failed to make a positive contribution to the Area. 7 Kelvin Street in its current condition could be seen as being one of those buildings. For reasons outlined later in this Report on balance the benefits in terms of positive contribution to the Northern Quarter are considered to outweigh the harm from the loss of the architectural and heritage character of the built form.

Guide to Development in Manchester – Supplementary Planning Guidance (SPG) has the following policies which are of particular relevance to the heritage assets considered within this statement. **Paragraph 11.45** (Conservation Areas) states that the proposals in these areas should preserve or enhance their character. It is important that new developments in conservation areas are not designed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings, but also to the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development.

It is considered that the extant Planning Permission and previous Listed Building Consent (7 Kelvin Street) confirmed that the proposed development accords with the requirements of this policy.

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

The application site lies within the area identified in the document as the Northern Quarter. This identifies the importance of the areas non-mainstream offer as being important for any global city and giving the Northern Quarter a unique identity within both the city and, to some extent, the UK. The areas growing reputation and attraction to a high number of visitors, is identified as providing an important contribution to the economy of the city centre.

Because of its nature, the regeneration within the Northern Quarter area is described as having been organic and incremental and, therefore, more subtle and ultimately less predictable than in other parts of the city centre. The aim of activity within the area is to bring about change in a way that retains the area's distinct identity. This can be done by building on the area's strengths to produce a creative and cultural destination, with a high-quality built environment attractive to businesses and residents and providing opportunities for private sector investment. It is considered that the wider Development which the approval of the demolition of the listed buildings would facilitate would be in keeping with these objectives. The proposed commercial units and a further addition to the current well established residential community around the site would help to build on the successes of the area's evening economy by promoting usage as a daytime destination.

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. The site in its current condition does nothing to contribute to meeting or complementing the housing need within the City nor will it do for the foreseeable future without support for these proposals. The approval of this application would unlock the wider Development of the site allowing it to contribute to achieving the above targets and growth priorities.

Stronger Together: Greater Manchester Strategy 2013 - This is the sustainable community strategy for the Greater Manchester City Region. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life.

The proposed residential accommodation within the wider development, the delivery of which would be unlocked by the approval of this application, would support and align with the overarching programmes being promoted by the City Region via the GM Strategy.

There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population and to address undersupply and the Council is adopting measures to enable this. The wider Development represents an opportunity to address these requirements adjacent to a major employment centre and in a well-connected location. The site in its current condition does nothing to contribute to these objectives nor will it do for the foreseeable future without support for these proposals.

Climate Change

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

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

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

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. 1.3 In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these ambitious new targets.

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

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of 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 reused and recycled as much as possible.

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

The alignment of the proposals with the policy objectives set out above is detailed below.

Conservation Area Declarations

Smithfield Conservation Area Declaration

The Smithfield conservation area lies on the north-eastern edge of the city centre of Manchester. It is one of a group of three in this vicinity designated by the City Council in February 1987; the others are Shudehill and Stevenson Square, which lie to the north-west and south-east respectively.

The area is bounded by Swan Street, Oldham Street (a common boundary with the Stevenson Square Conservation Area), Market Street, High Street and Shudehill (a common boundary with the Shudehill Conservation area).

Historically, the predominant building type was food markets. Few of these are still standing, and those that are have been converted to other uses. Around Turner Street and Back Turner Street, there are some very small-scale houses dating from the Georgian period, subsequently converted or used for commercial purposes. These streets and the buildings defining them create a rich tapestry of spaces and built form located hard up to the back of pavement. This character contrasts with that of the buildings to the south of the conservation area, closest to the commercial heart of the regional centre along Oldham Street, Market and Church Street, which are larger and of later date than the rest of the area. A number of sites have been left vacant where buildings have been demolished. Many of these are used as temporary car parks, which detract from the visual appeal of the area as is the case with the application site in its current condition.

Other relevant National Policy

Section 16 (2) of Listed Building Act provides that “in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

Section 66 of the Listed Building Act 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.

References within the Report to the requirements under S66 of the Act to give “special consideration and considerable weight to the desirability of preserving the setting of listed buildings” relate only to the potential impact of alternative viable forms of development on the setting of 7 Kelvin Street and other nearby listed buildings and not to the determination of the listed building application in respect of 42-46 Thomas Street.

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

In relation to the above and in terms of the NPPF the following should also be noted:

The proposals would result in substantial harm to the significance of the listed building through its wholesale demolition. However, for the reasons outlined later in this report, officers consider that substantial public benefits would be derived from the proposal on balance justify the planning judgement that the harm or loss is necessary, in order to deliver the wider Development which would facilitate the optimisation of the use of the site and the retention of the Grade II Listed 7 Kelvin Street.

Consideration of the proposals has taken into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and this has been balanced against the positive contribution that conservation of heritage assets and the protection of the impact of development on the setting of listed buildings and conservation areas can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

It is considered that there is a clear and convincing justification for this exceptional substantial harm.

Whilst the merits of the case to support the level of harm proposed and its fit with policies are set out in more detail later in this report it is noted that notwithstanding this case, special regard has been had to the desirability of preserving the buildings features of special architectural or historic interest which it possesses which included that the proposal would have a beneficial impact on the architectural and historical character of the retained exterior listed building. Special regard has also been paid to the desirability of preserving or enhancing the character or appearance of the conservation area which is demonstrated through with the design solution for the retained exterior and new roof level which are considered to be complementary to the character of the Conservation Area.

The positive aspects of the design of the proposals, the compliance of the proposals with the above sections of the NPPF and consideration of the comments made by Historic England and the Georgian Society is fully evaluated and addressed below.

Other National Legislation

Legislative requirements

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

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

The Schemes Contribution to Regeneration

Regeneration is an important planning consideration. The City Centre is the primary economic driver of the region and will play a critical role in its economic success. There is an important link between economic growth, regeneration and the provision of new housing and it is a high priority for the City.

The condition the site and listed buildings has a negative impact on the street scene, the Smithfield Conservation Area and the Northern Quarter. Its open nature creates

a poor appearance and fragments the built form of the conservation area. Its environmental quality creates a poor impression. The investment facilitated by the demolition of the listed buildings would allow 7 Kelvin Street to be refurbished and repaired and would reinstate the historic building line and repair the streetscape with a high quality mixed use residential scheme.

The complete loss of 42-46 Thomas Street would cause substantial harm. However, the wider Development would deliver very significant regeneration benefits and a viable economic use, and the public would benefit from this. Paragraph 122 of the NPPF states that planning policies and decisions should support development that uses land efficiently and requires local market conditions and viability to be taken into account along with the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change.

The buildings on the site have a run down and unused appearance. 7 Kelvin Street is an important historical asset due to its affiliation with Manchester's cotton industry and is a Building at Risk. The individual and domestic character of 42-46 Thomas Street has been extensively lost through adaptation, but the group has some significance as former Weavers cottages which is discussed below.

Key street-frontages would be repaired with high quality development which would establish a sense of place. It would support population growth, contribute to the economy and help to sustain the Northern Quarter as a vibrant place to work and live. The wider benefits are detailed later in this Report. It would create employment during construction and permanent employment in the commercial uses. The ground floor uses would complement the Northern Quarters retail and leisure offer and the city block would be re-instated.

The development would be consistent with a number of the GM Strategy's key growth priorities by delivering appropriate housing to support a growing economy and population, adjacent to the city centre. Manchester's population has increased significantly since 2001 and the wider development would be consistent with growth priorities and help to realise the target set within Manchester's Residential Growth Strategy which have recently been updated to seek to deliver 32,000 homes by 2025. This area has been identified as being suitable for new homes and the quality, mix and the size of apartments would appeal to a range of potential occupier and promote sustainable economic growth.

It would not be viable to deliver those benefits if these listed buildings are not demolished. The site will continue to deteriorate with the risk of the worsening of the condition of 7 Kelvin Street and this could divert investment from the area due to the overall impression of dereliction and decline at this and the adjacent site.

Impact on Character and Fabric of Listed Building, character of the Conservation Area and Design Issues and review of relevant Policy Context in relation to Heritage Assets:

Case required to support demolition and potential impact of alternatives.

Local and national planning policies require a robust and convincing justification of the exceptional circumstances which would support the total loss of 42-46 Thomas Street (paragraph 194 of the NPPF). It could be argued that listing of 42-46 Thomas Street following the grant of planning permission in 2017 is an exceptional circumstance which could support the proposed demolition.

The total loss of 42-46 Thomas Street would cause substantial harm and in addition to the need to demonstrate exceptional circumstances, there is a requirement under NPPF paragraph 195 to demonstrate:

- Either that the total loss is necessary to achieve substantial public benefits; or
- That the development meets the 4 tests (a-d) which are set out earlier in this Report.

A decision should not be taken lightly, but it could be argued that in order to realise the regeneration benefits set out above, it is necessary to demolish 42-46 Thomas Street. In addition, allowing demolition may be the only viable, practical and realistic option to prevent 7 Kelvin Street from deteriorating further.

It is also necessary to consider what impact alternative forms of viable development, which retains all or some of the fabric of 42-46 Thomas Street, might have on the setting of 7 Kelvin Street and the Smithfield Conservation Area in line with the paragraph 193 of the NPPF and sections 16, 66 and 72 of the Listed Buildings Act 1990.

The impact of the 2017 consent on the setting of 7 Kelvin Street and the Conservation Area has been established as acceptable. The applicant has also explored whether it would be possible to retain 42-46 Thomas Street, or as a minimum its façade and deliver a viable development which would have similar levels of impact.

Substantial Public Benefits Which Outweigh the Harm

Neither Historic England nor the Georgian Society have made any comment on whether they believe that the proposals would meet the first test (i.e. that the total loss is necessary to achieve public benefits which outweigh that loss) however Officers consider that delivery of the wider Development would meet that test.

Public benefits could be anything that delivers economic, social or environmental objectives as described in the NPPF ([para 8](#)). Public benefits should benefit the public at large and not just be a private benefit. However, they do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed dwelling which secure its future as a designated heritage asset could be a public benefit. There is no definition within any of the legislation of national or local policy guidance as to what constitutes substantial public benefits and it is a balanced judgement dependent on the particular circumstances of each case.

Heritage benefits set out within paragraph 20 of the NPPG may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset; and
- securing the optimum viable use of a heritage asset

The demolition of 42-46 Thomas Street to facilitate the delivery of the 2017 consent would deliver benefits in relation to 7 Kelvin Street that would not otherwise be delivered. The principle benefit would be the sites regeneration and the positive impact it would have on the character of the Conservation area and the Northern Quarter. It is likely that had 42-46 not been listed, the 2017 consent would have commenced, and the benefits would be emerging.

The demolition would deliver the following key social, environmental, economic and heritage benefits:

- Bring a site which has a negative effect on townscape value back into viable, active and positive use arresting further deterioration of 7 Kelvin Street;
- Arrest further deterioration and regenerate the wider site bringing the redundant site back in to positive use;
- Regenerate a City Centre island site, containing underutilised and vacant buildings, which will improve the street environment and visual quality of the site and the current poor impression of the area that it exudes;
- Establish a strong sense of place, making a positive contribution to local character and distinctiveness, enhancing the quality and legibility of the streetscape and the architectural fabric of the City Centre;
- Optimise the potential of the site to accommodate and sustain an appropriate mix of uses, providing the quality and specification of accommodation demanded by modern business requirements and by potential residents;
- Provide a new facilities for residents, workers and visitors to the area promoting activity and social inclusion;
- Positively respond to the local character and historical development of the City Centre, delivering an innovative and contemporary design which reflects and complements neighbouring buildings and local context;
- Create a safe and accessible environment with increased street level activity, clearly defined areas and active public frontages providing overlooking, natural surveillance and increasing feelings of security within the city centre to enhance the local quality of life;
- Provide equal access arrangements for all into the building;
- Provide 20 new homes of varying sizes and boost the supply of housing, complying with NPPF requirement to provide mixed communities and housing choice contributing to sustained economic growth and regeneration;
- Investment in a vacant site whose continued deterioration could lead to illicit activities, attracting anti-social behaviour causing problems to existing businesses and residents close to the site discouraging further investment in the area;

- Creation of jobs would be during the construction phase and operational phases;
- Providing opportunities for provision of small-scale retail and restaurant floorspace which would appeal to the independent commercial occupiers that characterise the Northern Quarter;
- Support for commercial, retail and leisure operators through increased spending from residents in accordance with the NPPF which welcomes mixed use developments and wider opportunities for growth.
- Unlock investment in the retention and restoration of the Grade II listed No. 7 Kelvin Street;
- Significantly improve the environment and visual quality of the site which detracts from the streetscene and conservation area;
- Make a positive contribution to local character and distinctiveness;
- Deliver positive visual benefit to the Conservation Area; and
- Deliver a high quality design which will result in a significant improvement to the street scene.

The site is in a single ownership and was purchased with the intention to bring forward comprehensive regeneration and the future of the site and its buildings are inextricably linked.

Many of the benefits would benefit the community and businesses in the area. These benefits would not be delivered if the demolition is refused. Any approval should be linked to the benefits delivered by the 2017 consent. A contract for that development would have to be approved by the City Council before any demolition commences.

Assessment of Significance

An assessment of the relative significance of the building group has been carried out which assessed the evidential, historical, aesthetic and communal value. The Heritage Assessment has used HE's Guidance –Conservation Principles, Policies and Guidance (2008).

Structural Reports illustrate that the buildings continue to deteriorate. Historic England have advised that whilst the buildings are in a poor state of repair due to a lack of maintenance, structural defects could be repaired using traditional techniques. The exterior has been much altered with a modern shopfront extending across the Thomas Street frontage. However original sash windows and some curved brick detailing has been retained to cills and jams.

There is some earlier floor structure in the basement such as timber beams but it has been much altered, it is thought, to facilitate use as an air raid shelter. Original fabric was removed to increase head height and doorways have been cut through brickwork to connect spaces. Lath and plaster ceilings are retained in some areas as has some evidence of original building separation.



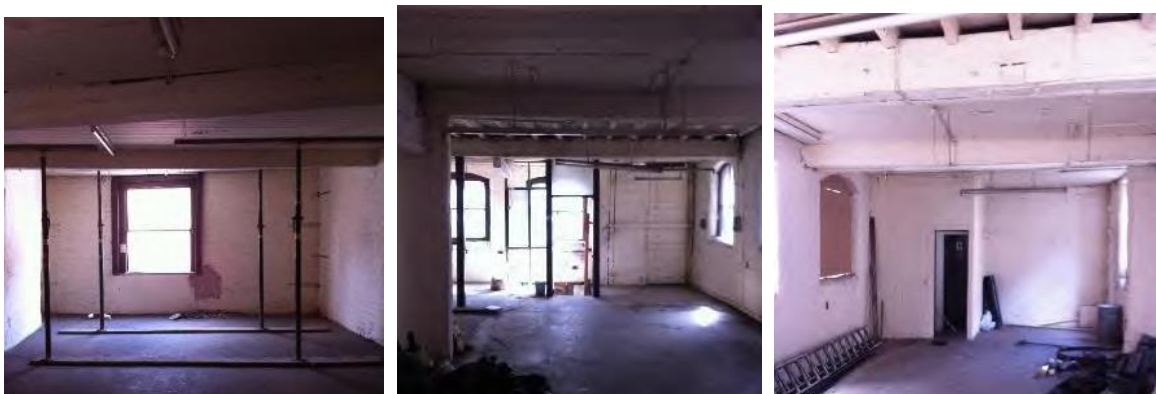
Images of exterior and basement spaces

There are cast iron columns, timber partitions, clerestory windows in the ground floor and an original fireplace with some evidence of the original shop front but this is in poor condition. Floor joists spanning main cross walls are propped, parts of original staircases have been removed. There are many instances of level changes which indicate that separate buildings have been merged and courtyards infilled such that the principle defining character is of a series of convoluted spaces which do not connect in any meaningful manner. Any understanding of the original historic plan layout has been severely compromised.



Images of ground floor spaces

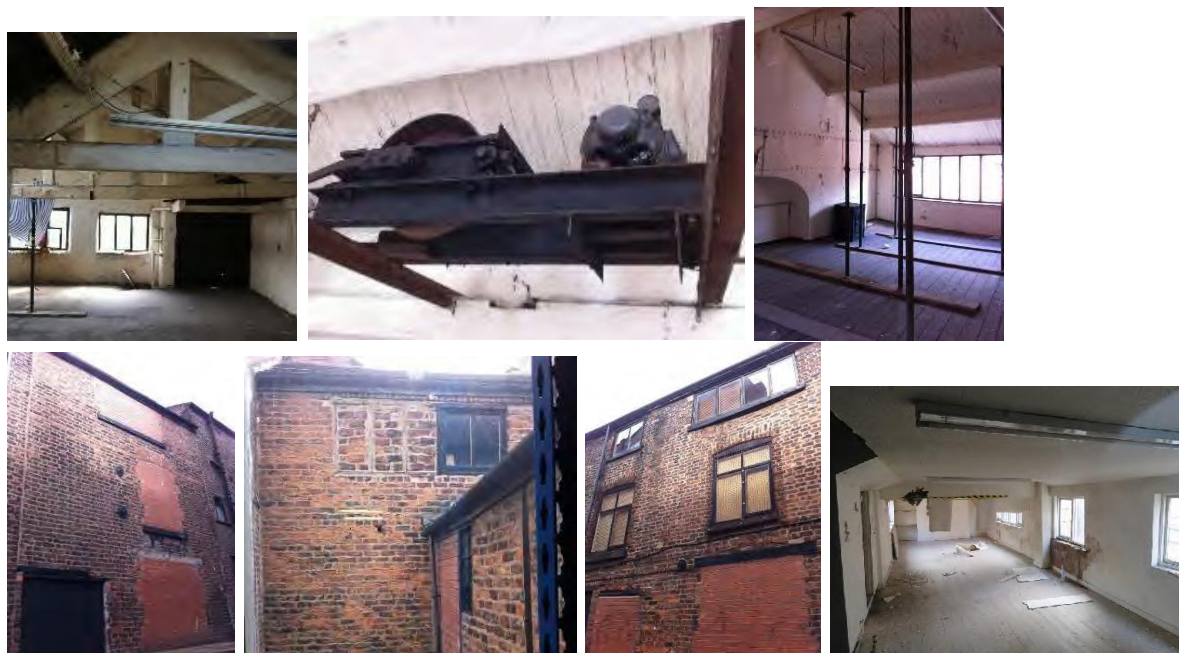
There is historic fabric at first floor with some examples of original tongue and groove boarding, lath and plaster to walls, timber loading doors, inspection areas, some original portions of staircases and a cast iron fireplace. However, many level changes indicate the merging of separate buildings with courtyards infilled. The principle defining character is a series of convoluted spaces which do not connect in any meaningful manner. Thus, any understanding of the original historic plan layout has been severely compromised.





Images of 1st floor spaces

There is evidence of the original weaver's loft/ attic loomshop at second floor with open roof structure with trusses, purlins and tongue and groove boarding to the roof soffit. Many areas are propped, and internal faces have temporary structural ties. Hoist gear to the loading bay has been retained as have some chimney breasts, fireplaces and stone hearths.



The above images show retained historic features. They are not uncommon features in buildings of this age and can be seen in many other buildings of a similar use throughout the City.

Evidential values are those that derive from the potential of a place to yield evidence about past human activity. These values usually comprise physical remains and tend to be archaeological. The building group could yield evidence about its past use, but the level of alteration has diminished any evidential value and evidential value could be subject to recording.

The historical value is strengthened as the buildings are early survivors of a new phase of development in Manchester's history and are linked with the growth of Manchester as the first industrial city. The grouping of the principal buildings off Thomas Street with the rear dwellings off Back Turner Street is relatively rare and of considerable historical value. However, Historic England's listing report concluded that there may be some 60 workshop/dwelling buildings in Manchester centre.

Alterations over time have impacted on the aesthetic value and the integrity of the buildings which is determined by levels of retention of original detailing. Historic England have acknowledged the loss of original details. Its appearance provides clues as to the social history and status of those who constructed and lived in them. Key architectural features such as the low, wide loft windows are crucial to this type of building and the architecture is of some importance to the Smithfield Conservation Area. The surviving building- group are considered to have relatively low aesthetic value as streetscape components and a significantly negative impact on the character and appearance of the conservation area.

Elements of the original layout of late-C18th houses are partially legible, but nos. 42-44 are significantly altered, extending and opening into the parts of dwellings off Back Turner Street which originally were separate.

The planning balance needs to take account of the buildings relative overall merit as set out above in assessing the impact of loss heritage value. Historic England acknowledged when listing 42-46 Thomas Street and 41-45 back Turner Street that they are not the best examples of the type but are altered and compromised versions of a building type which remains in evidence across the city.

Although the entire group of buildings has some heritage value, the most significant is 7 Kelvin Street. 42-46 Thomas Street are considered to make a modest contribution to the Smithfield Conservation Area.

Historically the wider Development site made an important contribution to the Smithfield Conservation Area. That important contribution has seriously diminished due to its deteriorating condition and apparent dereliction, exacerbated by the stalled implementation of the August 2017 scheme. The individual buildings have all been subject to considerable change, both externally and particularly internally. These changes diminish their authenticity and character and their contribution to the conservation area.

The demolition of 42-46 Thomas Street would allow 7 Kelvin Street to be reused and refurbished. It is a rare example of an early small-scale purpose built warehouse, and an example of how early dwellings were adapted for this purpose and has considerable historical value. There are considerably fewer surviving examples of these small-warehouse type building, hence its earlier listing.

Impact on significance and consideration of alternatives

The wider site proposals have not changed and consequently consideration of the heritage impact of the scheme is only required as a result listing of 42-46 Thomas Street and 41-45 back Turner Street. Therefore, it is the impact of the loss of these

- The internal, partially cellular layout and lack of direct connections between spaces would create challenges which could lead to inefficient space planning and mitigate against delivering accommodation to a standard that would be expected within a high quality product at a price point which would be necessary to maximise viability;
- Without the removal of further external fabric, within the constraints of the existing structure and rooms would be limited to working with the existing fenestration and in several locations the existing window positions would not allow for daylight into all rooms and as such apartments would be poorly lit.
- Aligning of the floor levels of the disparate buildings and integrating these with a new build (with its modern floor to ceiling height requirements) accessible cores and adequate circulation spaces would be challenging without further significant modification to the internal structure. This would include filling in the existing void between the Thomas Street frontage and the Back Turner Street blocks, to create an accessible (although unsatisfactory) central staircase;
- In respect of office use, the retention of the existing structure would limit the usability and office space planning. Limited floor to ceiling heights would also impact on the servicing / ventilation strategy;

In summary the layouts seriously compromise the usability of the buildings for a number of alternative uses. These constraints would be equally applicable with other potential uses. It is also notable that the previous owner relocated to alternative business premises.

Scenario 2: This considered massing studies to identify the extent of additional accommodation required to allow a meaningful retention of the façade. A final option involved the retention of the facades to Thomas Street and Back Turner Street with a five storey extension, with the retention of 7 Kelvin Street and a 6 storey new build to the corner of Thomas Street to provide 18 apartments.

This overcomes the potential technical issues of working with the internal building fabric but is considered to have an unacceptable impact on the setting of 7 Kelvin Street and other adjacent listed buildings and the character and setting of the conservation area. It would not enhance the quality and local distinctiveness of this part of the Smithfield Conservation Area.

The level of harm to the building would be reduced but building above and around the retained facades would significantly alter the setting, would dominate the streetscape and negate the purpose of the retained façade as a streetscape component. It would have a negative visual impact upon the character of the conservation area as can be seen in the images below. It can be concluded therefore that any level of façade retention would at best have limited positive benefits and the façade is in any event of less historical value than the remnants of the building's interior layout.



A further Viability Assessment demonstrates that in order to retain 42-46 Thomas Street and deliver a development with the same level of return as that of the 2017 approval a 10 storey building would be required on the corner of Thomas Street and Kelvin Street.

Viability Assessment

An appraisal of the options in scenarios 1 and 2 has been independently assessed, this has used the Existing Use Value (EUV) plus a premium that a landowner would require in excess of EUV to sell the site in line with the NPPG advice on the setting of Benchmark Land Values (BLV) rather than the purchase price.

This analysis has considered a profit of 20% on GDV as the level a developer would require for a development of this scale and complexity which includes listed buildings and new build. A sensitivity analysis assessed profit at 15%. None of the scenarios are viable as none produce a positive land value and the level of the BLV becomes irrelevant. This supports the Applicant's assessment that the retention 42 to 46 Thomas Street or its facades are not viable.

Scenario 3 and 3b were not reviewed as these are for the implementation of the consented scheme which can only be achieved by demolishing the listed buildings. Similarly, their option for office use, also relates to the consented scheme.

Based on this independent assessment, the applicants have concluded that in order to retain 42-46 Thomas Street in their entirety, it would be necessary to build a 17 storey building at the junction of Thomas Street and Kelvin Street, to deliver a 20% profit with zero land value or a 10 storey building to deliver the same profit level as the 2017 consent. This level of development would have an adverse impact on the setting of 7 Kelvin Street, other adjacent listed buildings and the character of the conservation area.

The applicants have stated that the inherent constraints in achieving a solution which retains the buildings are such that it would be unviable regardless of the scale of the

new build element. This relates principally to physical constraints and impracticality of building at 10/17 storeys in this location. cation,

It would be inefficient and cost prohibitive to build out the section of the area that has been demolished to such heights as the core circulation space would be extremely inefficient and deliver one apartment per floor and be wholly unviable.

The applicants have previously stated the following in relation to why they would deliver a scheme which would only produce a level of profit below that normally required.

- The delivery of the approved scheme still offers the best opportunity to recoup at least some of the significant investment which has already been made to this stage, as indicated by the viability assessments;
- Full funding remains in place to deliver the project through to conclusion. They have a build partner to deliver the site as soon as they are able to and they continue to be inundated with enquiries from occupiers for both the commercial and residential space; and
- There is also the possibility that they and their partner would look to hold the property long term themselves to deliver a return over a longer period.

Impact on the Character and setting of the Conservation Area and setting of 7 Kelvin Street.

The cumulative impact of any development on this site needs to contribute positively to the long-term protection and enhancement of the Conservation Area and to the setting of 7 Kelvin Street.

The total loss of 42-46 Thomas Street and the change in character of the streetscape as per the 2017 consent, would have less of an impact on the character and setting of the conservation area than the viable alternatives set out above. The approved development would facilitate the authentic restoration/repair of 7 Kelvin Street which is recognised as being the most significant component of the building group. This would be a heritage benefit which would balance the less than substantial impact. The newly listed building would be balanced by the restoration of 7 Kelvin Street and the restoration and enhancement of this prominent part of the streetscape.

Conclusions and Case to support demolition

Alternative forms of development could deliver some of the same benefits as the 2017 consent and retain some of the historic fabric of 42-46 Thomas Street. A façade retention and conversion would result in the loss of a substantial amount of historic fabric and have heritage impacts. It would also require a tall building on Thomas Street to make it viable at the same level as the 2017 approval. This would harm the setting of 7 Kelvin Street, the character and setting of the conservation area and the streetscape and clearly diminish some of the benefits that would be delivered through the implementation of the 2017 consent.

These scenarios assume a write off of the purchase price and the costs of securing planning permission and so the comparison of the level of return against the consented is not a true like for like comparison.

The buildings have continued to deteriorate but in line with paragraph 191 of the NPPF, the deteriorated state of the listed buildings has not been taken into account in the evaluation of the merits of this application. The future of the site is bleak unless the 2017 consented scheme progresses.

Values might change in the longer term but without the funding that the Development would release, or some form of grant funding, the restoration and secure future of 7 Kelvin Street cannot be assured. On the previous application a number of local businesses made representations to support the proposals and it is evident from these that the continued deterioration of the site is having a detrimental impact on the area and attracting anti-social behaviour which could discourage potential customers which at this time could affect the viability of adjacent businesses.

Response to Historic England's and Georgian Society's comments - Officers believe that the demolition would release substantial public benefits which outweigh the loss of 42-46 Thomas Street.

In terms of the alternative tests the following is noted:

a) the nature of the heritage asset prevents all reasonable uses of the site;

There are physical challenges associated with converting 42-46 Thomas Street to alternative uses which could prevent all reasonable uses of the site, such as the level of harm caused by the alterations required to facilitate those alternative uses.

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;

A Viability Assessment concludes that any form of development that retains all or part of 42-46 Thomas Street would not be viable. It may be difficult for developers to secure finance for acquisition and refurbishment. This does not mean that the building has no commercial value and, theoretically, a buyer may buy it now on the basis of potential uplift in the future. It is therefore questionable whether it would be worth going through a market testing exercise. As detailed above even at zero value the retention of 42-46 Thomas Street would require a 10 storey building to be built at the junction of Kelvin Street and Thomas Street to facilitate the retention, restoration and repurposing of the listed buildings and this form of development would be unlikely to be supported for reasons outlined elsewhere in this report.

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;

The applicants have contacted the National Lottery Heritage Fund, Heritage Trust for the Northwest and Architectural Heritage Fund. Architectural Heritage Fund. The National Lottery Heritage Fund have confirmed they would not be willing/are able to support the site. The Heritage Trust for the Northwest did not respond as they are no

longer operating. On the basis of the Viability Assessments it is highly unlikely that there is any charity, non for profit or private developers who are willing to acquire the site at a loss with the listed buildings retained.

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

The arguments in relation to facilitating the wider development are set out above.

In pre-application discussions in December 2014 in relation to 42-48 Thomas Street Historic England stated that:

- “the many alterations of the interior during C20 have to a large extent erased the original floor plan and layout of the buildings and very little of significance remain”
- “The facades have been altered over time and the current expression is confused in its detailing”;
- “the interiors of the buildings are much altered and of no significance in their own right”
- “We acknowledge the difficulties of operating a successful business within the current layout and also welcome the potential to bring more life back to Back Turner Street. We therefore consider it acceptable to demolish the buildings provided the replacement respects the current rhythm of the existing buildings in the streetscape and enhances the character of the conservation area.

Summary and conclusions in relation to consideration of the merits of the proposals within the National and Local Policy Context relating to Heritage Assets

Development decisions should also accord with the requirements of Section 16 of the NPPF which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission for proposals which would affect them. However, section 72 of the Act requires members to give special consideration and considerable weight to the desirability of preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it.

Of particular relevance to the consideration of this application are paragraph’s 192, 193, 194, 195, 197 and 200.

The NPPF (paragraph 193) stresses that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Significance of an asset can be harmed or lost through alteration or destruction or by development within its setting. As heritage assets are irreplaceable, any harm or loss should clearly and convincingly justified. This is further supported by NPPF (para 194) which requires 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.

The demolition of 42-46 Thomas Street would cause substantial harm and great weight should be given to their conservation appropriate to their importance. The tests that need to be met by paragraph 195 relating to assessment of substantial harm are set out above as is the clear and convincing justification required by paragraph 194. The impact on the Smithfield Conservation Area and setting of 7 Kelvin Street and other adjacent listed buildings would be less than substantial and this was acceptable in the determination of the 2017 applications.

Paragraph 20 of the NPPF Planning Practice Guidance states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 7). Public benefits may include heritage benefits.

The setting of 7 Kelvin Street and the character of the Smithfield Conservation Area would not be fundamentally compromised, and the impacts would be outweighed by the public benefits set out above.

The public benefits from the wider Development that the demolition of 42-46 Thomas Street would allow would be significant, and the impacts on the conservation area would outweigh the level of harm caused and are consistent with paragraphs 195 and 197 of the NPPF. As set out above wider development would have special regard to the desirability of preserving the building, its setting and the features of special architectural or historic interest which it possesses. The case for demolition has considered the desirability to preserve and enhance as required by Sections 16,66 and 72 of the Planning Act in respect of both the listed buildings on the site, their setting and the conservation area.

Given all the circumstances and their historic value, it is not viable or practical to retain and adapt the buildings to accommodate a new use. The applicants are committed to delivering the consented scheme and have submitted applications to discharge the pre-commencement conditions attached to the 2017 consents.

The alternative options would all have a detrimental impact on the setting of 7 Kelvin Street, any retained element of 42-46 Thomas Street itself as well as the character and setting of the conservation area. A retained façade would present an entirely unsatisfactory solution to the conservation of the site which would be dominated by the new build elements and compromise the architectural integrity of the streetscape. The result would be both architecturally unsatisfactory, compromising the character and appearance of the streetscape.

Paragraph 015 in the NPPG states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset notwithstanding the loss of significance caused, and provided the harm is minimised.

Alternative schemes that are viable and which retain the buildings would cause a high level of harm to the character of the conservation area and the setting of 7 Kelvin Street and indeed the retained building at 42-46 Thomas Street as illustrated in the images above.

The elevational rhythms, massing, scale, and alignment of the approved new-build component would respond positively to its context: The design would successfully mitigate the impact of the increased scale on the setting of 7 Kelvin Street. The contemporary design responds positively to the local character, history and the fabric of the immediate surroundings, in accordance with NPPF paragraph 127 adding interest to its setting, such that it causes no material harm. It is considered that none of the unviable alternatives would achieve that same positive response. This equally applies to the setting and character of the Conservation Area.

The historic fabric of 42-46 Thomas Street could be repaired, and the building re-used but thermal and acoustic upgrades could prove challenging. The level of historic alteration overtime has eroded the understanding of the original any layout of these buildings and shows the difficulties of using the internal spaces effectively for modern occupation. Further impacts on the layout and its type, which was a key determinant in the decision to list it, would be required and would not be financially viable. The acknowledged and substantial benefits to be derived from the consented scheme would therefore be lost.

Archaeology

The remaining evidence of the three storey workers' cottages has been recorded to level which has satisfied Greater Manchester Archaeological Service in term of mitigation for their loss.

Sustainability and Embodied Carbon

Good practice sustainability measures would ensure an energy efficient development, but the listed building is exempt from compliance with Part L of the building regs. The design applies a range of environmental principles and achieves high levels of fabric energy and water efficiency. Policy EN 6 requires development to achieve a 15% Carbon Reduction over Part L 2010 Compliancy of the Building Regulations. This equates to a 6% Carbon Reduction over Part L 2014 Compliancy. The predicted site wide reduction in CO₂ over Part L 2014 of the Building Regulations is 7.7%. This would be achieved through PV's at roof level; the use electric heating and hot water, the U Value and design targets specified exceed Part L 2014 compliance. Other measures include high levels of insulation with minimal thermal bridges, Passive solar gains and internal heat sources, excellent level of airtightness, good indoor air quality by openable windows.

If the current building fabric was retained and upgraded to meet Building Regulation standards, the annual operational carbon of the apartments would be 42.9 Tonnes of CO₂. Comparatively, the annual operational carbon of the apartments within the approved scheme is 24.1 Tonnes of CO₂, which is a 43.8% reduction and saving of 18.8 Tonnes of CO₂ per year. Based on a minimum 60-year building lifespan of the

new build development, the refurbished development would produce 2,572 Tonnes of CO₂, compared with the 1,445 Tonnes of CO₂ from the new build scheme.

About 20-30 years ago when you looked at whole life carbon profile of buildings the split would have been a third to two third embodied vs operational. However, the decarbonisation of the national grid, improved building envelope performance and the improved energy efficiency of equipment has resulted in a significant shift, whereby the operational aspect is now much lower in proportion, and for well-designed buildings, moving ever closer to zero. Meanwhile the embodied energy has remained static and is the current challenge in construction.

Therefore, reducing embodied energy in buildings is a key target for the Thomas Street development. The civil and structural design seeks to provide an optimal built form and promote the recycling of materials. This is being achieved by the following:

1. **Optimisation of structural form:** The column grid would work within both the residential and ground floor spaces so a large transfer structures is not required at Level 01. This has reduced the overall use of material and embodied carbon. This lean approach to design ensures that the building is not overdesigned, meeting the clients brief and performance specification with a minimum use of structural material.
2. **Material specification:** where viable, the specification of materials would use the lowest embodied carbon option. For example, when specifying concrete, it is possible to almost half the amount of CO₂ by specifying “eco” mixes and is dependent on supplier experience and availability, within the commercial bounds of the project.
3. **Material reuse and sourcing:** Aside from the retained existing building on the site, the development seeks to explore the re-use of demolition material generated by the works. The new foundations could use demolished brickwork or concrete as aggregate for re-use as fill to the redundant basements. Where new elements are required and cannot be formed from existing stock, materials would be sourced from local suppliers and supply chains, reducing the embodied carbon associated with transportation as much as possible. Additionally, new materials will all be assessed against the BRE’s The Green Guide to Specification, which uses an environmental profile methodology that determines environmental impact of materials. As part of this, and in order to fully take advantage of materials that have low embodied carbon, the project team will guarantee that new elements key to the scheme will be specified to achieve ratings of between A+ and C under The Green Guide’s ratings.

In summary, this environmentally considered approach to the design, detailing and construction of the civil and structural engineering aspects saves on CO₂ emissions whilst also ensuring commercial viability of the proposals.

Biodiversity and Wildlife Issues

The proposals would have no adverse effect on statutory or non-statutory site designated for nature conservation. None of the habitats are of ecological value in terms of plant species and none represent natural or semi-natural habitats or are species-rich. There are no examples of Priority Habitat and no invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) are present. A Bat Survey found no evidence of bats utilising any roof features and it was concluded that the structure has low potential to support bats. A condition would require a survey to be carried out should the development not commence within a specified time period. A condition on the 2017 consent should ensure measures such as bat and birds boxes support net gains in on site bio-diversity. Planting within the terrace areas would also provide some level of contribution.

Historic England's comments

Paragraph 195 requires that 1 of 2 tests are satisfied to enable substantial harm to a designated heritage asset. It is considered that as set out above there would be substantial public benefits which outweigh the loss of these buildings.

Response to Objectors comments

No weight has been afforded to any deterioration in the condition of the building in evaluating the merits of this application in line with paragraph 191 of the NPPF. The legislation surrounding the protection of listed buildings is the Planning (Listed Buildings and Conservation Areas) Act 1990. There are various powers available to the LPA such as Urgent Works (Section 54) or Repairs Notices (Section 47). However, these are discretionary powers and there is no 'legal duty' for us to use them to insist that owners repair their properties.

Conclusion

The demolition of a grade II listed building should not be taken lightly and should require exceptional circumstances with significant public benefits whilst affording great weight to the asset's conservation. Decisions need to balance the asset's historic significance against other issues such as its function, condition or viability.

There is an important link between economic growth, regeneration and the provision of new high quality housing. There is an acknowledged need to provide high quality residential accommodation in the city centre in order to support and sustain growth of the region's economy.

Officers have been mindful that consideration of the historic environment and its heritage assets is a principal objective of sustainable development. Sustainable development has three broad roles: economic, social and environmental. The environmental role is "contributing to protecting and enhancing our...historic environment..." amongst other things (paragraph 7 NPPF). This would include preserving and enhancing the historic streetscape, the setting of adjacent listed buildings and the character of the conservation areas, all of which is undermined by the condition of the site, its buildings and its vacancy.

Social benefits would be derived from an appreciation of the above and the use of the ground floor and the basement. Economic benefits would be derived from job creation including supply side employment and the provision of additional housing for which there is a proven demand. None of this is provided at the site currently and is unlikely to be so for some considerable time if the demolition is not supported.

The proposal would deliver these gains and a sustainable development. The harm caused would be substantial but the circumstances of the 2017 listing; the continued vacancy; and the poor impression that this presents in terms of the character of the streetscape, setting of adjacent listed buildings and the Smithfield Conservation Area, are such that this exceptional level of harm is on balance considered to be necessary to deliver the optimum viable use of the Wider Site.

The scale of the wider Development which an approval would facilitate, its proportions and materials relate to the immediate context. It would enhance the prosperity of the area and respect its special architectural and visual qualities.

Should these proposals not be supported the further deterioration of the site and the buildings within it is a realistic prospect. It should also be noted that consent has also recently been granted for a hotel on the adjacent site (52-58 Thomas Street (application ref no: 123215) and should this be brought forward it would remove considerable blight to the character and value of the Northern Quarter which has been detrimental to the image of the City.

The NPPF explains that all grades of harm, including total destruction, minor physical harm and harm through change to the setting, can be justified on the grounds of public benefits that outweigh that harm taking account of the 'great weight' to be given to conservation and provided the justification is clear and convincing (paragraphs 192, 193, 194 and 195).

Great weight must be given to conservation, but it has been demonstrated through a clear and convincing justification that delivering the substantial public benefits and securing the sites optimum viable use could not be achieved with less or no harm by alternative design.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations dictate otherwise. The proposals have been considered in detail against the policies of the Development Plan and taken overall are considered to be in compliance with it.

On balance given the overall policy support for the proposals, and notwithstanding the heritage harm, the proposals represent sustainable development and will bring significant social, economic and environmental benefits, as such they merit the granting of Listed Building Consent.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act within the context of the

above, the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 194 and 195 of the NPPF and there is a clear and convincing case to support the harm which is outweighed by the benefit of bringing the site back into use.

The proposal would facilitate the sustainment and enhancement of the most significant heritage asset (7 Kelvin Street) which would make a positive contribution to local character and distinctiveness and therefore meets with the requirements of paragraph 192 of the NPPF.

Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (paragraph 198) and given this and to incentivise the application to deliver the development and improve the current condition of the site, consent will be granted for 1 year only and a condition will be attached to any consent granted to ensure that no demolition will take place until a contract for the whole approved development is in place.

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 referral to the Secretary of State in accordance with the Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015

Article 35 Declaration

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

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: 130475/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.

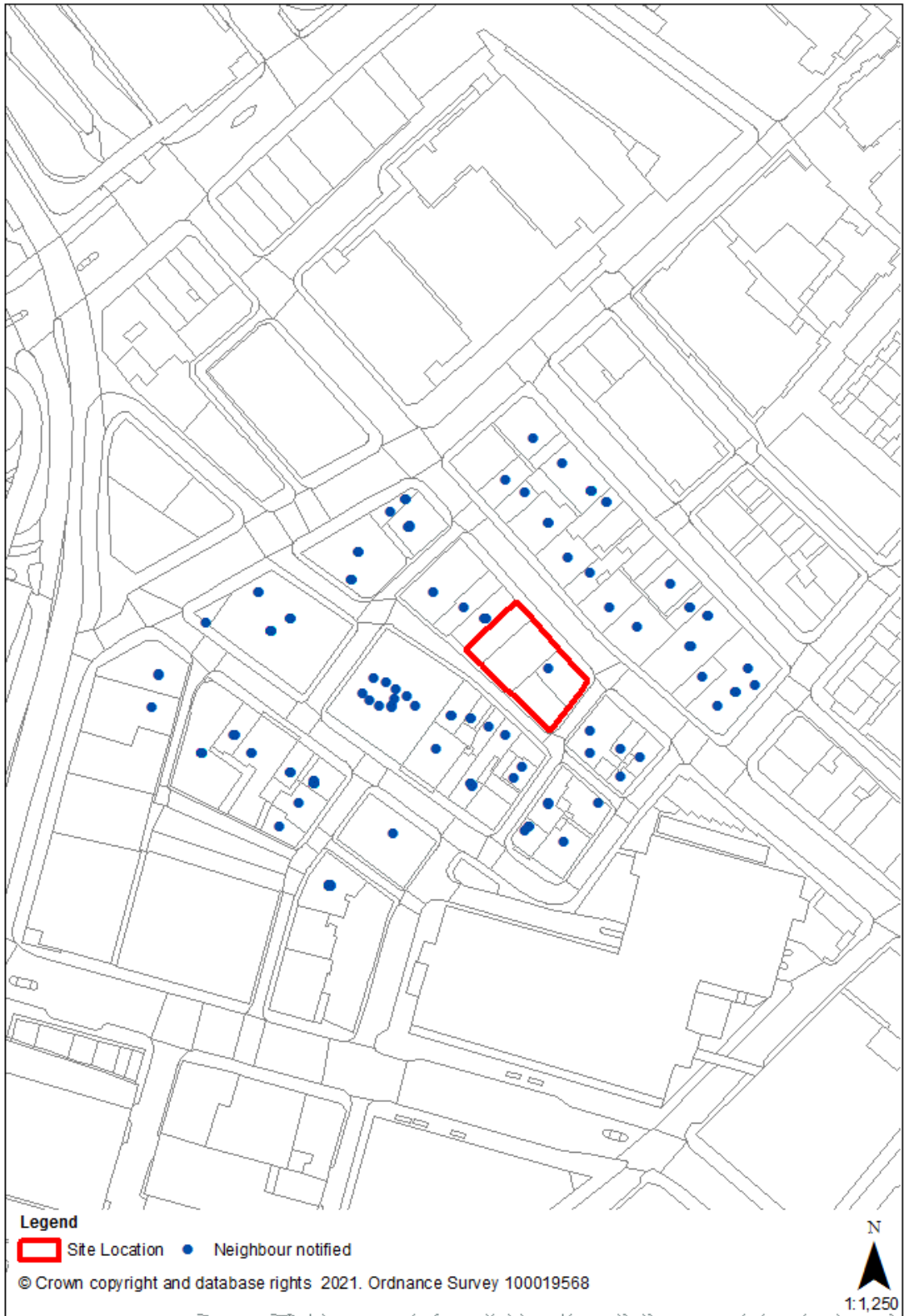
The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Historic England (North West)
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
National Amenity Societies**

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 :	Angela Leckie
Telephone number :	0161 234 4651
Email :	angela.leckie@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
129010/FO/2020	18 Mar 2021	1 July 2021	Levenshulme Ward

Proposal Temporary use of the southern half of public car park for a 4 year period in connection with the operation of a weekly market on Saturdays (10.00 am-4.00 pm) between March and December (inclusive) and no more than 10 annual Friday night-markets (5.00 pm-9.00pm) during the same period, retention of existing storage container unit and internal generator, reconfiguration of waste / recycling storage area and installation of electric power supply cabinet (following the phased decommissioning of an existing generator)

Location Public Car Park Accessed Via Stockport Road and Albert Road, Manchester, M19 3AB

Applicant Mr Paul Bower, 4 Dean Bank Avenue, Manchester, M19 2EZ,

Executive summary

Proposal – This application was deferred from consideration by the Planning and Highways Committee meeting of 18 February 2021 to allow issues regarding the ownership of land adjacent to the western and southern site boundaries to be addressed. These issues have been resolved through amendments to the site boundaries, which excludes land owned by Network Rail or without definitive ownership.

This application relates to Levenshulme District Centre car park, which is bounded by a railway line and station to the west and Stockport Road to the east. The use of the car park as a market commenced in 2013. The current operation of the market is permitted by a temporary planning permission referenced: 116414/FO/2017, which expires on 7 August 2021.

The applicant originally proposed the temporary use of the southern section of the public car park as a market for a period of 4 years with an increase in the operating periods, i.e., Saturdays 10.00 am to 4.00 pm (52 weeks per year); Fridays between 4.00 pm and 10.00 pm (up to 12 evenings per year) and Sundays 10.00 am and 5.00 pm (up to 12 days per year). However, in response to local concerns regarding the impact of the extended operation of the market, the application has been amended to replicate the operating arrangements approved under planning permission referenced: 116414/FO/2017, i.e., holding of market events over a temporary period of 4 years on Saturdays (10.00 am-4.00 pm) between March and December (inclusive) and on no more than ten Friday nights (5.00 pm-9.00 pm) per year with the addition of an electricity cabinet in the car park area.

The development would also involve the proposed installation of an electricity cabinet in the car park area and the reinstatement of a waste storage enclosure to a position adjacent to the western elevation of retained storage container. The market layout would consist of 50 moveable stalls and gazebos to the south and immediately to the north of the public footpath crossing the car park from east to

west. The remaining area in the northern section would remain in operation whilst the market is being held.

Objection – Two petitions have been received with 19 and 272 individual signatures respectively. In addition, 16 emails and letters of objection have been received. The following comments relate to the original development and subsequent amendments to it:

- i. The 272 signature petition objects to the originally proposed increased frequency and duration market events due to its resulting impact on the operation of neighbouring businesses. The signatories request that the market be held on one occasion per week. Other representations concerning the original proposal also requested that the market should only operate on the basis of the previous planning permission (ref: 116414/FO/2017);
- ii. The siting of the market significantly reduces the availability of district centre car parking and adversely affects the operation of businesses that rely on passing trade. Car parking is limited within the district centre and should be retained. The reduced availability of car parking has adversely affected commuters using Levenshulme Station and resulted in additional car parking in nearby residential streets;
- iii. The siting of stalls, gazebos and demarcation barriers also restrict access to the rear of businesses and the undertaking of servicing and deliveries and waste collection. Access is required due to the presence of parking restrictions on Stockport Road;
- iv. The siting of the market may prevent access by emergency vehicles;
- v. The original proposal to retain the siting of a bin enclosure to the south of the site was objected to, as it prevented potential rear access to and from properties along Albert Road. This issue would be addressed through the amendments to the development. Notwithstanding the above, concern has been expressed regarding disamenity associated with the lengthy storage of waste within the bin enclosure;
- vii. Market events are harmful to amenity due to noise disturbance. Inappropriate waste storage and litter dispersal around the site may have contributed to localised vermin infestation;
- viii. The market has generated significant noise including the transmission of music, which has continued beyond the end of trading. There are concerns that this disturbance may intensify, if the further sale of alcohol for consumption on-site is permitted;
- ix. The market events now exceed the capacity of the site and a more suitable alternative location should be sought;
- x. The significant and combined activity from the market and neighbouring banqueting suite and retail food store have significantly increased activity within the vicinity to the detriment of local amenity and the character of the area.

Support – 106 emails of support were received in relation to the original proposal and subsequent amendments and are summarised below:

- i. The market has positively raised the profile of Levenshulme District Centre to the area. It has added significantly to the vibrancy of the district centre and its retention is strongly supported;
- ii. The market has increased footfall within the district centres demonstrating the benefits of its operation to its traders and businesses in the wider district centre;
- iv. The market is a well-run and a safe space for families and the wider community providing a much needed destination for social engagement and interaction across a diverse community;
- v. The site is in a sustainable location that can be accessed by local people without the need to use cars, which is beneficial to carbon reduction.

Key Issues

- i. The importance of the market to the vitality and vibrancy of Levenshulme District Centre;
- ii. The benefits of securing additional arrangements to improve the operation and management of the market in response to the concerns of neighbouring businesses.
- iii. The impact of the loss of car parking capacity on the operation of the district centre.

A full report is attached for Members consideration.

Description

This application was deferred from consideration by the Planning and Highways Committee meeting of 18 February 2021 to allow issues regarding the ownership of land adjacent to the western and southern site boundaries to be addressed. These issues have been resolved through amendments to the site boundaries to exclude land identified as being owned by Network Rail or without definitive ownership.

This application relates to Levenshulme District Centre car park, which is bounded by a railway line and station to the west and Stockport Road to the east. Albert Road lies to the south, with the car park access to the north gained from Farmside Place. The existing car park is bisected by a cycle / pedestrian route running beneath the elevated railway line and providing a route through to Stockport Road. Retail and commercial uses are located to the north and east of the site with a mix of commercial and residential uses located to the south of the site with frontages to Albert Road.

The use of the car park as a market commenced in 2013. At that time the market was held infrequently and did not require planning permission. However, planning permission ref: 102060/FO/2013/N2 was approved on 4 July 2013 and allowed the siting of a storage container and internal generator unit to facilitate the holding of a market on a more frequent and regular basis. Planning permission ref: 104683/FO/2014/N2 was approved on 14 March 2014 for a temporary 2 year period and allowed a market to be held on Saturdays from 10.00 am – 4.00 pm between March and December (inclusive) and no more than 4 annual Friday night markets. A further planning application ref: 116414/FO/2017 was approved 10 August 2017 and,

for a temporary period expiring on 7 August 2021, allowed the holding of a weekly market on Saturdays (10.00 am-4.00 pm) between March and December (inclusive) and no more than 10 annual Friday night markets (5.00 pm-9.00 pm). It also allowed the retention of the storage container, generator and waste and recycling enclosure.



Fig. 1 - Views across the car park

The applicant originally proposed the temporary use of the southern section of the public car park as a market for a period of 4 years with an increase in the operating periods, i.e., Saturdays 10.00 am to 4.00 pm (52 weeks per year); Fridays between 4.00 pm and 10.00 pm (up to 12 evenings per year) and Sundays 10.00 am and 5.00 pm (up to 12 days per year). However, in response to local concerns regarding the impact of the extended operation of the market, the application has been amended to replicate the operating arrangements approved under planning permission referenced: 116414/FO/2017, i.e., holding of market events over a temporary period of 4 years on Saturdays (10.00 am-4.00 pm) between March and December (inclusive) and on no more than ten Friday nights (5.00 pm-9.00 pm) per year with the addition of an electricity cabinet in the car park area.



Fig 2 - Views of the car park on non-market days and during market events

The proposed development involves:

- i. The siting of a total of 50 moveable stalls and gazebos to the south and immediately to the north of the public footpath crossing the car park from east to west. The remaining area in the northern section would remain in operation whilst the market is being held;
- ii. The arrangement of the stalls would facilitate movement through and around the site and would also allow existing rear access to property along the eastern site boundary. This arrangement is illustrated in Fig.3;

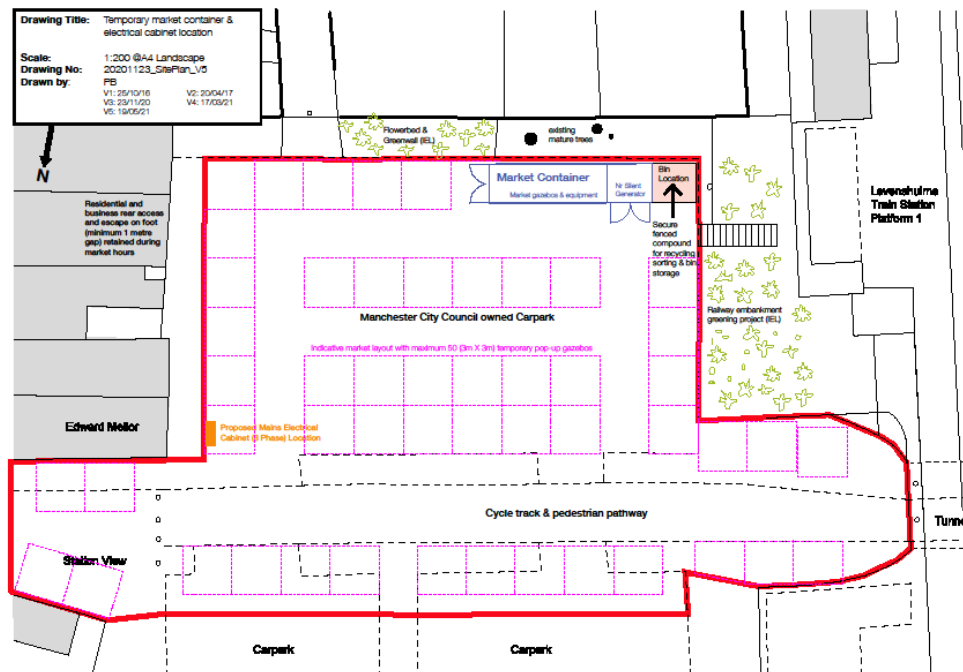


Fig. 3 - Market layout

- iii. The existing storage container and generator unit would be retained in the south-west corner of the site adjacent to a landscaped strip situated adjacent to the southern boundary of the site, which is shared with properties located between 2 – 8 Albert Road;
- iv. The fenced enclosure used for the storage of waste and recycling bins would be relocated to the western side of the storage container;
- v. The applicant proposes a phased decommissioning of the use of the existing generator through provision of electrical mains connection to the site. This would be facilitated by, the installation of an electrical cabinet to be sited to the south of the cycle / pedestrian route running through the site subject to the consent of the Council as car park landlord;
- vi. The market would continue to be operated by local people on a voluntary basis and would provide trading opportunities to local businesses.

Consultations

Local residents – Representations objecting to and supporting the development are summarised below:

Objection - Two petitions have been received with 19 and 272 individual signatures respectively. In addition, 18 emails and letters of objection have been received. The comments, summarised below, relate to the original development and subsequent amendments to it:

- i. The 272 signature petition objects to the originally proposed increased frequency and duration market events due to its resulting impact on the operation of neighbouring businesses. The signatories request that the market be held on one occasion per week. Other representations concerning the original proposal also requested that the market should only operate on the basis of the previous planning permission (ref: 116414/FO/2017);
- ii. The 19 signatory petition has been accompanied with requests that:
 - The siting of stalls to ensure access to neighbouring properties for servicing and deliveries;
 - Appropriate arrangements for waste storage and collection from the market;
 - Guaranteed access to car parking space for neighbouring businesses;
 - Assurances regarding access for emergency services through the car park;
 - Consideration of an alternative location for the market to address concerns regarding its further expansion;
- iii. The siting of the market significantly reduces the availability of district centre car parking and adversely affects the operation of businesses that rely on passing trade. Car parking is limited within the district centre and should be retained. The reduced availability of car parking has adversely affected commuters using Levenshulme Station and resulted in additional car parking in nearby residential streets;
- iv. The siting of stalls, gazebos and demarcation barriers restricts access to the rear of businesses and the undertaking of servicing and deliveries and waste collection. Access is required due to the presence of parking restrictions on Stockport Road;
- v. There are concerns that the siting of the market may prevent access by emergency vehicles;

- vi. The original proposals to retain the siting of a bin enclosure to the south of the site was objected to, as it prevented potential rear access to and from properties along Albert Road. This issue would be addressed through the amendments to the development. Notwithstanding the above, concern has been expressed regarding disamenity associated with the lengthy storage of waste within the bin enclosure;
- vii. Market events are harmful to amenity due to noise disturbance, inappropriate waste storage and litter dispersal around the site. The market has generated significant noise including the transmission of music, which has continued beyond the end of trading. There are concerns that this disturbance may intensify, if the further sale of alcohol for consumption on-site is permitted;
- viii. The previous development was not supported with adequate arrangements for waste storage and collection and the clearance of litter at the end of trading; Consequently, the development may have contributed to localised vermin infestation;
- ix. The market events now exceed the capacity of the site and a more suitable alternative location should be sought, which would allow the full capacity of the car park to be reinstated to the benefit of local businesses and visitors;
- x. The significant and combined activity from the market and neighbouring banqueting suite and retail food store have significantly increased activity within the vicinity to the detriment of local amenity and the character of the area;
- xi. Local businesses are unfairly disadvantaged by the operation of the market as its traders are not subject to the same financial overheads;
- xii. Any management arrangements would not be adhered to by the market operator and traders to the detriment of the operation of neighbouring businesses, including arrangements for off -site parking of traders' vehicles on market days;
- xiii. The operation of the market during the COVID-19 period did not accord with social distancing regulations. The market should be suspended until appropriate social distancing plans can be put in place and enforced.

Support – 106 emails of support were received in relation to the original proposals and are summarised below:

- i. The market has positively raised the profile of Levenshulme District Centre and increased visits to the area. It has added significantly to the vibrancy of the district centre and its retention is strongly supported. It is also considered that a further planning permission will give traders greater certainty in their future business plans and on-going participation in the market;
- ii. The market has increased visitor footfall within the district centre demonstrating that its operation benefits traders and other businesses in the wider district centre. This renewed interest in the district centre has acted as catalyst for new investment along Stockport Road. This is demonstrated by the recent increase in bars and restaurants in the area. The maintenance of the market is therefore seen as being crucial to the on-going regeneration of the district centre in the post COVID period;
- iii. The market is a valuable platform for local businesses and artists and provides them with a direct income from on-site sales, whilst raising their profile and promoting sales elsewhere. The operation of the market thereby

- helps to sustain the employment generated by a significant number of businesses and its promoted of social enterprise;
- iv. The market is a well-run and a safe space for families and the wider community. The market is seen as both a retail and leisure destination providing a much needed destination for social engagement and interaction across a diverse community. The market provides space for various charity promotions and family activities. The success of the market is reflected in it being awarded the 'Best Small Outdoor Market' by the National Association of British Market Authorities in 2020;
 - v. The market provided a valuable community resource during the relaxation of COVID-19 regulations;
 - vi. The site is in a sustainable location that can be accessed by local people without the need to use cars, which is beneficial to carbon reduction. The market also provides outlets that supply organic and vegan foods that support and encourage more environmentally sustainable lifestyles. This is seen as a welcome addition to the retail offer.

Afzal Khan MP – Commented in relation to the original proposals and expressed support for the on-going operation of Levenshulme Market in its present location and on basis of the arrangements approved under planning permission ref: 116414/FO/2017 (relating to the frequency and duration of market events). The market has operated for seven years and has become an integral part of the local economy and wider community. It draws customers from not just surrounding areas, but from across the entire region. The market has been a catalyst for the continued rejuvenation of the local district and subsequently contributes to Manchester's Development Framework Core Strategy.

Councillor Dzidra Noor – Supports the proposed development on the basis that its operation would accord with arrangements approved under planning permission ref: ref: 116414/FO/2017.

Councillor Basat Sheikh – Has expressed support for the market based subject to its operation in accordance with previously approved arrangements.

Levenshulme Traders Association – Did not consider that the originally proposed increase operating periods were satisfactorily justified. However, the continuation of the market is supported subject to the replications of the existing and previously approved arrangements.

The following comments were also received and remain relevant to the revised proposal:

- i. There is concern regarding any potential expansion in the number of stalls serving alcohol for consumption on site. The retail sale of alcohol for consumption elsewhere would be more appropriate;
- ii. The siting of the market restricts the operation of the car park and the availability of car parking spaces. This is particularly significant as the district centre has limited car parking. The market organisers should engage with local businesses regarding parking management prior to market events;

- iii. The arrangements for the storage and collection of waste and the clearance of litter at the end of trading should be reviewed as the current arrangements are not considered to be satisfactory;
- iv. There is concern that the retail offer within the market does not reflect the social diversity of the area;
- v. The siting of the proposed electricity cabinet and removable barriers during market events hinder access to neighbouring properties.
- vi. There is concern that the operation of the market may not be undertaken in accordance with any site management conditions related to the development.

National Association of British Market Authorities (NABMA) – Levenshulme Market CIC is a member of the NABMA, which has written in support of the continued operation of the market. The NABMA has provided the following comments:

- i. In 2020, Levenshulme Market won the category of Best Small Outdoor Market in recognition of very important work they undertake in the local community;
- ii. Levenshulme CIC have successfully operated this market on a voluntary basis and provide an opportunity for many people to trade and shop. The market operation is considered to be a real community asset that is held in great affection in the locality.

Highway Services – Has no objection to the development and the following comments have been received:

- i. It is acknowledged that market events would reduce the availability of car parking. However, Highways have no evidence to demonstrate that these circumstances have adversely affected;
- ii. the operation of the district centre or surrounding streets;
- iii. Pedestrian and vehicle access arrangements are also acceptable.
- iv. Servicing would be potentially feasible of market days. However, its is noted the servicing distances to and from 2-4 Albert Road and 916-934 Stockport Road would increase during these times;
- v. Emergency access would be maintained via Farmside Place;
- vi. The proposed waste management arrangements are acceptable from a Highways perspective.

Environmental Health – Concerns regarding the increased frequency and duration of market events have been addressed through the reinstatement of the previously approved operating arrangements. In response to Environmental Health recommendations, the conditions have been recommended in relation to the following:

- i. A scheme being submitted to and approved prior to the installation of a mains electricity cabinet supplying energy to the market. The condition also requires the approval and implementation of arrangements for phased decommissioning and removal of the existing generator unit from the site;
- ii. Confirmation that the details of the previously approved noise assessment have been implemented, including its recommendation for the repositioning of intake and external outlets to a position away from the nearest residential uses;

- iii. A supplement to the waste management plan with arrangements for the storage and collection of mixed recyclable waste.

Flood Risk Management – No objection but it is recommended that an informative be included advising that electrical equipment is suitably located to reduce any potential risk from surface water flooding.

Greater Manchester Police Design for Security – Recommend that the development be supported with appropriate lighting and CCTV cameras. It is further recommended that routes through the site should be appropriately demarcated to maintain appropriate sight lines, facilitate pedestrian movement and to reduce the risk of crime.

Network Rail – No objection following amendments to the site layout plan.

Northern Rail – No comments received.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development.' 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 6: Building a strong, competitive economy – States that planning decisions 'should help create the conditions in which businesses can invest, expand and adapt.' It also emphasises the 'need to support economic growth and productivity, taking into account local business needs' (Paragraph 80). In this case, it is considered that the development provides opportunities for business innovation and diversification of the retail offer in the district centre. This presents potential opportunities to increase interest in the area, generate consumer footfall and create conditions to encourage wider retail and commercial development. Such outcomes are consistent with the objectives of chapter 6.

ii. Chapter: 7 - Ensuring the vitality of town centres – 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 (Paragraph 85). As stated, the development presents opportunities for diversification of the retail offer, which would enhance the vitality of Levenshulme District Centre and relates positively to chapter 7.

iii. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 91). These considerations have been related to the layout and design of the development and the potential incorporation of measures to address issues of security and potential opportunities for criminal and anti-social behaviour. It is not apparent that the previous operation of the market has been adversely affected by incidences of crime or anti-social behaviour. The layout of the stalls allows appropriate circulation through the site and aids natural surveillance within it. The proposed operating hours and not considered to be excessive within the context of a district centre and the provision of four access points aids the dispersal of customers at the ended of trading. The development is therefore considered to be appropriately related to chapter 8.

iv. Chapter 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

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

It is considered that the site is in a sustainable location regarding its access to public transport and measures can be put in place to improve access to the retained car parking area. The development would thereby be positively respond to the objectives of chapter 9.

v. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land. In this case, the site presents an opportunity for the limited provision of a market, whilst maintaining its use as car park at other times thereby responding positively to the objectives of chapter 11.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application reference has been given to the following aspects of the PPG, which have been positively responded to for the reasons set out in this report:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;

iii. Noise.

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

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

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

The positive benefits of the development have been balanced against the potential harm resulting for the temporary loss of the car parking areas and the continued activity concentrated around the site on market days. It is considered that any potential harm would be temporary and offset by site management and operational conditions. The operation market would be related to the established arrangements and would continue to positively contribute to a distinctive retail offer in Levenshulme District Centre. This contribution to the continued regeneration of the district centre would aid local economic recovery in the post-COVID period. The market is operated as a local social enterprise. Many of its traders have connections with the local area and use the market an outlet for the sustained operation of their businesses. The development would present continued opportunities for social interaction and engagement across a diverse community. Efforts have been made as part of the development to improve its environmental sustainability. It is therefore considered, on balance, that policy SP1 would be complied with.

Policy C 1 Centre Hierarchy - States that district centres, such as Levenshulme, have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. It is considered that the development would comply with policy C1 by encouraging the positive diversification of the retail and leisure offer in the district centre.

Policy C 2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, leisure activities and financial and legal services. The development would contribute positively to the character and vitality of the district centre by improving its retail and leisure offer and thereby ensuring compliance with policy C2.

Policy C6 South Manchester District Centres – Relates to Chorlton, Didsbury, Fallowfield, Levenshulme and Withington district centres. The policy states that Levenshulme District Centre has the capacity to support more sustainable shopping patterns, which is consistent with the nature of the development. It states that development should also contribute to the character of the centre and that the independent retail sector should be supported in Levenshulme alongside convenience shopping. It is considered that the development would continue to expand the retail offer in Levenshulme and would thereby be consistent with these objectives of policy C6.

Policy EC1 Employment and Economic Growth in Manchester - The relevant sections of policy EC 1 include the contribution of the development to:

- i. Improving access to jobs for all via public transport, walking and cycling;
- ii. Demonstrating that employment-generating development has fully considered opportunities to provide jobs for local people, through construction or use;
- iii. Ensuring the continued social, economic and environmental regeneration of the City.

It is considered that the development would provide opportunities for businesses directly involved in the delivery of the market. The expansion of businesses within the wider district centre also suggests that there has been an added local benefit from increased customer footfall that otherwise would not have been generated. Given its sustainable location the market would be accessible via sustainable transportation modes. It is considered that these outcomes respond positively to policy EC1.

Policy EC9 South Manchester - States that within South Manchester, including Levenshulme District Centre, development proposals and planning applications should ensure the efficient use of existing employment space and improve public transport, walking and cycling connectivity between residential neighbourhoods and employment locations. The development would provide temporary but regular space for economic activity that would be accessible via sustainable transportation links. The nature of the development would continue to make a positive contribution to the character of the neighbourhood and its vitality. Policy EC9 would thereby be accorded with.

Policy EN 8 Adaptation to Climate Change – States that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. The existing green roof to the storage container would be retained. The applicant has presented waste management plan with a strong emphasis upon recycling and waste reduction.

Further measures can be put in place to encourage sustainable travel to the market using public transport. Improvements would also be potentially delivered through the provision of a more efficient mains electricity supply. It is considered that these measures would be proportionate to the magnitude of the development and appropriately related to policy EN8.

Policy EN 14 Flood Risk – Requires that consideration be given to flood risk and the necessary improvement to drainage. The car park has not been identified as a location of significant floor risk but the recommendation of the Flood Risk Management Team regarding the future arrangements for the positioning of electrical equipment can be related to the development as an informative.

Policy EN19 (Waste) – Requires that submitted waste management arrangements satisfactorily demonstrated how sustainable waste management needs of the end user will be met. Policy EN19 has been related to the proposed waste management arrangements. The applicant has demonstrated a commitment to waste reduction and recycling as part of the market operation. Notwithstanding the applicants' comments, it would seem likely that some, albeit limited, mixed recycling waste would be generated. In response and to address Environmental Health comments, a condition is recommended to ensure that mixed recycling would be accommodated in the waste storage enclosure. Given the size of the enclosure it is considered mixed recycling could be satisfactorily accommodated to ensure compliance with policy EN19.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport.

Policy T 2 Accessible areas of opportunity and need - The Council will actively manage the pattern of development and the relevant section of the policy states: that new development should provide appropriate car parking facilities, including meeting the needs of disabled people and the provision cycle parking.

In this case, the application site benefit strongly from its sustainable location with easy access to bus routes along Stockport Road and Albert Road. Access to the development is therefore not upon travel using private transport. The recommended operational conditions would also help to manage to access to retained car parking spaces and traffic generation to and from the site. These measures would help to offset the impact of reduced district centre car parking on market days and would represent improvements to the established circumstances. On this basis, policies T1 and T2 would be positively responded to.

Policy DM1 Development Management - States that all development should have regard to the following specific issues, which are relevant in relation to the proposed development:

- i. Appropriate siting, layout and scale;
- ii. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- iii. Development should have regard to the character of the surrounding area;

- iv. Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, road safety and traffic generation;
- v. Accessibility - For people with disabilities and via sustainable transport modes;
- vi. Community safety and crime prevention;
- vii. Refuse storage and collection;
- viii. Vehicular access and car parking;
- ix. Flood risk and drainage.

The development would incorporate a layout that would deliver inclusive access, provide appropriate pedestrian flows through the market and secure appropriate natural surveillance. The impact of noise and activity have been related to the context of the site as a district centre location positioned between a major road and railway line. Controls over levels of activity would be maintained through the site management plan and operating hours conditions. Issues relating to waste and recycling storage, car parking and flood risk have been appropriately assessed as part of the consideration of the development. It is considered that development would accord with policy DM1.

Unitary Development Plan saved policies - The following policies are relevant:

Part 1 policies

Policy E3.3 – This policy applies to Stockport Road as a major radial route to the City Centre. However, views of the site from Stockport Road are limited and any impact upon it would be limited to related activity from traders and visitors accessing and egressing the site and the siting of a small number of stalls along Station View. A more significant impact would be related to views of the site from the elevated section of the adjacent railway line and Levenshulme Station. It is considered that the appearance of the market would not be harmful to visual amenity and would add vibrancy to the district centre. It is considered that measures can be put in place to maintain the condition of the site through arrangements for waste storage and the managed removal of litter. It is therefore considered that the development would comply with policy E3.3.

Policy S1.2 (Shopping) – Encourages the delivery of improvements to existing district centres so that they remain the focus for retail and community activity. It is considered that the managed implementation of the development has the potential to complement existing retail and business activity in the district centre. The development would thereby accord with policy S1.2.

Part 2 policy

Policy DC26 (Development and noise)

Policy DC26.1 - The proximity of the site to residential uses has necessitated the consideration of the impact of noise, attributable to the development, on people living and working nearby. Policy DC26.1 is relevant in this regard.

Policy DC26.5 - In recognition of the noise potentially generated by the use, policy DC26.5 is referred to ensure the control of noise levels by requiring, where necessary, appropriate noise insulation to external equipment.

The amended proposal has been related to the previously established operating arrangements that have been in place since August 2017 without apparent or undue noise disturbance or harm to residential amenity. As previously discussed, the local noise environment is characterised by district centre activity that takes place throughout the day and into the evening. Weekend activity is also usually more significant in district centre locations and the operation of the market would be related to these more specific noise characteristics. Notwithstanding the above, the recommended additional operational management conditions would be required to secure appropriate noise mitigation to safeguard against undue noise and disturbance. On this basis, policy DC26 would be complied with.

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

In this case, officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions have been undertaken between officers and the applicant that have secured reduction in the frequency of market events to ensure that related activity would not disproportionately affect the wider operation of Levenshulme District Centre and local amenity. Further discussions with the applicant have informed the recommended schedule of conditions, which related to a detailed understanding of the development and how it may be undertaken without causing undue harm. It is considered that the planning application has been supported with sufficient information to allow its appropriate assessment.

Principle of the development – The market has established its presence as part of the district centre since the use first commenced in 2013. During this time, it has contributed to an expansion in the diversity and range of the retail offer within Levenshulme District Centre. It has also contributed to an increase in the number of visitors to the area and it appears that many local businesses have benefitted from linked trips to shops, bars, pubs and restaurants in the district centre. The increased interest in the district centre has also been linked to the introduction of new bars and other businesses along Stockport Road.

The proposed frequency and duration of market events has been amended in response to local concern regarding potential disruption to the operation of the car park, including the availability of car parking. It is considered that reinstatement of the previously approved operating arrangements would give a high degree of certainty regarding the impact of the development and the continued appropriateness of its location in the district centre. The operation of the market would be improved by the recommended conditions. On this basis, it is considered that the principle of the development continues to be acceptable.

Residential Amenity - The site is within the busy and vibrant Levenshulme District Centre and adjacent to an active railway line. The site is therefore located in a relatively noisy environment. Apart from accommodation above retail / commercial units and 6 - 8 Albert Road, there is relatively limited residential use surrounding the site. The development would be appropriately related to and reflective of the characteristics of the district centres. The development would be related established operational arrangements and any impact would be temporary, predictable and controlled through enhanced site management conditions. The impact on the development on residential amenity is therefore considered to be acceptable.

Site management plan – The applicant has submitted a transport statement that identifies potential arrangements for the provision of remote off-highway car parking for use by traders not requiring access to their vehicles during the operation of the market. This would release the availability of spaces within the retained car park and ensure that traders' vehicles would not be parked in neighbouring residential streets. The applicant is amenable to a site management condition that would clearly set out the requirements for the operation of the market. The recommended condition would require:

- i. Specification of the location and number of remote off-highway car parking spaces to be made available to traders not requiring access to their vehicles during the operation of the market. Arrangements would be put in place to ensure that vehicles would only be brought to the site prior to market set up and following the end of trading but remaining off-site whilst the market is in operation. An exception would be made for traders requiring essential and frequent access to their vehicles during trading, e.g., food businesses needing to re-stock refrigerated goods;
- ii. The provision of stewards to marshal vehicles to and from the car park during market set up and car parking reinstatement. Marshals would also assist pedestrian and vehicular movement during the operation of the market;
- iii. The setting out of the market in accordance with the approved layout arrangements, including the maintenance of circulation strips adjacent to the access to the rear of properties located to the east and south of the site;
- iv. The immediate cessation of music transmission at the end of trading and throughout the car park reinstatement period;
- v. Display of signage to aid circulation around the site and the dispersal of customers at the end of trading;
- vi. Ensuring that all segregated waste, recycling and litter is collected and appropriately stored in the identified waste storage enclosure whilst awaiting collection;
- vii. The storage of stalls, gazebos and temporary barriers in the on-site container unit and waste management enclosure.

The recommended site management plan would formalise many of the existing operating arrangements adopted by the applicant thereby giving a high degree of confidence that the above condition would be accorded with.

Highways Issues – The existing car park has 52 demarcated spaces and the applicant has indicated that the market would temporarily suspend the use of 25

spaces. The remaining 27 spaces would remain publicly available whilst the market is in operation. The concerns of objectors regarding access to a reduced level of car parking have been considered. Highway Services have not identified any adverse impacts associated with the on-going operation of the market, including undue displacement of car parking on to neighbouring streets. The site is in a sustainable location with access to rail and bus links and easily accessed by pedestrians and cyclists. The need to access the site by private car is thereby significantly reduced. The car park is publicly accessible and it will not be possible to allocate spaces for the specific use of neighbouring businesses.

Notwithstanding the above, the submitted transport statement provides a detailed assessment of visitor travel patterns. It also details a commitment to the promotion of sustainable transport options, which would be promoted via the Levenshulme Market website. Although, there are no restrictions to prevent traders from using the retained public car park, the applicant has identified measures to secure off-site car parking for traders. It is considered that the above commitments can be linked to the development through the site management plan condition, which would facilitate greater access to retained car parking spaces. It is considered that these arrangements would enhance the previously approved market operation.

The comments of businesses regarding impact of the development on servicing and deliveries have been assessed. The application site primarily functions as a car park when the market is not in operation. Whilst there may be opportunities for servicing of neighbouring businesses via the car park, this would be dependent upon the capacity of the vehicle to access and manoeuvre through the car park when it is in operation. Servicing would also be affected by the number of parked cars and their proximity to neighbouring businesses. The siting of market stalls would appear to have an impact on servicing and deliveries that would be comparable to the occupation car parking spaces adjacent to neighbouring rear yard areas. Notwithstanding the above, the setting out of the market to safeguard access to neighbouring properties has been agreed with the applicant. The operation of the market would take place on advertised dates and times and it would seem possible to arrange deliveries outside of these periods. On balance, it is not considered that any disturbance would be temporary and manageable.

Access to neighbouring properties – Previously expressed concerns regarding access to the rear of properties located between 2 to 8 Albert Road have been addressed through the omission of the related strip of land from the application site and the relocation of the waste storage enclosure.

Consideration has been given to objectors' comments in relation to the impact of the siting of market stalls on the rear access to properties situated between 916 – 924 Stockport Road. An assessment of the existing car parking arrangement has found that vehicles are routinely parked adjacent to the rear boundaries of the above properties and restriction to access is an existing circumstance. Notwithstanding the above, the applicant has acknowledged the need to facilitate access to neighbouring properties. The proposed layout of the market clearly relates the operational area of the market would be related to the perimeter of the car park to avoid encroachment on to the former alleyways sited adjacent to the southern and eastern boundaries of neighbouring properties (as shown in Fig.3). The containment of the development

within the identified application site would be secured by condition. The impact of any disruption to access would be reduced through changes to the frequency of market events and would be related to circumstances established over a number of years. On this basis, it is considered that the concerns of objectors have been satisfactorily responded to.

Number of stalls – The development replicates the previously approved siting of 50 stalls within the southern section of the car park but omits 10 market stalls previously permitted on Levenshulme Village Green located at the corner of Stockport Road and Chapel Street. A condition has been included to ensure that the capacities of the site are not exceeded by limiting the operation of the development to a maximum of 50 stalls.

Opening hours and operating period – The arrangements approved under planning permission ref: 116414/FO/2017 would be related to the development by the recommended condition to the market to operate between 1 March to 31 December over a four year period and during the following hours:

- i. Saturday market – 10.00 am to 4.00 pm;
- ii. Friday market (10 events only per calendar year) – 5.00 pm to 9.00 pm.

It is considered that the above arrangements have operated appropriately over a number of years and there is satisfactory a high degree of certainty that its future operation would be manageable.

Site set up, reinstatement and servicing hours - The existing car parking has an authorised 24-hour operation and generates related daytime, evening and night-time activity. However, it is acknowledged that the development would generate concentrated activity operation during the early morning site set up and reinstatement in the later evening period. The applicant has indicated that the market requires a 3 hour set up period with less time required for site reinstatement. To address any related impact on residential amenity, a condition has been recommended to ensure that: no loading or unloading, including work relating to the market site set up and reinstatement and storage of removable equipment, shall be carried out on the site outside the hours of:

Friday Market (10 events per year): 12 noon and 12 midnight;
Saturday weekly market: 6.00 am and 8.00 pm.

Inclusive access – The access points to the car park from adjacent streets are level and appropriate circulation spaces within and between the stalls would be provided. Inclusive access would thereby be achieved.

Waste management – In response to amendments to the reconfiguration of the application site, the existing waste storage enclosure would be relocated to a position adjacent to the western elevation of the retained storage container. It would again be enclosed with 2.4 metre high paladin fencing and gates. A condition has been recommended to ensure that the waste compound is suitably enclosed as part

of the implementation of the development. The applicant has indicated that the following bins would be retained within the waste enclosure:

- i. General waste – One, 1100 litre Eurobin;
- ii. Pulpable recycling - One, 1100 litre Eurobin;
- iii. Food waste – One, 240 litre wheeled bin.

As part of the market operation, four waste sorting stations would be positioned at the corners of the market consisting of three bins providing on-site sorting of organic waste, mixed cardboard and paper and general waste. Traders would be encouraged to use recyclable or biodegradable packaging, including the market bar which would continue to use plastic pint 'glasses' that are re-used through a deposit scheme. In response to the concerns of local objectors, the applicant maintains that the dispersal of litter is not directly attributable to the market and has advised of reports that have been made to the Council regarding fly-tipping and takeaway waste within the car park.

The applicant has advised that in 2017 waste outputs were assessed and it was found that the market generated very little mixed waste, including glass bottles, drink cans and recyclable plastic. However, it would seem likely that some, albeit limited, mixed recycling waste would be generated. A condition has therefore been recommended to ensure that any generated mixed recycling is appropriately stored in the waste enclosure. It is considered that these arrangements can be delivered due to the size of the enclosure area. These additional arrangements, in conjunction with the recommended service plan condition, would address residents' concerns relating to waste management and litter around the site are addressed.

Carbon reduction – The development benefits from sustainable transport links, is accessible on foot and cycle and provides opportunities for retail sales with a reduced reliance on private car usage. The proposed phased provision of a mains electricity supply would be dependent upon landlord consent. However, its delivery would secure a 'greener', more efficient and less polluting energy supply, thereby improving the existing circumstance. Comprehensive arrangements for waste management and recycling would significantly reduce the environmental impact of the development. The retained storage container incorporates a green roof, which also produces environmental benefits. The development would thereby make an appropriate contribution to carbon reduction and environmental sustainability.

Crime reduction and security – The previous operation of the market does not appear to have been related to significant incidences of crime or anti-social behaviour. The comments from GM Police Design for Security would be positively responded to through the layout of stalls and pedestrian routes through the site. These arrangements would allow sight lines to be maintained and natural surveillance secured to reduce opportunities for criminal activity and anti-social behaviour. The evening operation of stalls would continue to be supported with lighting thereby positively responding Design for Security comments. The provision of CCTV to specifically support the operation of the market would not be viable given the temporary nature of the development. The arrangements for the secure storage of stalls, equipment, segregated waste would be retained and are considered to be appropriate. The existing circumstances would be potentially improved by the recommended site management plan, which would aid the future operation of the

market, including arrangements for the dispersal on customers at the end of trading. It is therefore considered that issues relating to crime reduction and security would be positively responded to.

Conclusion - It is considered that development would make an on-going and positive contribution to Levenshulme District Centre and its regeneration by attracting visitors to the area who in turn make linked trips to neighbouring businesses. It is also considered that the recommended operational conditions would improve the management of market events and address concerns raised by neighbouring residents and businesses. The approval of the development for a temporary 4 year period is therefore recommended on the basis of the specified duration and frequency of market events.

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

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

Recommendation: Temporary Approval for a 4 year period expiring on 1 July 2025

Article 35 Declaration

In this case, officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions have been undertaken between officers and the applicant that have secured reduction in the frequency of market events to ensure that related activity would not disproportionately affect the wider operation of Levenshulme District Centre and local amenity. Further discussions with the applicant have informed the recommended schedule of conditions, which related to a detailed understanding of the development and how it may be undertaken without causing undue harm. It is considered that the planning application has been supported with sufficient information to allow its appropriate assessment.

Condition(s) to be attached to decision for approval

1) The permission hereby granted is for a limited period only, expiring on 1 July 2025 and the works and use comprising the development, for which permission is hereby granted, shall be respectively removed and discontinued. The land shall be reinstated in accordance with a scheme to be submitted to and approved in writing by the City Council local planning authority before this permission expires and implemented in accordance with and an agreed timetable.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 27 December 2020, 19 March 2021, 24 May 2021 and 10 June 2021:

Planning application forms (as amended by email of 10 June 2021 from Levenshulme Market CIC confirming the proposed operation of a weekly market on Saturdays (10am-4pm) between March and December (Inclusive) and no more than 10 annual Friday night-markets (5pm-9pm))

Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 20201210 _ ExistingWiderSitePlan_V4

Location Plan Ref: Drawing No: 20201210_ExistingLocationPlan_V4

Temporary market container & electrical cabinet location Ref: Drawing No: 0201123_SitePlan_V5

Waste Management & Collection Plan - Drawing No: 201210_WasteCollectionPlan_V4

Reconfigured recycling compound fence Ref: Drawing No: 20170519_ProposedContainerPlan_V1

Parking Statement by Levenshulme Market – December 2020

Design & Access Statement by Levenshulme Market (est.2013) (Version 4) dated June 2021

Waste Management Proforma dated 27 December 2020

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

3) The use of the land as a retail market, as identified on approved drawing referenced: Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 20201210 _ ExistingWiderSitePlan_V4 shall only take place on the basis of a weekly market on Saturdays (10am-4pm) between March and December (Inclusive) and no more than 10 annual Friday night-markets (5pm-9pm) and at no other times.

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

4) The authorised retail market shall consist of no more than 50 stalls with associated gazebos, which shall be laid out in accordance with the details shown on drawing referenced: Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 20201210 _ ExistingWiderSitePlan_V4. The pedestrian / cycle routes running through the site and connecting Stockport Road and the 'Street With No Name' shall remain unobstructed at all times.

Reason - In order to protect the amenity of local residents and secure the appropriate operation of the authorised market pursuant to policies SP1, C2, EC9, S2.4, T1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

5) Within one month of the planning permission hereby granted, a site management plan shall be submitted to and approved in writing by the City Council as local planning authority detailing:

- i. The specified location and number of remote off-highway car parking spaces to be made available to traders not requiring access their vehicle during the operation of the market. Arrangements shall ensure that traders vehicles would only be brought to the site prior to market set up and following the end of trading and remain off-site whilst the market is in operation;
- ii. The provision of stewards to marshal vehicles to and from the car park as part of the market set up and car parking reinstatement and assist pedestrian and vehicular movement during the operation of the market;
- iii. The setting out of the market in accordance with the approved layout arrangements, including the maintenance of circulation strips adjacent to the access to the rear of properties located to the east and south of the site;
- iv. The immediate cessation of music transmission at the end of trading and throughout the car park reinstatement period;
- v. Signage to aid circulation around the site and the dispersal of customers at the end of trading;
- vi. Ensuring that all waste, recycling and litter is collected and appropriately stored in the identified waste storage enclosure whilst awaiting collection;
- vii. The storage of stalls, gazebos and temporary barriers in the on-site container unit and waste management enclosure.

Reason - In order to protect the amenity of local residents, in the interests of pedestrian and highway safety and to secure the appropriate operation of the authorised market pursuant to policies SP1, C2, EN19, EC9 and T1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

6) All stalls, gazebos and moveable equipment shall be removed from the car parking area at the end of each daytime and evening trading period and securely stored within the container and enclosed compound area as shown on the drawing referenced: Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 20201210 _ ExistingWiderSitePlan_V4 and Reconfigured recycling compound fence Ref: Drawing No: 20170519_ProposedContainerPlan_V1 until the next market is held.

Reason - In order to protect the amenity of local residents and secure the appropriate operation of the authorised market pursuant to policies SP1, C2, EN19, EC9 and T1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

7) No loading or unloading, including work relating to the market site set up and reinstatement and storage of removable equipment, shall be carried out on the site outside the hours of:

Friday Market (10 events per year): 12 noon and 12 midnight;
Saturday weekly market: 6.00 am and 8.00 pm;

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

8) Before its installation, details of the specification, appearance and operation of the mains electricity supply cabinet detailed in Design & Access Statement by Levenshulme Market (est.2013) (Version 4) dated June 2021 and Temporary market container & electrical cabinet location Ref: Drawing No: 0201123_SitePlan_V5, shall be submitted to and approved in writing by the City Council as local planning authority. The scheme shall also include details relating to the timescale for the decommissioning the existing generator and the cessation of its use and removal from site along with any associated plant and equipment. The development shall be fully implemented in accordance with the approved details, in accordance with an agreed timescale and maintained in situ thereafter and whilst the market is in operation.

Reason - In the interests of residential amenity and to reduce to the risk of noise disturbance pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Unitary development Plan and the guidance contained in the National Planning Policy Framework.

9) Within one month of the planning permission, written confirmation shall be submitted to and approved by the City Council as local planning authority, confirming that the details of Noise Assessment by Hoare Lea dated 30 June 2014 and Ref: LET-1-MCC-10-053-MM-30062014_D and stamped as received by the City Council on 30 May 2017, including its recommendation for the repositioning of intake and external outlets to a position away from the nearest residential uses. The generator unit shall be undertaken in accordance with the period preceding the cessation of its use, decommissioning and removal from site.

Reason- In the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and policy DC26 of the saved Unitary Development Plan for the City of Manchester.

10) Notwithstanding the details of the waste management strategy and before the commencement of the authorised development the submitted waste management strategy received on and comprising:

Waste Management & Collection Plan - Drawing No:
 201210_WasteCollectionPlan_V4
 Reconfigured recycling compound fence Ref: Drawing No:
 20170519_ProposedContainerPlan_V1
 Waste Management Proforma dated 27 December 2020

shall be supplemented with a drawing confirming arrangements for storing any mixed recycling the waste and recycling enclosure. The approved waste management strategy shall be implemented upon first commencement of the authorised development and remain in place at all times whilst the market is in operation.

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

11) Before the commencement of the authorised use, the waste and recycling enclosure, as shown on drawings referenced: Levenshulme Market trading sites & indicative gazebo layouts Ref: Drawing No: 20201210 _ ExistingWiderSitePlan_V4 and Reconfigured recycling compound fence Ref: Drawing No: 20170519_ProposedContainerPlan_V1 shall be fully implemented and comprise 2.4 metre high paladin fencing and gates with a green colour treatment. The implemented enclosure shall be maintained in situ thereafter.

Reason – In the interest of residential amenity and to ensure the appropriate storage and collection of waste and recyclable material pursuant to policies SP1, EN10 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: 129010/FO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

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

Representations were received from the following third parties:

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

