



Planning and Highways Committee

Date: Thursday, 20 January 2022

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.**

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, Flanagan, 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 16 December 2021 7 - 10
- 5. 131895/JO/2021 - Coleshill Street Manchester M40 8HH - Miles Platting & Newton Heath Ward** 11 - 48
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 6. 131708/FO/2021 - 87 Rochdale Road Manchester M4 4JD - Piccadilly Ward** 49 - 134
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 7. 131314/FO/2021 - Speakers House 39 Deansgate Manchester M3 2BA - Deansgate Ward** 135 - 212
The report of the Director of Planning, Building Control and Licensing is enclosed.

**8. 132069/FO/2021 - Former Police Station Car Parking Area
Davenfield Grove Manchester M20 6UA - Didsbury West
Ward**

213 - 228

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

Meeting Procedure

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

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

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

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

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

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

External participation in the Committee's online meetings

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

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

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

Information about the Committee

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

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

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

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

Further Information

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

Ian Hinton-Smith
Tel: 0161 234 3043
Email: i.hintonsmith@manchester.gov.uk

This agenda was issued on **Wednesday, 12 January 2022** 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, 16 December 2021

Present: Councillor Curley (Chair)

Councillors: S Ali, Andrews, Y Dar, Davies, Flanagan, Kamal, Lovecy, Lyons, Riasat and Stogia

Apologies:

Councillors Baker-Smith, Kirkpatrick and Richards

Also present:

Councillor Sarah Judge

PH/21/86 Supplementary Information on Applications Being Considered

There were no late representations received in advance of the meeting.

PH/21/87 Minutes

Decision

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

PH/21/88 128916/FO/2020 - The Moss Nook at the corner of Trenchard Drive and Ringway Road, Manchester, M22 5NA - Woodhouse Park Ward

This application was placed before the Committee on 23 September 2021, but determination was deferred in order to allow the Committee to undertake a site visit. The application was then placed before the Committee on 21 October 2021. At that meeting the Committee resolved that it was 'minded to refuse' the application and requested officers bring a report to a future meeting to address the concerns.

The Moss Nook is a part single/part two storey building with living accommodation in the roofspace. It sits on the north-eastern corner of the Trenchard Drive/Ringway Road junction and while currently vacant it was last used as a restaurant with living accommodation above. To the rear of the property there is a garden area and a 20 space car park. Beyond the car park stands a 2 storey office building and its associated car parking. To the front of the property, on the opposite side of Trenchard Drive, stands The Tatton Arms PH. To the side of the property stands nos. 6-8 Trenchard Drive, a detached 2 storey office building and a detached outbuilding which also serves as an office. The remaining properties on Trenchard Drive are all dwellinghouses. On the opposite side of Ringway Road stands Smithy Farm.

The applicant was proposing to demolish the existing property and erect a part two/part three storey 30 bed hotel. At the rear of the proposed building the applicant

originally proposed a 24 space car park accessed off Ringway Road, along with a cycle and bin store. Following concerns about parking numbers, this element of the scheme has been amended and the number of parking spaces increased to 30. Access to the car park would be via an Automatic Number Plate Recognition (ANPR) controlled barrier. Two of the car parking spaces would be fitted with vehicle charging points; two would be designated disabled bays and three would be designated as *night spaces*, i.e. to be used for guests arriving late at night.

The Planning Officer confirmed that there were no late representations to add, stated that the car parking scheme had been upscaled to 30 places (1 per room) and added that the officer's recommendation was for Approval of the application, although there were 2 potential reasons in the report for the Committee to refuse.

An objector addressed the Committee and spoke against the application, stating that there were 55 objections from local residents who shared the same feelings. The objector expressed that the application was incompatible with the area, being too large a proposal and noting that it would change the dynamic of the local area with the hotel requiring 24/7, 365 days a year access for deliveries, drop offs and pick ups. This would bring a larger number of people and vehicles into the area, which the objector stated was already surrounded on all sides by other locations such as business parks and Manchester Airport. Previously, Moss Nook restaurant had submitted a planning application for hotel status and this had been rejected as incompatible to the area and the objector explained that this had been a smaller proposal than the current application. The objector further expressed that the upscaled car parking was still not enough but added that there was insufficient space to do add more and added that public transport links were not local to the proposal. The objector concluded by saying that he was aware of 25-plus other Airport Hotels, others in progress and felt that this application was unnecessary.

The applicant addressed the Committee on the application.

A Local Ward Councillor addressed the Committee on the application, firstly expressing her thanks to local residents for their engagement with the scheme. The Ward Councillor stated that the 30 car parking spaces did not take account of staff and that there were already parking issues in the area which would be exacerbated if the application was approved. Deliveries and overnight traffic would affect the roads and the local area greatly and the overall design of the proposal would not be in keeping with the historic cottages and village feel of the area. The Ward Councillor concluded by requesting that the Committee refuse the application.

The Planning Officer stated that officers had taken on board the previous concerns of the Committee and referred to the potential reasons for refusal within the report.

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

Councillor Lovecy confirmed that she had voted for the refusal in October 2021 and was not persuaded by the new proposal, adding that she shared the viewpoints of the resident objector and Ward Councillor in that the scheme was out of keeping with the local area and not convenient to public transport links. Councillor Lovecy proposed a decision of Minded to Refuse.

The Planning Officer referred to the potential reasons for refusal within the report.

Councillor Andrews stated that the Officer's recommendation had been Refuse in October 2021, that he was in support of the reasons given for refusal within the latest report and moved a recommendation of Refusal for the application for the reasons set out within the report.

Councillor Stogia seconded the proposal.

Decision

The Committee refused the application for the reasons detailed in the report submitted:

1. The proposal would have a detrimental impact on the amenity of neighbouring residents, particularly in relation to those residing on Trenchard Drive and Maroon Road, due to the increase in the comings and goings to and from the site and the associated noise and disturbance and increase in traffic late at night and during the early hours of the morning, contrary to Policy DM1 in the Manchester Core Strategy and Saved UDP Policy DC26.
2. The proposed development by reason of its design and scale would form an overly dominant and incongruous feature in the street scene to the detriment of visual amenity and the character of the area in general, contrary to Policy DM1 in the Manchester Core Strategy and the guidance contained within the NPPF.

This page is intentionally left blank

Application Number	Date of Appln	Committee Date	Ward
131895/JO/2021	12 October 2022	20 January 2022	Miles Platting & Newton Heath Ward

Proposal Application to remove condition 44 (Affordable Housing) attached to planning permission ref: 125596/FO/20219

Location Coleshill Street, Manchester, M40 8HH

Applicant Mr Saif Uddin , ENGIE Services Ltd and Landcare (East Manchester) Ltd, Q3 Office Quorum Business Park, Benton Lane, Newcastle Upon Tyne , NE12 8EX,

Agent N/A

Executive Summary

Permission is sought to remove condition no.44 attached to planning permission reference 125596/FO/2019 (approved subject to conditions and a section 106 agreement on 10th November 2020), which relates to affordable housing.

The approved scheme for 410 new homes, was accompanied by an Affordable Housing Statement, which outlined that the viability of the scheme had been considered in line with best practice and as such a Viability Assessment was submitted for consideration. There are complex ground conditions on the site, which impact on viability, and it was demonstrated that, in itself, the development could not support affordable housing. Through the involvement of a Registered Provider, however, 114 affordable dwellings are to be provided on the site through grant funding from Homes England.

Since the granting of the planning permission, Homes England has confirmed that the houses would not qualify for funding if they are subject to a planning condition. In this instance the affordable homes would be delivered and secured via the Development Agreement with the City Council and provisions in the leases (fulfilled by virtue of the City Council's landownership interest), rather than by way of condition no.44.

A full report is attached for Members' consideration.

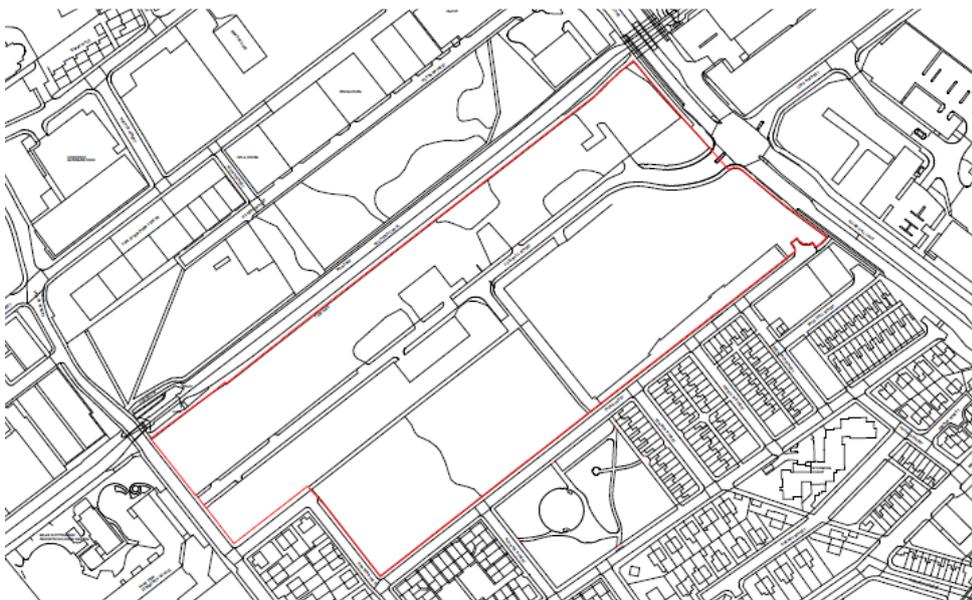
Site Description

The application site covers an area of approximately 6.4 hectares and includes the former Manox site (chemical dye factory). It is bounded by the Rochdale Canal (and associated tow path), grassed brownfield land and commercial /industrial uses to the north. To the south is Iron Street; this area to the south is largely residential and includes a play area. There are further residential properties to the west and across Varley Street is Victoria Mill (Grade II * listed building) which has been converted to residential use. To the east across Alan Turing Way there are commercial /industrial uses.

The topography of the site is predominantly flat, but it does have some areas of mounding due to previous earthworks. It is regular in shape and is currently vacant industrial land, a former playing pitch and informal open space. This is grassed, with some trees in its corners and along the boundary with Iron Street. The former industrial element of site is secured by a mixture of boundary treatments including brick walls and piers and palisade fencing set above the wall between the piers, concrete post and panel fencing and palisade security fencing.

Access is currently provided from a number of points from Varley Street, Iron Street, Coleshill Street and Hulme Hall Lane. Primary access to the proposed development is to be provided via the existing A6010/Coleshill Street/Lord North Street signalised junction to the north-east and via Holland Street/Varley Street to the south-west. A spine road would run through the site connecting the two primary access junctions, and the alignment of the spine road has been designed to discourage through vehicle movements, with traffic calming measures to also be provided. The existing Coleshill Street connection with the A6010/Lord North Street signalised junction is to be amended as part of the proposals and controlled pedestrian crossing facilities are to be provided. The main spine road would connect with the existing alignment of Holland Street to the south-west of the site, which in turn connects with Varley Street at an existing priority T-junction. The Danson Street/Holland Street junction would be amended so that Danson Street becomes the minor arm, giving way to movements on Holland Street. Vehicular access is also to be provided via a number of connections with Iron Street to the south-east of the site, which would link through to the main spine road. A number of minor routes are to be provided to connect to the north-west of the spine road to provide access to the remainder of dwellings within the site.

The application site can be seen below:



The site is not located within a Conservation Area. The nearest listed building is Victoria Mill which lies approx.72m to the north west of the site, with the Corpus Christie Basilica (Grade II) on Varley Street 255m to the north.

Approved development

Following the Committee being minded to approve a residential led scheme at the meeting on 24th September 2020 (subject to a section 106 legal agreement), planning permission was granted on 10th November 2020. The consent is subject to a number of condition and the S106 agreement which requires viability to be re-tested at a trigger point, a requirement to finance the future administration, enforcement and maintenance of the residents permit parking scheme, and to pay a contribution towards the improvement of recreational facilities and/or sports facilities within the Miles Platting and Newton Heath Ward.

The approved scheme (planning reference 125596/FO/2019) is for the 410 new dwellings (Class C3) and 744sq.m of commercial floorspace (Class E uses) together with recreation open space and landscaping, infrastructure provision and car parking.

A variety of house types ranging in size and design (2 bedroom 4 person, three bedroom 4 person, three bedroom five person and three bedroom six person houses) along with 107 apartments, which all met the Council's approved space standards. The development also includes two blocks of apartments located along the south western boundary of the site adjacent to Varley Street, close to the junction with Holland Street, with a further two blocks fronting onto Hulme Hall Lane in proximity to Coleshill Street.

The approved layout is in the form of a grid iron pattern of buildings with the majority of houses facing onto the street (some terraces facing the canal would face onto pedestrian routes which link to the proposed highways). Each dwellinghouse has a small rear garden and access to larger shared courtyard areas which includes some off-street parking provision. On street parking is to be controlled by the use of permits. A range of different tenures were included, with build to rent and affordable housing being delivered through the registered provider (One Manchester). Overall, there are to be 36 Shared Ownership, 34 Affordable Rent, 44 rent to buy and 296 Build to Rent properties.

The proposed commercial floorspace is primarily to be located at ground floor level within the apartment block fronting onto Hulme Hall. The new highway network to serve the site, will connect Hulme Hall Lane in an east west direction to Varley Street. Car parking will be provided together with cycles spaces and parking spaces for disabled users. Parking for the most part is in the form of on street bays and will be managed through a residents' permit scheme. Associated landscaping, boundary treatments, new highways with street trees, and significant site remediation are also proposed. The site will incorporate seven key areas of open space each with its own distinct character, but which will create a chain of practical and useable space for future and existing residents. The scheme will also include a number of substations..

Description of development

As noted the applicant is seeking to remove condition 44 (Affordable Housing) attached to planning permission ref: 125596/FO/2019, which states:

Prior to the commencement of the development (excluding Phase 0 works), a scheme for the provision of affordable housing as part of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme,, or any amended scheme in relation to the tenure mix subsequently approved in writing by the City Council as local planning authority, and shall meet the definition of affordable housing in Annex 2 of the NPPF (or any future guidance that replaces it). The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 28% of the dwellinghouses in accordance with the submitted Affordable Housing Statement;
- ii. the timing of the construction of the affordable housing;
- iii. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- iv. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced

The affordable housing scheme shall be implemented as part of the development and thereafter retained in perpetuity’.

Homes England has since the grant of the permission raised a concern that the phrasing of condition no.44 is not compatible with their funding conditions, in that it renders the units covered by planning condition 44 ineligible for affordable home programme grant. The applicant and the Registered Provider remain committed to the delivery of the affordable homes on the site and an alternative delivery mechanism has been agreed. In this instance the delivery of the 114 affordable dwellings would be via the Development Agreement with the City Council and provisions in the leases, rather than a planning condition.

For avoidance of doubt all other documents, drawings and reports approved as part of planning permission Ref. 125596/FO/2019 remain unchanged and unaffected by the removal of the condition.

Consultations

Local residents – 3 objections have been received from local residents on the grounds that this will result in the developer being able to avoid the construction of affordable housing which is affordable. One resident states the removal of legislation which currently requires them to construct affordable housing, would potentially leave the development open to exploitation for purely financial gain rather than creating housing opportunities for all people, which was the initial proposal for this development.

Another resident states that the council determined that affordable housing was required in the original application pursuant to NPPF and council policies, and the development of this site is needed. Therefore, they find it objectionable that the developer should believe, with no reason, they can remove this requirement and still seek the profits from developing the land.

Significant concerns have been expressed by another resident, that the developer secured a large scale planning permission in a highly working class area, only to then try and remove the requirement to provide affordable housing. The lack of housing adversely affects the young and those on lower incomes. The resident advises they could not have bought their home in this area if it were not for affordable housing prices and would be disgusted to see the possibility removed for others. They consider it a disgrace if the council were to allowed developers to shirk their responsibilities to local communities in this way.

Local businesses - An objection has been received from a local business on the grounds that the site is proposed to be developed for residential purposes. They feel that the development would be detrimental to the regeneration scheme for Sport City and East Manchester , and that the scheme is not in keeping with the progressive cosmopolitan image of the area, and nor in their view would the proposal sit well with the live music venue, which is currently being developed in proximity to the Stadium. The business has outlined their own future plans for their business and feel the development of affordable housing in proximity to their site would not complement the international influx of guests that their business , the stadium and the music venue would attract.

They make further comments that plans for affordable housing would hinder the image of the area and raise concerns regarding the layout and density of the proposed scheme, and that it would not be sympathetic to the local landscape.

Highways Services - consider that the proposals will not have an impact on the highway therefore they have no objections.

Transport for Greater Manchester- There are no comments required from TfGM in respect of this application.

The Canal and Rivers Trust –Have no comments to make on this proposal.

Environmental Health - Have no comments.

The Coal Authority – The application site does fall within the defined Development High Risk Area. However, on the basis that the condition which this application is seeking the removal of, is not specifically relevant to coal mining issues, the Coal Authority has no objections to this planning application.

Flood Risk Management Team – recommend drainage Conditions 41 and 42 which formed part of the decision in respect of planning permission ref: 125596/FO/2019 are attached to any planning approval.

They also recommend an informative relating to Shooters Brook is attached to any planning approval.

United Utilities - Any comments will be reported to committee.

Greater Manchester Ecology Unit – Have stated that as condition 44 is not a condition relating to ecology, they have no comment to make.

GMAAS – Have advised that they are satisfied that the proposed condition removal does not have any archaeological implications.

Aboricultural Officer – Has no comments

Design for Security – recommend that in the future if a further application is submitted for development on the site, that the Crime Impact Statement that was submitted as part of the previously approved application ref: 125596/FO/2019 be updated..

Greater Manchester Pedestrians Society – Any comments will be reported to committee.

Sport England – Advise they have no comment to make on the removal of condition 44 as it does not have relevance to Sport England's remit.

Cadent - Any comments will be reported to committee.

Historic England - On the basis of the information available to date, they do not wish to offer any comments, and suggest that the views of the Council's specialist conservation and archaeological advisers are sought, as relevant.

Policy Context

National Planning Policy Framework (July 2021)

The revised NPPF was adopted in July 2021. It represents key up to date national policy and is an important material consideration in determining the current application. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

As part of the consideration of the previously approved scheme Section 5 'Delivering a sufficient supply of new homes', Section 8 'Promoting Healthy and Safe Communities', Section 9 'Promoting Sustainable Transport', Section 11 'Making effective use of land', Section 12 'Achieving Well Designed Places' Section 14 'Meeting the challenge of climate change, flooding and coastal change', Section 15 'Conserving and Enhancing the natural environment', of the NPPF were key to the consideration of the scheme.

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.

The key aspect of the NPPF that impacts on the considerations that need to be given to the current application are identified below.

Section 5 'Delivering a sufficient supply of new homes' states that in order to support the Government's objective of significantly boosting the supply of homes, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay' (paragraph 60). With regards to affordable housing, paragraph 65 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Planning Practice Guidance (PPG)

The relevant sections of the PPG considered as part of the previously approved development were noise, design, health and well-being. The revision being sought would not affect the matters detailed above.

The Development Plan

The Development Plan consists of:

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

The Core Strategy was adopted in July 2012 and is the key document in the Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved and accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

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

The relevant policies within the Core Strategy previously considered as part of the previously approved development were: Policy SP1 'Spatial Principles'; Policy T1 'Sustainable Transport'; Policy T2 'Accessible areas of opportunity and needs'; Policy H1 'Overall Housing Provision'; Policy H2 'Strategic Housing Location'; Policy H4 'East Manchester'; Policy H8 'Affordable Housing'; Policy EN1 'Design principles and strategic character areas'; Policy EN3 'Heritage'; EN4 'Reducing CO2 emissions by enabling low and zero carbon development'; Policy EN5 'Strategic areas for low and zero carbon decentralised energy infrastructure'; Policy EN6 'Target framework for CO 2 reductions from low or zero carbon energy supplies'; Policy EN9 'Green Infrastructure'; Policy EN10 'Safeguarding Open Space, Sport and Recreation

Facilities'; Policy EN11 'Quantity of Open Space, Sport and Recreation' ; Policy EN14 'Flood Risk' Policy EN15, 'Biodiversity and Geological Conservation'; Policy EN16 'Air Quality' ; Policy EN18 'Contaminated Land'; EN19 'Waste'; and Policy DM1 'Development Management'.

Policy H8 'Affordable Housing' is relevant to the consideration of the changes which are now being sought, and is examined in detail later in the report.

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 considered as part of the previously approved development were: Chapter 2 'Design' , Chapter 8 'Community Safety and Crime Prevention' and Chapter 11 'The City's Character Areas'

Manchester Residential Quality Guidance (2016)

This is a material planning consideration in the determination of planning applications and weight should be given to this document in decision making. The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live. The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

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

Providing for Housing Choice - Supplementary Planning Document & Planning Guidance

This document provides guidance about the mix of new housing required in Manchester, and seeks to deliver affordable housing provision. Paragraph 5.58 outlines where there may be exceptions to providing affordable housing within a proposed development. This criteria includes where the financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability. As part of the earlier application the applicant submitted a viability assessment in order to demonstrate that whilst the proposed development would not be viable if affordable housing is a requirement as part of the proposed

development, 28% affordable housing would be delivered through a registered provider (housing association) through grant funding . This was assessed by appropriate officers at that time who subsequently advised that on the basis of the figures supplied by applicant at the time, it would be difficult to substantiate affordable housing for this scheme.

Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)

Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. There are four objectives in order to achieve this vision:

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

East Manchester Strategic Regeneration Framework (2008 – 2018)

The SRF sets out a number of strategic objectives and frameworks for East Manchester, which covers Miles Platting. The site is identified within the SRF as a mixed residential commercial area and mixed residential retail area.

Eastlands Regeneration Framework (March 2019)

The framework builds on the East Manchester SRF and identifies Miles Platting as an area for residential growth to broaden the area's housing offer as well as increase the provision of affordable housing.

Other legislative requirements

Section 66 of the Listed Building Act provides that in considering whether to grant planning permission for development that affects a listed building or its setting the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

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

Issues

Publicity

The proposal, by virtue of the number of residential units, has been classified as a large scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News). Site notices were displayed at various locations around the application site. In addition, notification letters have been sent to an extensive area of local residents and businesses on 26th October 2021.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken. The approved development is of a type listed in Schedule 2. The EIA Regulations state that the proposed development may be considered to be Schedule 2 development under Category 10, 'Infrastructure Projects', of the EIA Regulations. Sub-section (b) relates to 'Urban development projects', where the area of development exceeds 5 hectares. The Site is 6.4 ha and exceeds the 5 hectare threshold set out in Schedule 2 10 (b) of the EIA Regulations. Furthermore, the proposal type is listed in category 10 (b) Urban Development Projects of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017. At an overall area of 6.4 ha and the proposed creation of 410 residential units, the development exceeds the threshold of 1 hectare of urban development and the threshold of 150 units (i) and exceeds the 5 hectare in overall development area as specified by part (iii). Therefore, the earlier planning application was accompanied by a Screening Request for the City Council to respond to. A Screening Opinion was therefore, issued by the City Council on the 30th December 2019. In coming to a formal opinion on whether an Environmental Impact Assessment (EIA) was required to support the proposed development, Manchester City Council, as Local Planning Authority, took into account all of the information contained within the planning application including the site location plan, accompanying plans and all the supporting information. It was considered that the potential impacts from a development of this nature that required assessment were Visual; Ecology; Traffic; Air quality; Daylight and sunlight; Surface Water Drainage; Land contamination; and Noise/dust/emissions from construction and operations of the development. A full assessment of all of these potential impacts was completed and it was concluded that this development would have some impact on the surrounding area. However, it was judged that these would not be significant and so would not warrant a formal Environmental Impact Assessment. Therefore, the opinion of the City Council, as Local Planning Authority, was that an Environmental Impact Assessment was not required in this instance.

This development is the same as the previously approved development , with only change being the removal of the condition which requires the delivery of affordable housing, and therefore all other matters considered as part of the earlier screening opinion would remain relevant.

Principle of Development

The principle of developing the site for a housing-led mixed use development, comprising 410 new dwellings (Class C3) and 744sq.m of commercial floorspace

(Class E uses) together with recreational open space, landscaping, infrastructure provision and car parking has been established as part of planning permission ref: 125596/FO/2019 approved on 10th November 2020.

The scheme remains as approved, together with the requirements of the associated Legal Agreement. The single issue for consideration is the removal of Condition 44 which requires a percentage of the scheme to be affordable housing. It is therefore important to assess whether the removal of this condition would impact on the delivery of a key regeneration benefit which would be derived through the approved development.

Affordable Housing

Policy H8 sets out how developments should respond to the 20% contribution of affordable housing across the City. Using 20% as a starting point, developers should look to provide new houses that will be for social or affordable rent with a focus on affordable home ownership options. Any requirement or not for affordable housing will be based upon an assessment of a particular local need, a requirement to diversify the existing housing mix and the delivery of regeneration objectives. An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The approved scheme was accompanied by an Affordable Housing Statement, which outlined that the viability of the scheme had been considered in line with best practice and as such a Viability Assessment was submitted for consideration. There are complex ground conditions which impact on viability and it was demonstrated that, in itself, the development could not support affordable housing. Therefore, from a policy perspective the development is policy compliant without affordable housing being brought forward, and so it is considered appropriate to remove the condition.

The applicant however, has been able to agree the provision of affordable housing with One Manchester Housing Association. This would deliver 114 (28%) affordable housing units to comprise 36 Shared Ownership properties, 34 Affordable Rent properties and 44 Rent to Buy properties. Rent levels for the affordable rent units would be set at up to 80% of market rent, but no higher than local housing allowance. Shared Ownership dwellings would be disposed of to purchasers who meet the Homes England eligibility criteria as set out in the Capital Funding Guide. Purchasers would be able to purchase between 25% and 75% of the full market value of the property. The applicant would deliver the homes on behalf of One Manchester. They would then be transferred to the housing association at a discounted rate of market value.

The provision of affordable housing is considered to be a key regeneration outcome for the scheme and it was considered important for this to be recognised and captured through the planning approval by way of the condition set out at the beginning of this report.

As also noted earlier in the report, the delivery of affordable dwellings is based on the Registered Provider being able to secure grant funding to facilitate their delivery. With the concerns now being expressed by Homes England (the grant funder) that affordable housing condition (no.44) outlined above is not compatible with their funding conditions, the applicant has advised that this effectively means that they would be in a position whereby they could not continue with the current transaction proposed with their Registered Provider Partner.

An alternative mechanism to deliver the affordable housing element has therefore been found, which is via the Development Agreement with the City Council and provisions in the leases (fulfilled by virtue of the City Council's landownership interest). This approach would ensure that the affordable housing provision would still be controlled by the City Council despite the removal of the planning condition.

The design of the overall proposal remains as already approved, in that it would be tenure blind both in terms of the house type design and the style and quality of boundary treatments and soft / hard landscaping proposed. To support One Manchester's future management of the new homes the units would be largely co-located. As before, a legal agreement with the Local Planning Authority would also be entered into, for to secure the same obligations as are attached to the existing permission. The delivery of new homes, the mix of tenures and the partnership with One Manchester is welcomed.

The delivery of new homes, the mix of tenures and the partnership with One Manchester is welcomed

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Minded to Approve - subject to a legal agreement to the section 106 legal agreement relating to a mechanism to re-test the viability of the development in relation to the delivery of affordable housing, should there be a delay in the implementation of the planning permission, together with a

further review prior to the occupation of the development, and to finance the future administration, enforcement and maintenance of the residents permit parking scheme, and to pay an initial contribution of £300,000 prior to the commencement of development towards the improvement of recreational facilities and/or sports facilities within the Miles Platting and Newton Heath Ward.

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice were sought in respect of this development where early discussions took place regarding issues arising in relation to the granted funded element of the affordable housing to be delivered on the site. The proposal is now considered to be acceptable, and been conditioned accordingly.

Conditions

1.The development must be begun not later than 10th November 2023.

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 Phasing plan ref: rev.01 received on 11th September 2020, and Phase 0 definition Statement and Appendix 1 Phase 0 Site plan by Engie and NPL received 2nd November 2020.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 and to reflect the likely time period for the implications of the proposed development.

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

Site Location Plan (LEV-00-GF-DR-A-1000 Rev P1)
 Existing Site Plan (LEV-00-GF-DR-A-1050 Rev P2);
 Plots L & M Proposed Ground floor plan (LEV-00-GF-DR-A-1470 rev.P2)
 Plot A - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1600 rev. P2)
 Plot A - Proposed Courtyard Sections (LEV-00-XX-DR-A-1601 rev. P3)
 Plot B - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1610 rev. P2)
 Plot B - Proposed Courtyard Sections (LEV-00-XX-DR-A-1611 rev. P3)
 Plot C - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1620 rev. P3)
 Plot C - Proposed Courtyard Sections (LEV-00-XX-DR-A-1621 rev. P2)
 Plot D - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1630 rev. P2)
 Plot D - Proposed Courtyard Sections (LEV-00-XX-DR-A-1631 rev. P2)
 Plot E - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1640 rev. P3)
 Plot E - Proposed Courtyard Sections (LEV-00-XX-DR-A-1641 rev. P2)
 Plot F - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1650 rev. P2)
 Plot G - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1660 rev. P2)

Plot G - Proposed Courtyard Sections (LEV-00-XX-DR-A-1661 rev. P3)
 Plot H - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1670 rev. P2)
 Plot H - Proposed Courtyard Sections (LEV-00-XX-DR-A-1671 rev. P2)
 Plot J - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1690 rev. P3)
 Plot J - Proposed Courtyard Sections (LEV-00-XX-DR-A-1691 rev. P2)
 Plot K - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1700 rev. P2)
 Plot K - Proposed Courtyard Sections (LEV-00-XX-DR-A-1701 rev. P3)

GA Landscape Sections- 01 (LEV-00-GF-DR-L-1800 rev.P4)

Building A - Elevation Study (LEV-00-XX-DR-A-2300 rev.P1)
 Building E - Elevation Study (LEV-00-XX-DR-A-2301 rev.P2)

Air Quality Assessment Project No. 443593/AQ01 (03);Crime Impact Statement
 November 2019 GM 10776 001 v2.0;Framework Construction and Management
 Plan; Heritage Environmental Desk Based Assessment; Noise Impact Assessment
 rev.B dated 26.11.2019; Statement of Community Involvement; Supporting Planning
 Statement; Financial Viability Statement ; Waste Management Strategy Proforma;
 Energy Statement rev.B;

Interpretative Phase 2 Ground Investigation report R01 ; Composite site summary
 ground works Strategy; Interpretative Phase 2 ground investigation report Zone
 5W;Interpretative Phase 2 ground investigation report Zone 7; Factual Ground
 Investigation report; Factual ground investigation report zone 7; Factual ground
 investigation report zone 5W;Preliminary Remediation strategy.

Stamped as received 29th November 2019

Report to support a Habitat Regulations Assessment ref: 2019-176b dated August
 2019 received 13th December 2019

Flood Risk Assessment and Drainage Strategy report ; received by email on 13th
 December 2019;

Letter dated 18th February 2020 from planning agent regarding Open space
 provision;

Ecology Survey and Assessment dated July 2019 ref 2019 -176 received 2nd
 January 2020;

Viability Appraisal letter 14th February 2020;

Fire Strategy in email dated 25th February 2020 from the planning agent , and
 attached Fire Engineering Stage 3 report - Fire Strategy revision 3 - 14 February
 2020by Hoare Lea;

Letter dated 25th February 2020 from Wardell Armstrong relating to Secure by
 Design matters;

Open Space Assessment dated February 2020 received by email 6th March 2020;

Supporting plans and letter from planning agent dated 8th April 2020;

Sitewide Landscape plan - Illustrative (LEV-00-GF-DR- L- 1250 rev.P3)

Sitewide Landscape plan - Hardscape (LEV-00-GF-DR- L- 1251 rev.P10)

Sitewide Landscape plan - Softscape (LEV-00-GF-DR- L- 1252 rev.P6)

Plots A& F Proposed Ground floor plan (LEV-00-GF-DR-A-1400 rev.P5)

Plots A& F Proposed First floor plan (LEV-00-GF-DR-A-1401 rev.P5)
Plots A& F Proposed Second floor plan (LEV-00-GF-DR-A-1402 rev.P4)
Plots A& F Proposed Third floor plan (LEV-00-GF-DR-A-1403 rev.P4)
Plots A& F Proposed Fourth floor plan (LEV-00-GF-DR-A-1404 rev.P5)
Plots A& F Proposed Roof plan (LEV-00-GF-DR-A-1405 rev.P3)

Plots B& G Proposed Ground floor plan (LEV-00-GF-DR-A-1410 rev.P5)
Plots B& G Proposed First floor plan (LEV-00-GF-DR-A-1411 rev.P5)
Plots B& G Proposed Second floor plan (LEV-00-GF-DR-A-1412 rev.P5)
Plots B& G Proposed Roof plan (LEV-00-GF-DR-A-1413 rev.P5)

Plots C& H Proposed Ground floor plan (LEV-00-GF-DR-A-1420 rev.P4)
Plots C& H Proposed First floor plan (LEV-00-GF-DR-A-1421 rev.P4)
Plots C& H Proposed Second floor plan (LEV-00-GF-DR-A-1422 rev.P4)
Plots C& H Proposed Roof plan (LEV-00-GF-DR-A-1423 rev.P4)

Plot D Proposed Ground floor plan (LEV-00-GF-DR-A-1430 rev.P4)
Plot D Proposed First floor plan (LEV-00-GF-DR-A-1431 rev.P4)
Plot D Proposed Second floor plan (LEV-00-GF-DR-A-1432 rev.P4)
Plot D Proposed Roof plan (LEV-00-GF-DR-A-1433 rev.P4)

Plot E Proposed Ground floor plan (LEV-00-GF-DR-A-1440 rev.P4)
Plot E Proposed First floor plan (LEV-00-GF-DR-A-1441 rev.P4)
Plot E Proposed Second floor plan (LEV-00-GF-DR-A-1442 rev.P3)
Plot E Proposed Third floor plan (LEV-00-GF-DR-A-1443 rev.P3)
Plot E Proposed Fourth floor plan (LEV-00-GF-DR-A-1444 rev.P5)
Plot E Proposed Roof plan (LEV-00-GF-DR-A-1445 rev.P3)

Plots I & J Proposed Ground floor plan (LEV-00-GF-DR-A-1450 rev.P8)

Plot K Proposed Ground floor plan (LEV-00-GF-DR-A-1460 rev.P4)
Plot K Proposed First floor plan (LEV-00-GF-DR-A-1461 rev.P4)
Plot K Proposed Roof plan (LEV-00-GF-DR-A-1462 rev.P4)

Plot N Proposed Ground floor plan (LEV-00-GF-DR-A-1480 rev.P5)

Western Gateway - Proposed Landscape Plan (LEV-00-GF-DR-L-1500 rev.P5)
Canal Green - Proposed Landscape Plan (LEV-00-GF-DR-L-1501 rev.P5)
Holland Gardens - Proposed Landscape Plan (LEV-00-GF-DR-L-1502 rev.P4)
Neighbourhood Green - Proposed Landscape Plan (LEV-00-GF-DR-L-1503 rev.P5)
Eastern Gateway - Proposed Landscape Plan (LEV-00-GF-DR-L-1504 rev.P4)

Plot F - Proposed Courtyard Sections (LEV-00-XX-DR-A-1651 rev. P3)
GA Landscape Sections- 02 (LEV-00-GF-DR-L-1801 rev.P5)
GA Landscape Sections- 03 (LEV-00-GF-DR-L-1802 rev.P4)

Building F - Elevation Study (LEV-00-XX-DR-A-2302 rev.P2)
Building F - Elevation Study (LEV-00-XX-DR-A-2303 rev.P2)

External Substations - Elevation Study (LEV-00-XX-DR-A-2400 rev.P1)

Vehicle Tracking - Fire Appliance (JR00755_WES_00_XX_DR_D_024 rev.P2)
 Design and Access Statement rev.E -April 2020
 Schedule 1- Car Parking Management Plan April 2020
 Travel Plan rev.B - April 2020
 Transport Assessment rev.B - April 2020
 Preliminary Controlled Water Risk Assessment (13-887 R1 -1 February 2020)

Remediation Method Statement by McAuliffe received by email 21st April 2020;

Coal Mining Features and Mitigation plan (LEV - 00 - GF - DR - A - 1206 rev. P2)
 received 6th July 2020

Viability Appraisal 14th August 2020
 Change to mix of accommodation 25th August 2020.
 Schedule 1 site plan and schedule 2 -affordable housing plots plan received 14th
 August 2020

Sitewide Landscape General Arrangement) LEV-00-GF-DR-L-1254 rev.P2) ;
 Site wide Street Elevations (LEV-00-XX-DR-A-1300 rev.P2);
 Sitewide Street elevations - Sheet 2 (LEV-00-XX-DR- A- 1301 rev.P3);
 Plots I & J Proposed First floor plan (LEV-00-GF-DR-A-1451 rev.P9);
 Plots I & J Proposed Second floor plan (LEV-00-GF-DR-A-1452 rev.P7);
 Plots I & J Proposed Third floor plan (LEV-00-GF-DR-A-1453 rev.P7);
 Plots I & J Proposed Roof plan (LEV-00-GF-DR-A-1454 rev.P6);

Plots L& M Proposed First floor Plan ((LEV-00-GF-DR-A-1471 rev.P3);
 Plots L& M Proposed Second floor Plan ((LEV-00-GF-DR-A-1472 rev.P3);
 Plots L& M Proposed Roof Plan (LEV-00-GF-DR-A-1473 rev.P3);

Plot N Proposed First floor plan (LEV-00-GF-DR-A-1481 rev.P6)
 Plot N Proposed Second floor plan (LEV-00-GF-DR-A-1482 rev.P5):
 Plot N Proposed Third floor plan (LEV-00-GF-DR-A-1483 rev.P5)
 Plot N Proposed Fourth floor plan (LEV-00-GF-DR-A-1484 rev.P6)
 Plot N Proposed Roof plan (LEV-00-GF-DR-A-1485 rev.P5);

Plot I - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1680 rev. P3)
 Plot I - Proposed Courtyard Sections (LEV-00-XX-DR-A-1681 rev. P5)
 Plot L - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1710 rev. P3)
 Plot L - Proposed Courtyard Sections (LEV-00-XX-DR-A-1711 rev. P3)
 Plot M - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1720 rev. P3)
 Plot M - Proposed Courtyard Sections (LEV-00-XX-DR-A-1721 rev. P3)
 Plot N - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1730 rev. P3)
 Plot N - Proposed Courtyard Sections (LEV-00-XX-DR-A-1731 rev. P4)

Building N - Elevation Study (LEV-00-XX-DR-A-2304 rev.P2)

Arboricultural Impact Assessment rev.3 and Arboricultural Method Statement and
 Sitewide Landscape plan - Tree Removal (LEV-00-GF-DR- L- 1253 rev.P5) ;
 received by email 21st August 2020;

076298-CUR-00-XX-DR-C-95700 rev.P3 Vehicle Tracking -large refuse vehicle site layout received by email 4th September 2020.

Sitewide Masterplan - Ground Floor (LEV-00-GF-DR-A- 1200 rev.P11)
 Sitewide Masterplan - First Floor (LEV-00-GF-DR-A- 1201 rev.P10)
 Sitewide Masterplan - Second Floor (LEV-00-GF-DR-A- 1202 rev.P10)
 Sitewide Masterplan - Third Floor (LEV-00-GF-DR-A- 1203 rev.P10)
 Sitewide Masterplan - Fourth Floor (LEV-00-GF-DR-A- 1204 rev.P10)
 Sitewide Masterplan - Roof (LEV-00-GF-DR-A- 1205 rev.P8)
 Sitewide Landscape General Arrangement Plan (Dwg no. LEV-00-GF-DR-L-1254 Rev P2)
 Updated Estate Management Plan
 received by email 8th September 2020.

Contaminated Land Site Characterisation Report ref:13-887-R4-1 July 2020 received by email dated 9th September 2020.

Revised phasing plan received 11.09.2020 together with email dated 11.09.2020 from the planning agent stating that this plan relates purely to the phased completion of building works and as such does not relate to the remediation phasing.

3547A - LEV - 00 - GF - DR - A - 1210 _ Site wide tenure plan - ground floor
 3547A - LEV - 00 - 01 - DR - A - 1211- Site Wide Tenure Plan - First Floor
 3547A - LEV - 00 - 02 - DR - A - 1212 - Site Wide Tenure Plan - Second Floor
 3547A - LEV - 00 - 03 - DR - A - 1213 - Site Wide Tenure Plan - Third Floor
 3547A - LEV - 00 - 04 - DR - A - 1214 - Site Wide Tenure Plan - Fourth Floor
 3547A - LEV - 00 - 05 - DR - A - 1215 Site Wide Tenure Plan - Roof Plan
 Received 27th October 2020

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

4. Notwithstanding the materials annotated on the submitted plans ,prior to above ground works of each phase of development (excluding Phase 0 works), samples and specifications of all materials to be used on all external elevations of the phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The phase of development shall be carried out in accordance with the agreed details.

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

5. Prior to above ground works of each phase of development (excluding Phase 0 works) details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details for that phase. The development (or phase thereof) hereby

approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation for that phase of development.

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

6. Prior to the commencement of each phase of the development (excluding Phase 0 works) a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority for that phase, which for the avoidance of doubt should include:-

- The routing of construction traffic;
- Detail the quantification/classification of vehicular activity associated with the construction including commentary on types and frequency of vehicular demands together with evidence (appropriate swept-path assessment);
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- Specify the working hours for the site;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete;
- Identify advisory routes to and from the site for staff and HGVs;
- A highway dilapidation survey including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Reason - To safeguard the amenities of nearby residents and highway safety pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (2012).

7. Prior to above ground works commencing for any phase of development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, the incorporation of a pedestrian phase to the signalisation of the existing Coleshill Street junction, measures to prevent parking along the line of the towpath, and traffic calming) relating to that phase, and taking account of measures approved as part of condition no.8, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

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

8. Notwithstanding the submitted layout and access arrangements, prior to the commencement of development (excluding Phase 0 works), final details of access into the site and other measures considered necessary to avoid rat running and improve pedestrian and highway safety (including if necessary the incorporation of a physical break within the proposed east -west route through the site to prevent through traffic) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

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

9. Prior to above ground works commencing for any phase of development, full details of a parking management strategy for on street parking on non-adopted highways relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

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

10. The car parking indicated on the approved plans for each phase of development shall be surfaced, demarcated and made available for use prior to the new dwellings hereby approved within that phase being occupied. The car parking shall then be available at all times whilst the site is occupied.

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

11. Prior to above ground works commencing for any phase of development, finalised detailed designs and provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

12. Prior to the occupation of any phase of development details of a way finding scheme (together with on-going maintenance arrangements, and full details of access points ,and level/ramped access to the Rochdale Canal), within the site to reference the location of the Rochdale Canal and associated cycleway shall be

submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use, and thereafter managed and maintained in accordance with the approved details.

Reason - To improve wayfinding within the site , and assist promoting the use of sustainable forms of travel to the development, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012) and the Guide to Development in Manchester SPD (2007).

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

- i) the measures proposed to be taken to reduce dependency on the private car by 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

b) Within six months of the first occupation of each phase of development (or an alternative timescale to be agreed in writing with the Local Planning Authority), 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 for that phase of development. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full for that phase of development at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the development, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012) and the Guide to Development in Manchester SPD (2007).

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

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

15. Prior to the occupation of any phase of development, finalised details of the location and specifications of tree pit within footpaths, together with a management and maintenance strategy, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

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

16. Prior to the occupation of any phase of development, details of the strategy for all external lighting, including lighting on the buildings, within the building's curtilage, and lighting units within the public realm works within that phase, shall be submitted to, and approved in writing by, the City Council as local planning authority. The development of that phase shall be implemented in accordance with the approved details.

Reason - To ensure adequate lighting within the development and to ensure full accessibility within the public realm works, and would not adverse impact on protected species pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

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

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

18. a) Before the development hereby approved commences (excluding Phase 0 works), a scheme for the investigation of all the shallow mine workings on the site and the identification of remediation measures (the Site Investigation Proposal) shall

be submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences (excluding site set up or works relating to site investigation) and a report prepared outlining what measures, if any, are required to remediate the areas of shallow mine workings (the Site Investigation Report and/or Remediation Strategy) shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development, the development shall be carried out in accordance with the previously agreed Remediation Strategy for the shallow mine workings 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 shallow mine workings 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 areas of shallow mine workings (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. Upon completion of the revised remedial works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of areas of shallow mine workings is detected and appropriate remedial action is taken in the interests of public safety, and to ensure the stability of the proposed development pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

19. a) Before the development hereby approved commences (excluding Phase 0 works), a report outlining what measures (remedial works), if any, that are required to be undertaken to the mine entry (including foundation), together with any specific designs which may be required for any buildings within influencing distance of the mine entry (the Site Investigation Report and/or Remediation Strategy) 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 for the mine entry, and approved specific designs required for any buildings within influencing distance of the mine entry, and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that mine entry is assessed and appropriate remedial action is taken in the interests of public safety, and to ensure the stability of the proposed development pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

20. Prior to the construction of above ground structures in phases 2,3 and 4 on phasing plan , full details of the proposed of sheet piling retaining structures to the

Rochdale Canal boundary including their location , finish and detailing, within that phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented prior to first occupancy within that phase of development and shall remain operational thereafter.

Reason- To ensure a satisfactory form of development and to afford appropriate protection of the Rochdale Canal that adjoins the site pursuant to policies EN8, EN14, EN15 and DM1 of the Manchester Core Strategy (2012).

21. Prior to the proposed foundations outlined in the Phase 2 Ground Investigation report in relation to development in Phases 2,3,and 4 in proximity to the canal being implemented , detailed cross sections of the proposed foundations relative to the Rochdale Canal within that phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the approved foundation detail, prior to first occupancy within that phase of development.

Reason - To ensure the protection of a Site of Biological Importance and wildlife habitats in the locality, pursuant to policy EN15 and EN17 of the Core Strategy for Manchester.

22. Prior to the construction of above ground structures of any phase of development, a finalised scheme for the storage (including segregated waste recycling) and disposal of refuse within that phase of development (including external bin store design)shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented prior to first occupancy within that phase of development and shall remain operational thereafter.

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

23. Prior to commencement of the development (excluding Phase 0 works) mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

24. Before any Class E or C3a uses hereby approved commence, any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

The scheme for each phase of development 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 prior to occupation of that phase of development. The approved scheme shall be completed before the premises is occupied.

Upon completion of each phase of development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that 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, and to safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1, H1 and DM1 of the Manchester Core Strategy (2012).

25. Deliveries, servicing and collections, including waste collections shall not take place to the Class E uses, outside the following hours: 07:30 to 20:00, Mondays to Saturdays, and 10:00 to 18:00 Sundays/Bank Holidays.

Reason - In the interests of residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy (2012).

26. Before any above ground works relating development falling within Class E (in any phase of development), a scheme for the extraction of any fumes, vapours and odours for that use and Phase shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy in that use and Phase, and shall remain operational thereafter.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Manchester Core Strategy (2012).

27. The hours of use of the Class E units in any phase of development, are to be submitted to and agreed in writing by the City Council as Local Planning Authority, prior to the first occupation of the buildings for those uses in that phase. The development shall only be carried out in accordance with the approved hours of opening.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26

of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

28. Before commencement of development falling within Class E (excluding Phase 0 works), in any Phase of development, the building(s) within that Phase shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the building(s), and a scheme of acoustic treatment relating to that phase of development, shall be submitted to and approved in writing by the City Council as local planning authority, prior to first occupation of that Phase. The scheme shall be implemented in full before the use commences in the building(s) in that phase of development.

Where entertainment noise (i.e. music or other amplified sound) is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location

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

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

29. No part of the site outside of the building falling within Class E, in any phase, shall be used other than in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority. No amplified sound or any music shall be produced or played in any part of the site outside of the building in any phase.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

30. a) Before commencement of development falling within Class C3, in any Phase of development, the dwellings within that Phase shall be acoustically insulated against noise from traffic noise from Hulme Hall Road and Varley Street, and industrial/commercial uses in the vicinity with a scheme to be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme for that phase shall be completed before any of the dwelling units within that phase 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.

b) Upon completion of the development and before first occupation of the residential units in that phase , 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. A minimum of 1 in 10 residential units shall be tested. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

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

31. No removal of or works to any hedgerows, trees or shrubs should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

32. Prior to the development hereby approved commencing on site, a method statement giving details of specific above ground measures to be taken to prevent any pollution of the Rochdale Canal (include the provision of a suitable canal protection buffer such as a geotextile membrane) during the construction period, shall be submitted to and approved in writing by the City Council as local planning authority. Any excavated materials stored in temporary stockpiles should be located away from the canal to prevent contaminated water run-off and the amount of exposed ground and stockpiles minimised. The specific measures to prevent any pollution of the Rochdale Canal during the construction period, hereby approved shall be implemented in full before the development commences.

Reason - To ensure the protection of a Site of Biological Importance and wildlife habitats in the locality , pursuant to policy EN15 and EN17 of the Manchester Core Strategy (2012).

33. Prior to the commencement of development (including ground works and 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 invasive plant species on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To prevent the spread of invasive species in accordance with the Wildlife and Countryside Act 1981, and in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012)

34. Notwithstanding the landscaping plans specified in condition no.3, prior to the any above ground works of any phase of development a hard and soft landscaping treatment scheme (including a replacement tree strategy, and a management and maintenance strategy, and full details of access points ,and level/ramped access to the Rochdale Canal),) for that phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings within that phase are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of development.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

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

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

36. In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans specified in condition no.3 and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

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

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

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

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

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Manchester Core Strategy (2012).

38. The development hereby approved shall be carried out in accordance with the document titled 'Energy Statement rev. B' stamped as received by the City Council, as Local Planning Authority, on the 29th November 2019. For the avoidance of doubt each phase of the development shall seek achieve a minimum of 25% average reduction of CO2 emissions for all dwelling houses and 20% average reduction of CO2 emissions for all apartments over that set out in Building Regulations Part L 2013 and MCC planning policy.

b) A post construction review certificate/statement shall be submitted for approval for that phase of development, within a timescale that has been previously agreed in writing for that phase of development, to the City Council as Local Planning Authority.

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

39. The development shall be carried out in accordance with the Estate Management Plan received on 8th September in relation to non-adopted roads, footpaths, lighting, and public open spaces, including play areas and the wider public realm for all phases of the development.

Reason - To ensure that the areas not within the curtilage of dwellings are appropriately managed and maintained development to safeguard the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

40. No development or development-related groundworks shall take place (excluding Phase 0 works) until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include: i) archaeological watching brief and recording
2. A programme for post investigation assessment to include: i) post-fieldwork analysis of watching brief records and finds ii) production of a final report on the watching brief including a statement 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.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason- In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, and pursuant to saved UDP policy DC20.1 .

41. No development shall take place (excluding Phase 0 works) until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason - To prevent the increased risk of flooding, promote sustainable development, secure proper drainage and ensure future maintenance of the surface water drainage system pursuant to policies within the NPPF and NPPG, and policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

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

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o Management and maintenance plan for the lifetime of the development which shall include

the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

43. No development shall take place until a Construction Risk Assessment Method Statement (RAMS) for construction of each phase of development, is submitted to

and approved by the Local Planning Authority. The statement shall outline the potential impacts from all construction activities on infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to this infrastructure. The development shall be undertaken in accordance with the approved RAMS.

Reason- To ensure a satisfactory form of development and to afford appropriate protection of infrastructure that crosses the site pursuant to policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

44. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

45. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall be used only as private dwellings (which description shall not include 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) and for no other purpose (including any other purpose in Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - 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 Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

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

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

47. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings specified in condition 3.

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

48. Prior to any above ground works, in each phase of development, the finalised details of the positions, heights, and type of boundary treatment (including gates) within that phase of development, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property within that phase is first occupied and retained as such thereafter.

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

49. Prior to any above ground works, in each phase of development, the finalised design of balcony balustrade details (including the location of privacy screens) within that phase of development, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property within that phase is first occupied and retained as such thereafter.

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

50. The two commercial units hereby approved at ground floor level in Plot E, as indicated on drawing LEV-00-GF-DR-A-1440 rev.P4 stamped as received by the City Council, as Local Planning Authority, on the 8 April 2020, shall each remain as one

unit (total no. 2 Units) and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, and SP1 of the Manchester Core Strategy (2012).

51. The two commercial units hereby approved at ground floor level in Plot E, as indicated on drawing LEV-00-GF-DR-A-1440 rev.P4 stamped as received by the City Council, as Local Planning Authority, on the 8 April 2020, be occupied as either retail use, restaurant /café use or business/ office use and for no other purpose in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

52. a) Prior to the commencement of the development (excluding Phase 0 works), details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

i) the measures proposed to recruit local people including apprenticeships
 ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
 iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

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

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

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

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

54. Prior to commencement of development hereby approved, no development shall take place (excluding Phase 0 works) until a detailed remediation phasing plan has been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved remediation phasing plan.

Reason - To ensure that all phases of remediation are clearly identified along with the order that remediation will take place, pursuant policies EN17 and EN18 of the Manchester Core Strategy .

55. Prior to commencement of development hereby approved , no development shall take place (excluding Phase 0 works) until an outline remediation scheme (based on the information already gathered and provided previously), has been submitted and approved in writing by the City Council as local planning authority. The development shall then be implemented in accordance with the approved outline remediation strategy.

Reason - To identify the broad remediation requirements for the site, based on the remediation phasing plan, and to indicate the necessary environmental permits and permissions that are required to carry out the potential remediation process, pursuant policies EN17 and EN18 of the Manchester Core Strategy .

56. Prior to the commencement of development (excluding Phase 0 works), and where necessary, additional ground investigations (based on the information already provided, the outline remediation scheme and the remediation phasing plan) to address information gaps, are identified for each phase of the development so as to provide sufficient information for a detailed assessment of risks to human and environmental receptors for each phase as identified in the remediation phase plan, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason- To gather sufficient information on each phase of the development to ensure that all possible risks to human and environmental receptors are known and be assessed in detail to facilitate further work on the development site, pursuant policies EN17 and EN18 of the Manchester Core Strategy .

57. Prior to the commencement of development (excluding Phase 0 works) a detailed assessment of risks to human and environmental receptors (including those off-site) , as identified in the remediation phase plan, shall be submitted to and approved in writing by the City Council as local planning authority. This should include risks associated with ground gases. The development shall be implemented in full accordance with the details so approved.

Reason- To identify provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation scheme and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

58. Prior to the commencement of development (excluding Phase 0 works), a detailed options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed in the remediation phase plan) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development remediation phasing plan, that the detailed remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

59. Prior to the commencement of development (excluding Phase 0 works) and as per the agreed remediation phasing plan a Ground Stabilisation works plan shall be developed, and shall be submitted to , and approved in writing by the City Council as local planning authority. The Ground Stabilisation works plan should include details, per phase, as to how identified ground hazardous (such as underground structures, mine shafts; workings, and boreholes) are to be addressed and decommissioned. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

60. On completion of each phase of the ground stabilisation works (as set out in the remediation phasing plan), a verification report demonstrating the completion of works set out in the approved remediation and ground stabilisation works strategies, and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the Water Environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

61. Prior to the commencement of building works, post remediation ground gas monitoring shall be undertaken and a detailed build phase remediation strategy produced, which shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason -To ensure the protection of the development from ground gases, pursuant to policies EN18 of the Manchester Core Strategy (2012).

62. Prior to the commencement of development (excluding Phase 0 works) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy and ground stabilisation works report (per phase as identified in the remediation phasing plan) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

63. Prior to each phase of development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the Water Environment and human health from risks arising from land contamination. , pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

64. No infiltration of surface water drainage into the ground where adversely elevated concentrations of contamination are known or suspected to be present is permitted, other than those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - For the future protection of the Water Environment from risks arising from land contamination. , pursuant to policy EN17 of the Manchester Core Strategy (2012).

65. Piling or any other foundation designs using penetrative methods shall not be permitted other than for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason - For the ongoing and future protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

66. If, during development, contamination not previously identified is found to be present at the site then no further development, shall be carried out until the

developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

67. Prior to the commence of development (excluding Phase 0 works), plans of the existing and proposed site levels in the form of cross sections, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved details.

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

Informatives

1. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with the Coal Authority prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>.

2. Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to their adopted policy regarding new development and mine entries:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencingdistanceof-mine-entries>

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

4. If the applicant wishes to explore the potential for surface water discharge to the canal, they are advised to contact the utilities section at utilitiesenquiry@canalrivertrust.org.uk or on 01926 626158.

5. Works affecting the Canals and Rivers Trust's land ownership may need to comply with the Trust's Code of Practice for works affecting the Canal & Rivers Trust, details of which are be found at <https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-properryand-our-code-of-practice>. The applicant is strongly advised to discuss this further with their Works Engineering team on 0303 040 4040.

6. MCC records highlight that the underground Shooters Brook is located within close proximity to the site (approximately 40 m to the south-east of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, it is requested that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

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: 131895/JO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Corporate Property
MCC Flood Risk Management
Greater Manchester Police
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
The Coal Authority
United Utilities Water PLC
Canal & River Trust
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society
Wildlife Trust
Sport England

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

Representations were received from the following third parties:

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



Application Number	Date of Appln	Committee Date	Ward
131708/FO/2021	20 Sep 2021	20 Jan 2022	Piccadilly Ward

Proposal Erection of a part 11, part 13 storey building to form residential apartments (Use Class C3a) together with the erection of two blocks of 3 storey duplexes (Use Class C3a) to form 237 residential homes in total with associated commercial floor (Use Class E) (132 sqm), basement car parking, landscaping and public realm, and associated engineering and infrastructure works following demolition of existing buildings and structures

Location 87 Rochdale Road, Manchester , M4 4JD

Applicant Portwood Developments Limited , Great Oak Farm, Mag Lane, Lymm, WA13 0TF,

Agent Matthew Hard, WSP, 8 First Street, Manchester, M15 4RP

EXECUTIVE SUMMARY

The proposal would create 237 homes and 132 sqm of commercial space in a part 11, part 13 storey building and two, 3 storey duplex buildings with car parking, public realm and landscaping following demolition of existing structures.

Seven objections, and one general comment, have been received and comments from the Marble Arch Public House.

Key Issues

Principle of the proposal and the schemes contribution to regeneration The development is in accordance with national and local planning policies, and would bring significant economic, social and environmental benefits. This is a brownfield site in a highly sustainable location close to NOMA and Victoria Station. The proposal also accords with Northern Gateway SRF. The homes would be available for market sale. The proposal would meet aspirations to reduce carbon and provide innovative solutions for surface water drainage and biodiversity improvements.

Economic The 237 homes would support the City's growing population. This is a key economic driver and is vital to a successful and thriving economy. 287 construction jobs would be created for the 24 month build period, along with those associated with the commercial space and management of the neighbourhood.

Social A local labour agreement would prioritise Manchester residents for construction jobs. Public realm, linkages and green spaces would be created.

Environmental This would be a low carbon development in a highly sustainable location. There would be limited on site car parking with residents encouraged to walk, cycle and use public transport as part of the travel plan. The parking would be fitted with an EV charging point. The new areas of public realm, green spaces and

linkages would contribute to place making. Over 54 trees would be planted at the site and along street frontages. This would improve biodiversity and create habitats for wildlife. Surface water risk would be managed through green and blue infrastructure such as rain gardens which would attenuate the water at source. The site is contaminated, but the conditions are not unusual and do not present a risk to human health or the environment subject to an appropriate remediation strategy.

The height, scale and appearance would contribute to the area. Secured by Design principles would ensure the development is safe and secure. Waste management would prioritise recycling.

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

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

A full report is attached below for Members consideration.

Description

This 0.5 hectare site is bounded Gould Street, a surface car park, Clive Street, Back St George Street, 73 and 85 Rochdale Road and Ashley Street.



Application site outlined in red

It is occupied by depot buildings with some parking and a 115 space surface car park. A small security building is close to the access point.

The Marble Arch Public House (Grade II) and 85 Rochdale Road are immediately adjacent on Rochdale Road. The surrounding area contains residential buildings and surface car parks. To the north is a large split level site bounded by Gould Street, Williamson Street, Bromley Street and Bilbrook Street which is used as two, 24 hour car parks. A 55 metre high telecoms mast is in the south east corner, with National Grid infrastructure in the centre (including a Pressure Reduction Station (PRS) and compound). The PRS controls the gas flow in the surrounding gas network.

A planning application (128248/FO/2020) was approved at Committee on the 4 June 2021, subject to the signing of a section 106 agreement, for the erection of 9 buildings of 8 to 34 storeys to form 1202 homes with ground floor commercial uses, parking, public realm and landscaping.

The site is part of Victoria North in the 'Northern Gateway Strategic Regeneration Framework, which will be transformed through the creation of 15,000 homes, place making and infrastructure. A first phase of 756 homes is taking place at Angel Meadow (124120/JO/2019). Planning permission exists for 415 homes at North View, (114860/FO/2016), and 634 at Victoria Riverside, (126944/FO/2020).

The area is highly sustainable. The Northern Quarter, Ancoats and NOMA are a short distance away and provide access to retail, amenities and services and a vibrant evening economy. Victoria Station is nearby and provides access to trains, trams and bus services.

The site is not in a conservation area but there are listed buildings nearby at: Marble Arch Public House, warehouse on the western corner of the junction with Simpson Street, Sharp Street Ragged School, Cooperative Press, Union Bridge and Charter Street Mission (former Charter Street Ragged School and working girls home), all Grade II. The Lancashire and Yorkshire Railway Viaduct and Angel Meadow are non-designated heritage assets.

The site is partially in the Air Quality Management Area (AQMA) along Rochdale Road and is in flood zone 1, where the risk of flooding is low.

The Proposal

The proposal is for 237 homes following the demolition of all existing structures. 223 would be in two buildings of 13 to 10 storeys. 65% would be two bedroom and 35% one bedroom. Two, 3 storey buildings would create fourteen 2 and 3 bed duplex homes. Ground floor commercial uses and public realm would be created..

80 parking spaces would be removed reducing the number of trips on the road network. 35 parking spaces are to be fitted with an EV charging point. 237 cycle spaces are proposed. Vehicular access to the main car park would be via Gould St. The homes would be energy efficient resulting in a low carbon development.

The 13 storey building would front Rochdale Road. The buildings are connected by a ground floor reception and residents' lounge. Bin stores are provided in two locations

on the Clive Street frontage. The 3 storey duplexes (blocks 3 and 4) are towards the eastern and western parts of the site.



Layout of the site and extent of new public realm and landscaping

The public realm and landscaping include a shared community space, pocket square and improvements to the Rochdale Road/Clive Street frontages. The duplex buildings would have private gardens. 54 trees would be planted across the site.



Image of the proposed development from Rochdale Road

The planning submission

This planning application has been supported by the following information:

- Affordable Housing Assessment;
- Affordable Housing Assessment;
- Archaeology and Heritage Desk Based Assessment;
- Bat Survey;
- Blue and Green Infrastructure Statement;
- Broadband Connectivity Assessment;
- Construction Management Plan;
- Crime Impact Assessment;
- Daylight and Sunlight Assessment;
- Design and Access Statement including residential standards;
- Energy Strategy;
- Fire Statement;
- Flood Risk Assessment and Drainage Strategy;
- Heritage Statement;
- Lighting Layout;
- Local Labour Agreement;
- Management Strategy;
- Noise Assessment;
- Phase 1 Geo-technical Assessment;
- Planning Statement;
- Statement of Community Involvement;
- Tall Buildings Assessment;
- Townscape and Visual Impact Assessment;
- Transport Assessment and Travel Plan;
- TV, Reception Assessment;
- Viability Appraisal; and
- Wind Assessment.

Consultations

The proposal has been advertised as a major development, as being of public interest and affecting the setting of a Listed building. Site notices were displayed and local residents and businesses were notified.

Local residents/local businesses/public opinion

7 objections have been received:

- The buildings facing Gould Street should not exceed 20 metres to prevent loss of sunlight to the development opposite;
- 85 Rochdale Road receives excellent levels of daylight and sunlight in the baseline scenario. In terms of VSC daylight, all windows receive in excess of 31% VSC against a target of 27% all rooms receive a view of the sky in excess of 92% of the room area. All rooms also receive well in excess of the APSH sunlight targets for both the annual and winter PSH. Four windows are reduced to below 20% with the development in place which represents over half of the windows assessed to 85 Rochdale Road. The windows are reduced from 39% to 23%, 39% to 19%, 39% to 12% and 32% to 8%. The

areas lit by these windows will appear gloomy and require electric lighting more frequently. The impacts on VSC daylight are substantial and the latter three windows would be reduced by in excess of 50% of their original value which would result in a major adverse impact. In terms of NSL, two of the six rooms assessed are reduced by more than 0.8 times their former value with the proposed development in place. These rooms receive a view of the sky to 98% and 92% in the baseline scenario and are reduced to 37% and 50% with the proposed development in place which is a major adverse impact. The proposal would therefore have a major impact on these apartments. The proposal should be refused or amendments made to ensure that no adverse impact arise;

- The proposal is of poor architectural design, would ruin the skyline and would have a detrimental impact on the historical importance of the area and represents a terrible gateway into the centre of Manchester;
- The plans should be amended to ensure a more imaginative solution and not have an unacceptable impact on the setting of the of the Grade II listed building
- The proposal would impact on light for surrounding residents and would create more traffic.

One comment has been received which makes general observations about the proposal as follows:

- There are more and more residential developments taking place in this area but developments are not being supported by other resources such as medical centres, community centres and police offices together with transport links and car parking. There are also problems with litter, noise, lack of street lighting and crime.

Marble Arch do not object to the principle of the development. However, they would like assurances that the construction work and traffic would not have a negative impact on the listed building particularly its structural integrity, the delicate exterior and the operations of the business. Without such assurances the public house would object as this a significant development close to the building. There is concern about the capacity of the local highway network, including Gould Street, to manage the traffic that would be generated during construction and how this would affect deliveries to the pub. Construction traffic should not be routed along Gould Street which should become public realm apart from servicing or become one way.

Highway Services the trip generation and level of parking (with 20% EV fitted) is acceptable. Existing TROs would have to be amended for the creation of a car club bay space and re-instatement of footways. Servicing arrangements are acceptable. A construction management plan and travel plan should be a condition.

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 residential and commercial accommodation. The waste management strategy has been reviewed and is acceptable subject to further details. The air quality assessment is acceptable. Further investigations are required in respect of ground conditions. This

should form a condition of the planning approval including a verification regarding contamination should be submitted on completion of the development.

Works and Skills Team recommend a condition for a local labour scheme.

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

Environment Agency no objections. The site has been used for industrial purposes which are likely to have led to elevated concentrations of contamination within the underlying ground and which could pose a significant risk to controlled waters.

The previous Gas Works use presents a 'High Risk' of contamination that could be mobilised during construction. Controlled waters are particularly sensitive here as the proposal is on a principal aquifer and within a reasonable distance of the surface water course. Conditions should require further investigation of ground conditions and appropriate remediation. The piling method should be agreed.

Greater Manchester Ecology Unit (GMEU) no objections as most of the site is hard standing and used for car. The site has limited nature conservation value. Bat surveys record no roostings and bat activity is very low. The public realm would improve the landscape value.

Greater Manchester Archaeology Advisory Service (GMAS) the site was occupied from the late 18th century by workers' houses, including back-to-back terraced housing on Ashley Street, which were demolished during the second half of the 19th century to enable an expansion of the Rochdale Road Gas Works. Elements of the gas works survive, including boundary walls that retain evidence for the sites development. A condition should require below ground archaeology to be investigated and recorded.

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

Health and Safety Executive (HSE) have provided comments on fire safety aspects of the scheme and has highlighted areas where additional consideration should be given. The outstanding matters relate to the number of fire fighting shafts and escape stairs routes within the buildings. These outstanding matters have been drawn to the applicant's attention to ensure that they are considered early in the design process. Further consideration is given to this within the report below.

Policy

The Development Plan

The Development Plan consists of:

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

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

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

The relevant policies within the Core Strategy are as follows:

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

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SO1. Spatial Principles – This is a strategic regeneration area. The proposal would deliver high quality homes and public realm in a highly sustainable location.

SO2. Economy – High quality homes in this sustainable location would support economic growth. Local employment would be supported during construction.

SO6. Environment – This would be low carbon and highly sustainable development using up to date energy efficiency measures in the fabric and construction. It has 232 cycle spaces and a travel plan. The landscaping includes street trees.

Policy SP1 'Spatial Principles – The proposal would have a positive impact on visual amenity and the character of Gould Street and Rochdale Road within this strategic regeneration area. The buildings would be a high quality addition to the street scene and complement existing and recent developments.

Policy EC3 'The Regional Centre', Primary Economic Development Focus (City Centre and Fringe and Policy CC8 Change and Renewal– - The homes would be close to all forms of sustainable transport.

Policy CC9 Design and Heritage – The proposal would develop a significant site in the Victoria North regeneration area.

Policy CC10 A Place for Everyone – The proposal would complement regeneration at Victoria North and Lower Irk Valley. It would be fully accessible with secure parking space for disabled people. A proportion of the on site parking could be adapted for electric car charging.

Policy T1 'Sustainable Transport' - The site has access to a range of public transport modes.

Policy T2 ‘Accessible areas of opportunity and needs’ - A transport assessment and travel plan demonstrates that there would be minimal impact on the local highway network and sustainable forms of transport would be encouraged.

Policy H1 ‘Overall Housing Provision’ – This is a high-density development on a previously developed site in a highly sustainable location. A range of accommodation is proposed including larger homes, attractive to families. High quality amenity spaces would provide are proposed and waste management would support on site recycling objectives.

Policy H2 ‘Strategic Housing Location’ – The proposal would develop a strategic site in Victoria North. It would add to the supply of good quality homes in a highly sustainable part of the city. The fabric would be efficient with other sustainable features such as photovoltaics and sustainable drainage.

Policy H3 ‘North Manchester’ – The proposal would provide high density homes with 65% having 2 and 3 bedrooms which would be available to families.

Policy H8 ‘Affordable Housing’ – A viability assessment demonstrates that the development cannot support affordable housing. The viability would be reviewed at a later date to determine whether this has changed.

Policy EN1 ‘Design principles and strategic character areas’ - This high quality scheme would enhance the regeneration of the area.

Policy EN2 Tall Buildings This high quality development would have a positive impact on views into the City and the regeneration of the area. It would 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. It would be close to the City Centre, is not in a conservation area and is close to public transport.

Policy EN3 ‘Heritage’ - The impact on the historic environment would be acceptable and this is considered in detail within the report.

EN4 ‘Reducing CO₂ emissions by enabling low and zero carbon development’ – The building fabric would be energy efficient. A travel plan, cycle provision and electric car charging points are proposed. Renewable technologies would ensure energy demands are sustainable and low carbon.

Policy EN5 Strategic Areas for low and zero carbon decentralised energy infrastructure the building has a robust energy strategy. There are no plans for district heating or other infrastructure in the local area.

Policy EN6 ‘Target framework for CO₂ reductions from low or zero carbon energy supplies’ - The buildings functions would seek to reduce overall energy demands. The fabric would be high quality and energy costs should remain low. On site renewable energy would ensure sustainable energy is used.

Policy EN9 ‘Green Infrastructure’ – Its vacant nature and large areas of hardstanding, means the site has low ecological and biodiversity value. The

development would provide street tree planting and landscaping. Green infrastructure to the park and other areas of public realm would improve biodiversity.

Policy EN14 ‘Flood Risk’- Surface water runoff would be minimised. Flood risk would not be exacerbated and the risk to residents has been minimised.

Policy EN15, ‘Biodiversity and Geological Conservation’ - The site has limited ecological value and the trees and planting proposed would enhance biodiversity. The limited vegetation should not be cleared during bird nesting season.

Policy EN16 ‘Air Quality’ The impact on air quality would be minimised through control of construction activity. The proposal would remove parking and reduce vehicle trips at the site. Other measures to minimise the impact of the operations of the development include a travel plan, 232 cycle spaces and EV charging points.

Policy EN17 ‘Water Quality’ - Water saving measures would minimise surface water runoff. The historic use of the site as a gas works means there is evidence of below ground contamination which could impact on ground water at the site. Remediation measures are required to minimise any risk to below ground water quality.

Policy EN18, ‘Contaminated Land’ – Ground conditions are not complex and can be dealt with. Conditions would protect ground water and ensure the site is appropriately remediated.

EN19 ‘Waste’ – The waste management strategy incorporates recycling principles.

Policy DM1 ‘Development Management’ - Careful consideration has been given to the design, scale and layout of the building along with associated impacts on residential amenity from loss of privacy and daylight and sunlight considerations.

PA1 ‘Developer Contributions’ states that where needs arise as a result of development, the Council will seek to secure planning obligations. A legal agreement would be prepared to secure a review the viability at an appropriate date in the future in line with the requirements of policy H8.

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

Saved Policy DC7 ‘New Housing Developments’ – The proposal represents a high quality accessible development.

Saved policy DC19 ‘Listed Buildings’ - The proposal would have minimal impact on the setting of nearby listed buildings.

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

Saved policy DC26, Development and Noise - The impact from noise sources would be minimised and further mitigation would be secured by planning condition.

Saved policy E3.3- The proposal will provide a high quality building on Gould Street and enhance the appearance of this important route in Victoria North.

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

Other material policy considerations

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

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

- Chapter 2 ‘Design’ – outlines the City Council’s expectations that all new developments should have a high standard of design making a positive contribution to the City’s environment;
- Paragraph 2.7 states that encouragement for “the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.
- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

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

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

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

Manchester Residential Quality Guidance (2016)

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

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

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

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

Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

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

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

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

City Centre Strategic Plan 2015-2018 (March 2016)

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

The plan states that the growth of the City Centre *"has contributed additional homes, commercial property and leisure destinations, and these locations (together with others including the Irk Valley and New Cross) have clear potential to contribute to the City Centre offer: their relationship with, and proximity to, existing concentrations of activity demands their inclusion with the City Centre boundary. The expansion of the City Centre boundary to incorporate edge of centre neighbourhoods and developments will increase a population that has already trebled over the last decade and subsequently further enhance the City Centre economy"*

The expansion of the City Centre boundary to include areas such as Northern Gateway (now known as Victoria North) is vital in terms of delivering the City's growth objectives for residential, commercial and population growth.

The plan recognises the role of Northern Gateway in terms of delivering residential growth and providing high quality homes in line with the regeneration framework. The strategy recognises that the incorporation of NOMA, New Cross and the Irk Valley within the City Centre boundary will allow for better linkages with the communities of North Manchester to the City Centre and provide a catalyst that can drive further residential development..

Manchester Strategy (January 2016)

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

Manchester Northern Gateway Strategic Regeneration Framework (2019)

The Northern Gateway SRF was endorsed by the Council's Executive on 13 February 2019 and is a material consideration in the determination of this proposal. It identifies 7 neighbourhoods which comprise: Collyhurst; New Cross; New Town; Red Bank; South Collyhurst; Vauxhall Gardens; and, Eggington Street and Smedley Dip.

The regeneration of the Northern Gateway will need to integrate these neighbourhoods, provide connections and achieve high-quality place making, to ensure comprehensive regeneration. The SRF sets out a vision to deliver approximately 15,000 homes with social and physical infrastructure including a new City River Park which will connect Queens Park and Angel Meadow.

The site is in the New Town neighbourhood. A residential led neighbourhood is envisaged with higher density housing types and tenures and active ground floors on key routes such as Dantzig Street. Developments would be predominately apartment led, with opportunities for townhouses and accommodation suitable for families.

The SRF identifies an opportunity for a landmark building to the west and an opportunity for greater linkages through the viaduct and a green link to the west of the site between Gould Street and Roger Street. The location of landmark buildings should reinforce key gateways such as the junction of Gould Street and Dantzig Street. Landmark buildings should be explored on each side of the viaduct to define a sense of arrival where pedestrian and cyclist viaduct routes are envisaged.

Public realm and place-making should provide amenity open space, green links, activating the railway arches and enhancing the public realm around heritage assets including Marble Arch Square and Union Square.

Lower Irk Valley – Neighbourhood Development Framework (January 2016)

The development framework, which has now been superseded by the Northern Gateway SRF, sought to guide future development in the area as part of establishing new developments and supporting public realm, highways and other infrastructure as part of a residential led neighbourhood.

The framework established core principles that sought to complement adjoining regeneration areas and coordinate with the principles established within the frameworks of these areas. The idea of connectivity from the City Centre and NOMA to areas and existing communities of Collyhurst in the north together with New Cross to the east and Angel Meadow to the south was seen as vitally important as part of improving connections, new development and high quality public realm.

North Manchester Strategic Regeneration Framework (SRF) (October 2012)

This document aims to guide the regeneration and development of north Manchester. The application site is located between the City Centre fringe and the inner core. It notes that development in the City fringe area should contribute to the growth of the City and be high density, accommodating a mix of uses.

The priority for North Manchester is to support to the growth of the City Centre by ensuring a coordinated approach and make the most of land available for high density development. There should be a mix of uses with offices, residential located alongside leisure and retail uses.

The inner core is an area of housing led transformation. This will focus on utilising underused land and connect areas such as Collyhurst and Lower Irk Valley to the advantages of the City Centre. The document also outlines that over 2000 new homes will be delivered in this area as well as complementing proposals within the NOMA area and other northern gateway proposals

National Planning Policy Framework (2021)

The revised NPPF re-issued in February 2021. The document states that the *'purpose of the planning system is to contribute to the achievement of sustainable development'*. The document clarifies that the *'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'* (paragraph 7). In order to achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 *'Delivering a sufficient supply of new homes'* states that *a sufficient amount and variety of land should come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'* (paragraph 60).

Para 65 states that at least 10% of housing should be for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

This proposal would redevelop a brownfield site in a key regeneration area for 237 new homes. A mixture of 1, 2 and 3 bed homes would cater for families. Viability has been tested and in order to deliver a viable and deliverable scheme to the quality proposed, the scheme could not support an affordable housing contribution. This is considered in further detail within the report.

Section 8 '*Promoting Healthy and Safe Communities*' states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (para 92).

The proposal would be safe and secure. Cycle parking is provided along with car parking. Disabled residents would have access to parking. New public realm and green infrastructure would be provided.

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*' (para 105).

In assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and, the design of streets, parking areas, other transport elements and the content of associated standards reflects national guidance including the National Design Guide and National Model Design Code; 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 110).

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 111).

Within this context, applications for development should: give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; 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; allow for the efficient delivery of goods, and access by service and emergency vehicles; and, be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. (paragraph 112)

All developments that 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 113).

The site is well connected to all public transport modes which would encourage sustainable travel. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. 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 119).

Planning decisions should: 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; recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; 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; promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively; and, support opportunities to use airspace above existing residential and commercial premises for new homes. (paragraph 120)

Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specified purpose in plans, where this would help to meet identified development needs. In particular they should support proposal to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or site or the vitality and viability of town centres, and would be compatible with other policies in the Framework; make more effective use of sites that provide community services such as schools and hospitals (paragraph 123)

Planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other 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 (including residential gardens), or of promoting regeneration and change; the important of securing well designed, attractive and healthy spaces (paragraph 124).

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Paragraph 125 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to

daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The proposal would re-use a largely vacant site. The scale and density of the proposal is considered to be acceptable and represents an efficient use of land. The 237 homes would meet known housing and regeneration requirements in the area. The site is close to sustainable transport infrastructure. A travel plan would encourage the use of public transport, walking and cycle routes to the site.

Onsite parking would be provided but the overall objective would be to reduce car journeys. Electric car charging would support a shift away from petrol/diesel cars.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable 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. So too is effective engagement between applicants, communities, local planning authorities and other interest throughout the process' (paragraph 126).

Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 130).

Trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to ensure the long term maintenance of newly placed trees and that existing trees are retained wherever possible (paragraph 131).

Development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative design which promotes 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 134).

The design would be highly quality and complement the distinctive architecture within the area. The buildings would be sustainable and low carbon. Biodiversity, green infrastructure and water management measures are 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 (para 152).

New development should be planned for in ways that: avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and can help to reduce greenhouse gas emissions, such as through its location orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards (paragraph 154).

In determining planning applications, Local Planning Authorities should expect new development to: comply with any development plan policies on local requirements of decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (paragraph 157).

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

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

High performing fabric would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements include trees and landscaping which is a significant improvement based on the current condition of the site.

Paragraph 183 outlines that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination (a). There is contamination at the site from its former uses/buildings. The ground conditions are not usual or complex and can be appropriate remediated.

Paragraph 185 outlines that decisions should ensure that no development is appropriate for its location taking into account the likely effects of pollution in health, living conditions and the natural environment. There would be some short term noise impacts associated with construction but these can be managed to avoid any unduly harmful impacts on amenity. There are no noise or lighting implications associated with the operation of the development.

Paragraph 186 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. The proposal would not worsen local air quality conditions and suitable mitigation can be put in place during construction. There would be a travel plan and access to public transport 20% of parking fitted with EV charging points.

Section 16 '*Conserving and enhancing the historic environment*' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (para 194).

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; 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 197)

In considering the impacts of proposals, paragraph 199 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 200 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 202 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 203).

The proposal would result in a degree of harm to the heritage assets. This is considered in detail in the report.

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

Planning Policy Guidance (PPG)

The relevant sections of the PPG are as follows:

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

Examples of mitigation include:

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

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

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

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

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

Design states that where appropriate the following should be considered:

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

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

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

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

Heritage states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow

from the Proposed Development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits 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 private dwelling which secure its future as a designated heritage asset could be a public benefit.”

Public benefits may also include heritage benefits, such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

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 and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Environmental Impact Assessment

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

The nature of the proposal falls exceeds of the threshold within “Urban Development Projects” which is 150 residential units. A Screening Opinion has been adopted which confirms that the environmental effects of this development are not significant to warrant an EIA.

Issues

Principle of the redevelopment of the site and contribution to regeneration

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the Region and is crucial to its long term economic success. There is a crucial link between economic growth, regeneration and the provision of homes and more housing is required to support economic growth.

Manchester is the fastest growing city in the UK. The population is expected to increase considerably by 2030, and this, together with trends and changes in household formation, requires more housing. Around 3,000 homes are required each year and the proposal would contribute towards this. Providing the right quality and diversity of housing is critical to maintaining growth and success.

The Northern Gateway has been identified for high density housing and this development would deliver a variety of housing types and be attractive to families. It would build on what has commenced around Angel Meadows. The transformation of this vacant, previously developed brownfield site would provide homes in a highly sustainable, well-connected location with new linkages and enhanced public realm. The homes and commercial activities would bring footfall and activity and complement NOMA and nearby residential neighbourhoods.

237 homes would be provided in one, two and three-bed apartments and duplexes and would be suitable for and attractive to families. The homes would be consistent with the City's space standards with all of the one bedroom apartments being suitable for 2 people. The four buildings would be 3, 11 and 13 storeys. Active uses would animate key frontages and the public realm and pedestrian links which would improve access to Victoria North.

This development would form an important catalyst in the regeneration of Victoria North and the Lower Irk Valley connecting residential areas such as Collyhurst, and underutilised parts of the Lower Irk Valley, to the City Centre. This would help realise the visions set out for the area as underpinned by policy SP1 of the Core Strategy.

The development would deliver significant economic and social benefits including 287 construction jobs for the 24 month construction period of which 141 would be on site and 154 in supply chains. There would also be employment associated with the operations of the development.

A condition should require a local labour agreement to enable the full benefits of the proposal to be captured.

The socioeconomic benefit associated with the development underutilised and contaminated site are significant and the regeneration would support economic and population growth, create jobs and increase local spending and taxation.

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

Affordable Housing

Policy H8 establishes that development should contribute to the City-wide target for 20% of new housing being affordable and 20% should be used as a starting point for

calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership or provide an equivalent financial contribution.

The amount of affordable housing should reflect the type and size of development as a whole and should take into account factors such as an assessment of local need, any requirement to diversify housing mix and the need to deliver other key outcomes, particularly regeneration objectives.

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

The application proposes 237 homes for open market sale on a contaminated, brownfield site in a key regeneration area. It is currently laid out as a surface car park with low quality buildings and makes little contribution to the local area. This would be a high quality development that would comply with the Residential Quality guide. Active street frontages would enliven Gould Street and Rochdale with public realm, recreational space, pedestrian links and tree planting. All these matters have an impact on the scheme's overall viability.

A viability report has been provided and has been publicly available through the Council's public access system. This has been independently assessed on behalf of the Council and has concluded that the scheme would not be viable if affordable housing was included.

A benchmark land value of £1,215,000 is within the expected range based on comparable evidence. The Gross Development Value would be £ 65,567,000 which would give a profit of 17% on GDV.

It is accepted that the scheme could not support an affordable housing in this instance. However, the viability would be subject to review at an agreed future to determine any change in market conditions which improve viability and allow an affordable housing contribution in line with policy H8.

Climate change, sustainability and energy efficiency

The proposal would be a low carbon building in a highly sustainable location with excellent access to public transport. Sustainability principles would be incorporated into the construction process to minimise and recycle waste, ensure efficiency in vehicle movements and sourcing and use of materials.

The proposal would remove a 115 parking spaces from the site. 35 spaces would be provided for the homes, with 20% fitted with an electric car charging point and the remainder fitted with the infrastructure to be adapted. A travel plan would encourage residents to use public transport and reduce vehicle trips. A secure cycle store would provide 100% provision.

The building would be all electric and benefit as the grid decarbonises. The fabric would be highly efficient to prevent heat loss with energy saving fixtures and fittings such as LED lighting and a mechanical ventilation system. The heating and cooling systems would be highly efficient. The photovoltaic panels to the roof would generate renewable energy with air source heat pumps to the two duplex buildings and is a commitment to renewable energy.

These measures would enable the development to achieve a 7% reduction in carbon on Part L (2013). This is just below the requirement of policy EN6, which seeks a 15% reduction on Part L (2010 (or 9% over Part L 2013) Building Regulations. This is due to the installation of an all electric system which is not considered to be the most carbon efficient system based on current Building Regulations. However, over the lifetime of the development, as the grid decarbonises, this type of system offers the most benefits.

The proposal would be adapted to climate change through the provision of green infrastructure including landscaping, trees (including street trees) and an efficient drainage system to minimise the effects of surface water, including rain gardens.

Impact of the historic environment and cultural heritage

The site is not in a Conservation Area and does not contain any listed buildings or structures. Nearby listed buildings could be affected. The urban grain is a mix of low-quality parking, cleared sites and industrial buildings, dominated by the railway arches. There are homes on New Mount Street and around Angel Meadows.

The majority of buildings associated with the Gas Works have been cleared, but some features remain, including arches beneath the railway lines, and brick walls along the northern and western boundary. One of the depots appears to be a reused Gas Works warehouse. Some of the structures may have been basements beneath the railway lines and gas works' buildings. Other remains include the walls of a warehouse and the remains of the joiner's workshop on Gould Street.

A heritage assessment has considered the impact on nearby listed buildings and non-designated heritage assets as required by paragraph 194 of the NPPF. The impact on the setting of these heritage assets, was also evaluated in the 10 views identified within the townscape assessment.

The listed buildings affected by the development are as follows:

Marble Arch Inn (Grade II) is immediately to the south of the site at the eastern corner of Gould Street and Rochdale Road. Its significance is derived from its architectural façade, which includes pink granite cladding, terracotta cornice and tall corniced chimneys. The interior of the building is highly decorative which adds to its overall significance. The setting of the building has become eroded with the loss of the buildings associated with the former gas works which abut it.

Warehouse on West Corner of Junction with Simpson Street (Grade II) dates back to the 19th Century. The building has architectural and historic significance and is

enclosed by former commercial buildings and has no physical relationship with this site. It does form part of a cluster of buildings of this nature which are situated in the grid iron street network in the area.

Cooperative Press (Grade II) built in the 19th Century. The building has architectural and historic significance and is enclosed by former commercial buildings and has no physical relationship with the site but forms part of a cluster of buildings of this nature which are situated in the grid iron street network in the area.

Sharp Street Ragged School (Grade II) is a former school and mission building to the south east, separated by the viaduct and Angel Meadows. The building is enclosed by former commercial buildings and has no physical relationship with this site but forms part of a cluster of buildings of this nature.

Former Police and Ambulances Station (Grade II) was built in the second half of the nineteenth century and has since been altered and reduced. The remaining building comprises red brick with some sandstone ashlar and a hipped slate roof. The station is rectangular in plan and includes an office block, domestic block, cell range and tall chimney stack. The station is located 200m to the south at Goulden Street and planning permission is in place for its redevelopment for residential purposes.

The non designated heritage assets in the area include:

Former Victoria Hotel, 85 Rochdale Road (non designated heritage asset) is a former public house located directly to the south that was constructed in the second half of the nineteenth century and is built in red brick. It is now used as a shop but retains its 19th century aesthetic. The cobbles of the former Ashley Street run alongside it and contribute to the character of the area.

18-20 Rochdale Road formed part of a complex known as Alexandra Place, and located 30m to the southeast. The building was constructed around the turn of the twentieth century and contained dwellings. The building has red brick and red and yellow terracotta dressings and a corner entrance at Rochdale Rd and Sudell St.

C.W.S Tobacco Factory at Ludgate Hill is 60m to the northwest. It is brick built and still displays the factory's name, 'C.W.S Tobacco Factory', on the eastern and western elevations. It is in Angel Meadow and shares a group value with the designated heritage assets in Angel Meadow.

Particular Baptist Church was constructed on Rochdale Road in 1907, 118m to the west within Angel Meadow. The church is built of red brick and sandstone.

Angel Meadows is a green space beyond the viaduct. It has no heritage designation but is of local historic interest having been created from the cleared site of the late 18th century St Michaels Church and churchyard and the mid-19th century 'new burying ground'. The area was also the subject of a L.S.Lowry painting.

Remnants of the former 19th century gas works include the boundary walls incorporating remains of structures along Gould Street, the re-sited pediment from

the early nineteenth century gas works offices containing the crest of the City of Manchester; and arched chambers on the southern boundary require consideration.

The scale of the impact and the impact on the significance of the heritage asset has been considered against the relevant tests within the NPPF and would result in a low level of harm. There would be some heritage benefits from removing this vacant site from the setting of these heritage assets and the landscaping and place making.

The key conclusions and impact on the significance of the heritage assets is summarised as follows:

Marble Arch Inn (Grade II) and the Former Victoria Hotel, 85 Rochdale Road (non designated heritage asset) – The proposal would change the setting of the listed building and non designated heritage asset reinstating the building line along Gould Street and forming a new background to the listed building and 85 Rochdale Road from Rochdale Road (view 3). It would be substantially greater than the current use of the site and would be visible above the listed building roof line and chimney. The scale of the buildings is in line with other modern developments in the area and those emerging as part of the SRF.

The redevelopment site would replace a low quality appearance of the car park within the setting of the listed building and non designated heritage asset with high quality architecture and materials and the public realm would be improved. This would have positive benefits to the setting of the buildings. The proposal would cause a low level of harm to the Marble Arch Inn and 85 Rochdale Road.

Warehouse on West Corner of Junction with Simpson Street (Grade II), Cooperative Press (Grade II) and Sharp Street Ragged School (Grade II) – Although the listed buildings are physically separated from the site, they can be seen in the same context as them and the site currently has a neutral impact on its setting.

The scale of the proposal on a vacant site would alter the setting of these buildings, and alter the experience of them approaching from the east as well as within their setting. The listed buildings would remain legible and understood with the re-introduction of the coherent building to Gould Street improving the setting of the listed buildings and the experience of those using Gould Street where the listed buildings can be seen from. The level of harm to these listed building would be low.

Angel Meadows is on the opposite side of Gould Street to the application site, the impact of which can be understood in view 1. The impact on Angel meadow would be largely obscured in the cumulative scenario by the Meadows development, the existing tree coverage and topography of the area. The re-instatement of the building line to Gould Street would benefit the setting of Angel Meadow as would the removal of the surface level car park. The residents would benefit from the close proximity to this green area and enjoy and appreciate its local historical value. The harm to Angel Meadows would be low.

Remnants of the former 19th century gas - The former warehouse, arches and storage cellars, joiner's workshop and wall along northern boundary of the site has some value but are in a poor structural. These assets would be lost. These have

some historical value in terms of the workings and appearance of buildings associated with the former use, they do not provide a full legible understanding of the gas works and are of limited architectural value in the absence of a complete building. Their loss would result in a low level of harm. There would be archaeological surveys and recording and a commentative feature would reference the gas works.

18-20 Rochdale Road, C.W.S Tobacco Factory and Particular Baptist Church are sufficiently separated from the site and there are no impacts. The proposal would be seen in the same view as these buildings but they remain legible and understood.

This major development would be seen in the same context of a number of heritage assets and in most instances would result in a low level of *less than substantial harm*, as defined by paragraph 196 of the NPPF, to their setting and significance. However, in each instance the heritage assets would remain legible and understood and outweighed by the substantial regeneration benefits that this development would bring. It is considered that this would provide the public benefits required by the paragraph 202 of the NPPF which outweighs any harm which arises. These public benefits are considered in detail below.

Impact Assessment

The proposal would result in instances of very low level harm through changes to the setting of the Marble Arch Inn with other listed buildings seen in the same context as the development on a wider city scale. These impacts would result in a very low level of less than substantial harm.

In these circumstances, it is necessary to assess whether the impact suitably conserves the significance of the heritage assets, with great weight being given to the asset's conservation (and the more important the asset, the greater the weight should be) (paragraph 199 NPPF). Any level of harm should be outweighed by the public benefits that would be delivered in accordance with the guidance provided in paragraph 202 of the NPPF. In assessing the public benefits, consideration has been given to paragraph 8 of the NPPF which outlines the three dimensions to achieve sustainable development: economic, social and environmental.

This is a development site, as defined by Core Strategy policy SP1 and is in a key regeneration area. Its vacant condition has, at best, a neutral impact on the area and the surrounding heritage assets. The site would be regenerated in line with Council policy with new homes developed and a new neighbourhood created.

The architecture and place making would enhance the area and provide 237 homes. Construction jobs would be created along with Council Tax revenue when the homes are occupied. The development would also meet sustainability objective with highly efficient building fabric meeting low carbon objectives.

Public realm would be created with tree planting which would improve pedestrian and cycle links, drainage benefits and improved biodiversity and wildlife habitats.

The visual and heritage assessments show a low level of harm to heritage assets in most instances as the development would be viewed in the same context as them.

The level of harm would be low level as the significance of the heritage assets would remain legible and understood both individually and where there is group value.

Mitigation and public benefits are derived from the creation of a component of Victoria North. The heritage impacts would be at the lower end of less than substantial harm with the significant public benefits associated with this development more than outweighing this low level of harm.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings as required by virtue of S66 of the Listed Buildings Act, and paragraph 202 of the NPPF, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraph 202 of the NPPF.

Impact on Archaeology

An archaeology assessment demonstrates there is archaeological interest relating to the early gas works and upstanding remains of the gas works. Greater Manchester Archaeology Advisory Service (GMAAS) consider that further investigations are required prior to the commencement of any ground works. GMAAS advise that the proposal offers the potential for a heritage display to commemorate this significant industrial heritage site. A condition should be imposed regarding archaeological investigations. This would satisfy the requirements of policy EN3 of the Core Strategy and saved policy DC20 of the UDP.

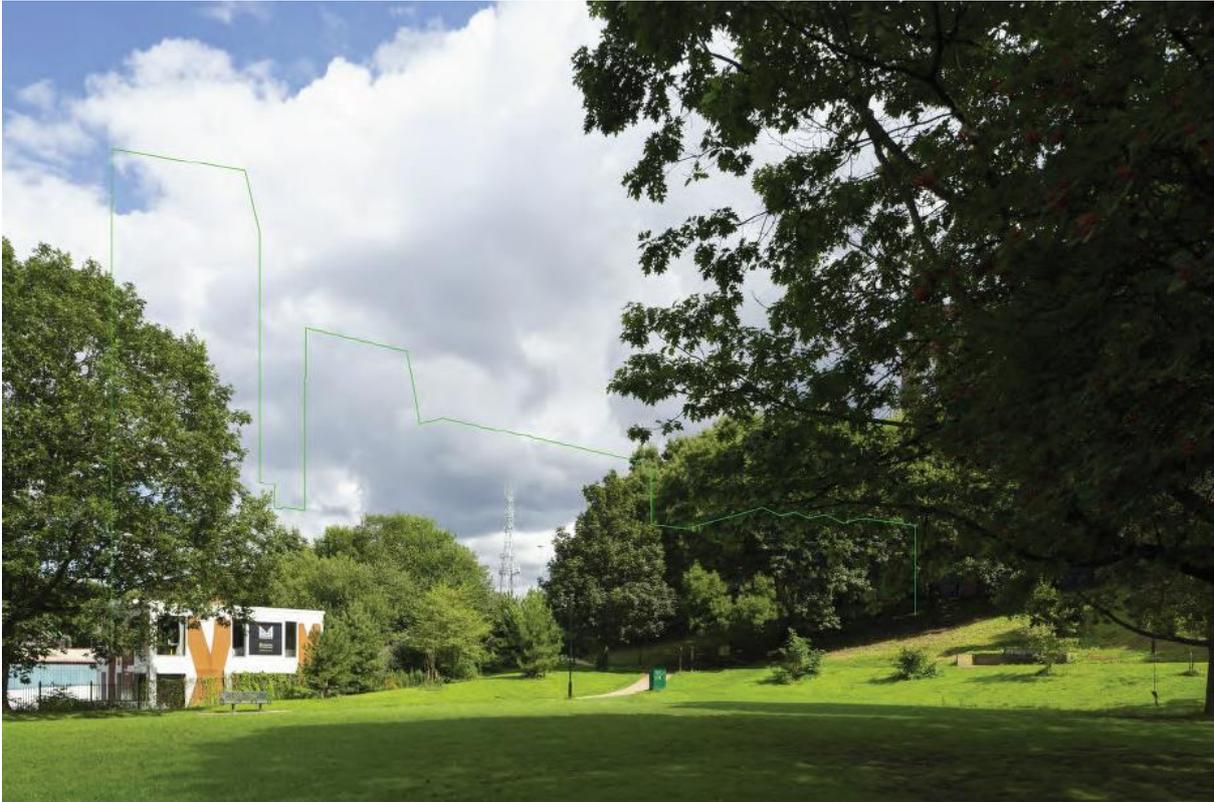
Townscape and visual impact Assessment

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

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

The magnitude of the impacts, both beneficial and adverse are identified as very large, large, moderate, slight or neutral. the townscape assessment considered 10 key view, including cumulative impacts shown in wire lines. The effect of the development on the above viewpoints can be summarised as follows:

View 1 is in Angel Meadows with an open view across a grass area and mature trees which enclose the park. There is a clear view towards the Gould Street development site with the application site obscured by the mature trees. The view demonstrates the level changes across the park towards the site. Angel Meadow is significant as a historic green space in the city centre.



Viewpoint 1 - View from Angel Meadows Park central pathway - facing east (existing)

The view has a medium level of sensitivity with the site viewed in the context of Angel Meadow and the overall effect is neutral. Due to the topography and mature trees, views of the development would be glimpsed over the treeline or through the trees in winter months, and this would not materially alter the view.



View 1 - View from Angel Meadows Park central pathway - facing east (proposed (cumulative))

View 2 is dominated by low quality buildings and infrastructure along Rochdale Road. The view is a key gateway into the city centre and taller building and development activity is seen in the background. View towards the site include the hard standing associated with the car park and telecommunication tower. The view currently detracts from the quality of the area.



Viewpoint 2: View from Rochdale Road at the junction with Peary Street facing south west (existing)

The view has a medium level of sensitivity with the overall effect of the development being minor beneficial resulting in only a discernible change to the character and appearance of the area. The proposal would add positively to the character and appearance of this view and demonstrate the extent of the regeneration activity in the lower Irk Valley and growth of the city centre eastwards. The development would positively address Rochdale Road with its height, scale and materials together with new public realm and street tree planting.



Viewpoint 2: View from Rochdale Road at the junction with Peary Street facing south west (proposed (cumulative))

View 3 from Rochdale Road looking towards Gould Street and into the Lower Irk Valley dominated by the grade II Listed Marble Arch, with its Victorian façade, detailing and chimney. There are modern apartments opposite on Gould Street. The remainder of the view has low rise commercial buildings and scrub vegetation.



Viewpoint 3: View from the junction of Rochdale Road/ Gould Street facing north-west. Context of Grade II listed Marble Arch Pub (existing)

The view has a low level of sensitivity with the overall effect of the development being moderate beneficial, changing the character and appearance of the area and the setting of the listed building.

The height and massing of the proposal would clearly be evident and seen within the setting of the listed building. The contemporary nature of the buildings, and its materiality, would contrast with the listed building ensuring that the significance of the building remains legible and clearly understood. The proposal in the cumulative scenario forms a cluster of new buildings and improves the quality of the streetscape.



View 3: View from the junction of Rochdale Road/ Gould Street facing north-west. Context of Grade II listed Marble Arch Pub (proposed (cumulative))

View 4 dominated by the carriageway width of Rochdale Road looking towards the city centre, where the city centre skyline forms the backdrop. Mature trees line the right hand side and obscure low rise commercial buildings and surface car parks.



Viewpoint 4: View from the A664 Rochdale Road facing south west (existing)

The view has a medium level of sensitivity with the overall effect of the proposal being minor beneficial. The proposal would have a limited impact due to the heavy screening provided by dense tree coverage. The scale of the proposal would be evident providing a strong vertical element and contribute the cityscape.



View 4: View from the A664 Rochdale Road facing south west (proposed (cumulative))

View 5 contains low rise residential dwellings. The cityscape forms the backdrop to the view across a car park. The site is not immediately legible due to mature trees on Rochdale Road. However, the telecommunications mast provides a marker to identify the site.



Viewpoint 5: View from Livesey Street - facing west. Setting of Grade II listed St Patricks RC Church (existing)

The view has a low level of sensitivity with the overall effect of the proposal being minor beneficial. The proposal would add a significant amount of new development and highlight the growth of the city centre.



Viewpoint 5: View from Livesey Street - facing west. Setting of Grade II listed St Patricks RC Church (proposed (cumulative))

View 6 is in the Ancoats conservation area looking across Oldham Road into New Cross. The Lower Irk Valley and the site is not visible. Victoria Square, a grade II listed apartment building, is on the right hand side. Anita Street, a tight packed series of terrace properties, is located on the left.



Viewpoint 6: View from Sherratt Street facing north-west. Setting of Grade II Listed Victoria Square and Ancoats Conservation Area (existing)

The view has a medium level of sensitivity with the overall effect of the proposal being minor beneficial resulting in only a discernible change to the character and appearance of the area. The proposal would not have a perceptible impact on the listed building or the conservation area which would remain legible and understood in their immediate context. The proposal would add to the city views and the regeneration of Victoria North.



Viewpoint 6: View from Sherratt Street facing north-west. Setting of Grade II Listed Victoria Square and Ancoats Conservation Area (proposed (cumulative))

View 7 is taken from the eastern entrance to Roger Street with surface and on street parking dominant with associated infrastructure and signage. Railway arches dominate the background and provide a link through towards the site.



Viewpoint 7: View from Roger Street, facing east (existing)

The view has a low level of sensitivity with the overall effect of the proposal being negligible beneficial resulting in only a small change to the character and appearance of the area. The proposal would complement wider development activity and contribute positively to the cityscape and this new neighbourhood.



Viewpoint 7: View from Roger Street, facing east (proposed (cumulative))

View 8 is from the bridge overlooking the former railways sidings on the northern edge of St Catherine forest. It provides a unique cityscape view from above the tree canopy with tall buildings, cranes and new developments in view with one Angel Square, the CIS tower, New Century Hall and the Cooperative Wholesale Society Building. There is limited access to this area and this view.



Viewpoint 8: View from Barney Steps bridge, facing southwest. Elevated city view from PRow (existing)

The view has a medium level of sensitivity with the overall effect of the proposal being minor beneficial adverse resulting in only a discernible change to the character and appearance of the area. The proposal would be noticeable and create a prominent feature altering the composition of the view. The high-quality architecture and materiality would help to mitigate this impact. The profile of the emerging context would be legible and understood and would mark a clear representation of the growth in this part of the city centre meeting the aspirations of the SRF.



Viewpoint 8: View from Barney Steps bridge, facing southwest. Elevated city view from PRow (proposed (cumulative))

View 9 is at Manchester Fort Shopping Centre on Cheetham Hill Road and retail units and low rise commercial building dominate the view. The view is mainly appreciated in transit by those travelling to the city centre. The upper sections of a number of key city centre buildings can be seen in the background such as the CIS tower, Moda and Skyline Central.



Viewpoint 9: View from junction north street/ Cheetham Hill Road, facing south east (existing)

The view has a low level of sensitivity with the overall effect of the proposal being negligible/neutral adverse resulting in only a discernible change to the character and appearance of the area. The proposal would form a cohesive design and form part of a cluster of emerging tall buildings. The foreground would remain intact and the development would provide long range views of the city centre.



Viewpoint 9: View from junction north street/ Cheetham Hill Road, facing south east (proposed (cumulative))

View 10 is at the entrance to the Queens Road Tram Stop with views to the city centre. In the foreground are low rise industrial building and tram infrastructure and the urban context of the high-rise city centre buildings and development is in the background across the Lower Irk Valley. The heritage assets are the listed tower for the Church of St Peter), the CIS tower and the City Police Courts.



Viewpoint 10: View from Queens Road bridge facing south-west. Key elevated views from pedestrian entrance to Queens Road Tram Stop (existing)

The view has a low level of sensitivity with the overall effect of the proposal is negligible/neutral adverse resulting in only a discernible change to the character and appearance of the area. The proposal would be a noticeable addition to the cluster of tall buildings emerging in the city skyline. The high quality architecture would differentiate it from others in the view. The proposal would be a positive addition and the city skyline and deliver upon the objectives of the SRF.



Viewpoint 10: View from Queens Road bridge facing south-west. Key elevated views from pedestrian entrance to Queens Road Tram Stop (proposed (cumulative))

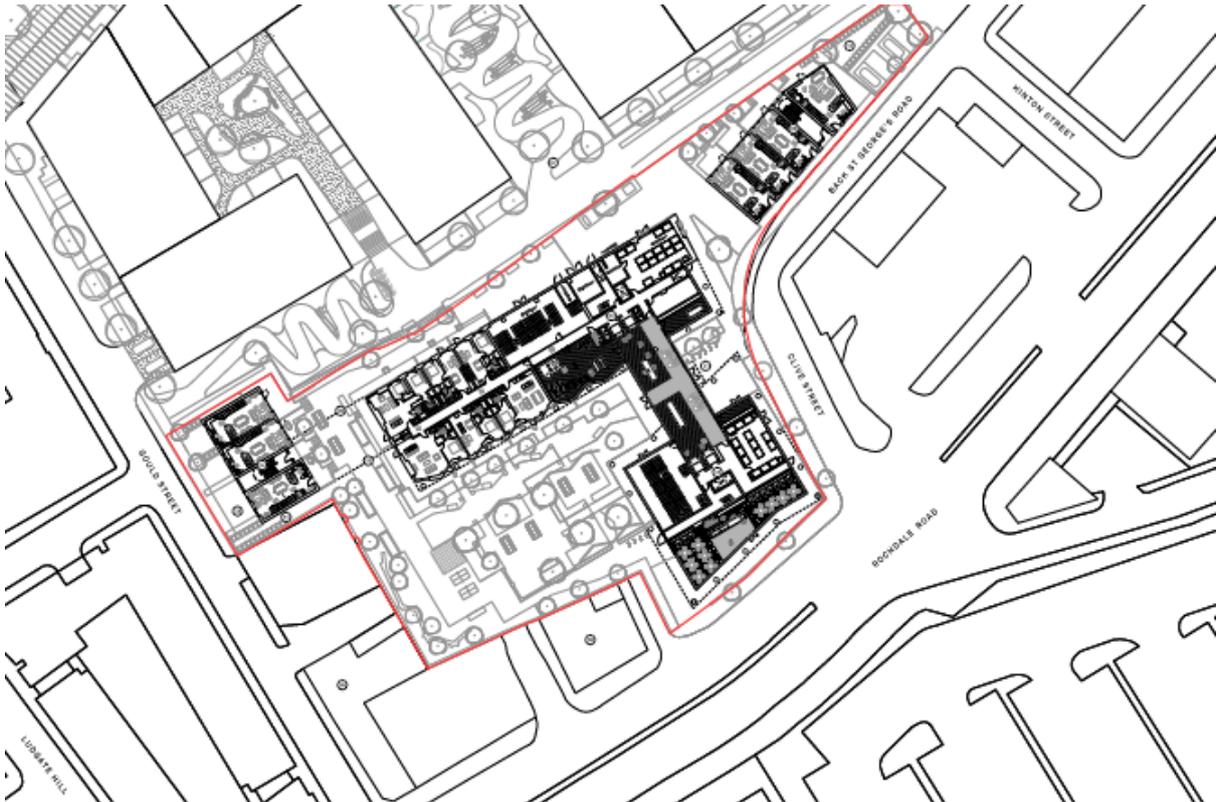
The development would be significant in these views but in most cases would improve the skyline through its architecture, scale, massing and materiality. There are instances where it would change the setting of listed buildings and non-designated heritage assets. However, this would be mitigated by the benefits of the proposal through the addition of new homes, place making and high-quality architecture at a poor-quality site within an underutilised area. The proposal would also offer a high level of sustainability and be a low carbon development together with cycle and electric car infrastructure as required by policy EN2 of the Core Strategy.

Layout, scale, external appearance and visual amenity

Three buildings would be delivered alongside public realm providing setting to the new buildings with enhanced linkages within the site and wider area. This would deliver the strategic objectives of the Northern Gateway SRF and comply with policies SP1, EN1 and DM1 of the Core Strategy.

The main building would be 'L' shaped with the narrowest part fronting Rochdale Road. The proposed layout would not preclude 65 Rochdale Road being redeveloped line with the SRF.

The built form on Rochdale Road and Clive Street would help to redefine the street edge and respond to the prevailing character of the area. A commercial unit on Rochdale Road would provide natural surveillance and activity. The main pedestrian entrance to the homes would be from Clive Street.



Proposed Ground floor layout

The tallest elements of the development are 11 and 13 storeys with the duplex buildings being 3 storeys.

The scale massing has been broken down into two distinct elements which is reflected in the materials. There would be a significant gap between the listed pub and the building fronting Rochdale Road which provide sufficient space to minimise the impact of this scale.

The tallest element fronts Rochdale Road. The duplex blocks on Gould Street and Back St Georges Road are 3 storeys and form a relatively modest addition compared to the existing and emerging context.

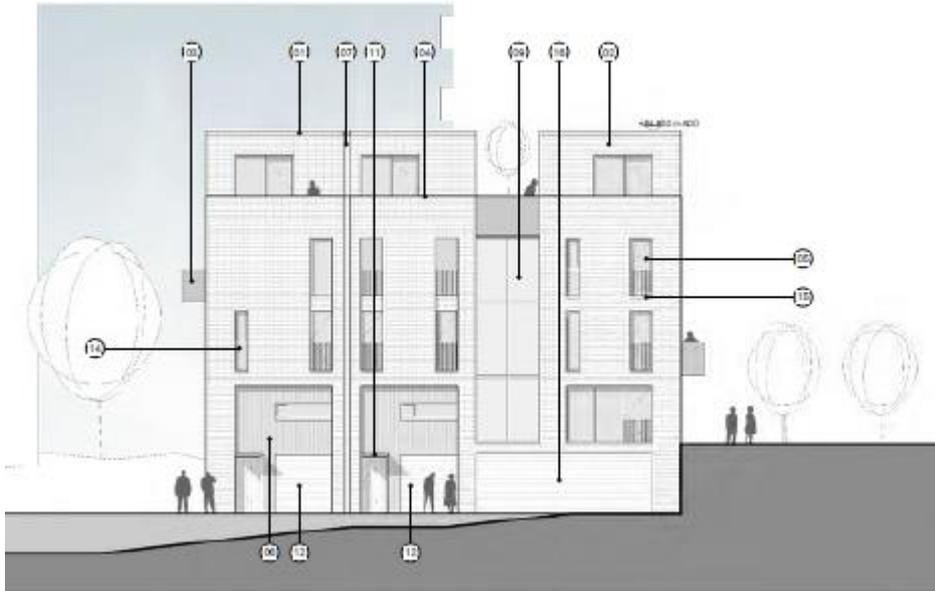
A simple palette of materials is proposed comprising brick, pre-cast concrete detailing and metal windows and full height fins.



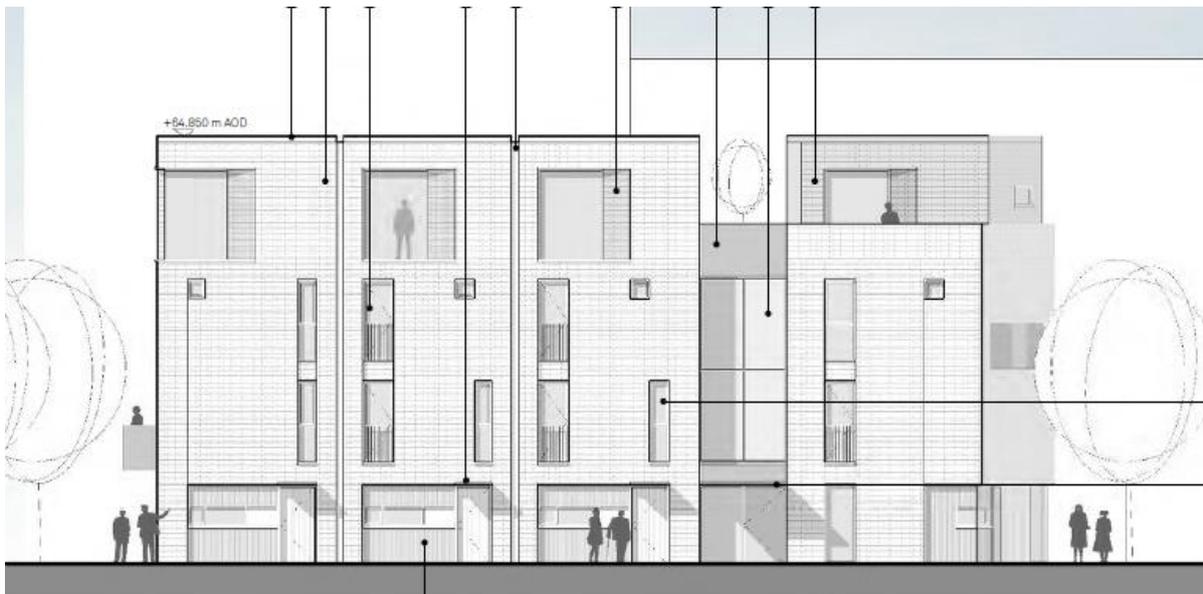
Apartment building fronting Rochdale Road



Apartment building fronting Clive Street



Gould Street duplex building

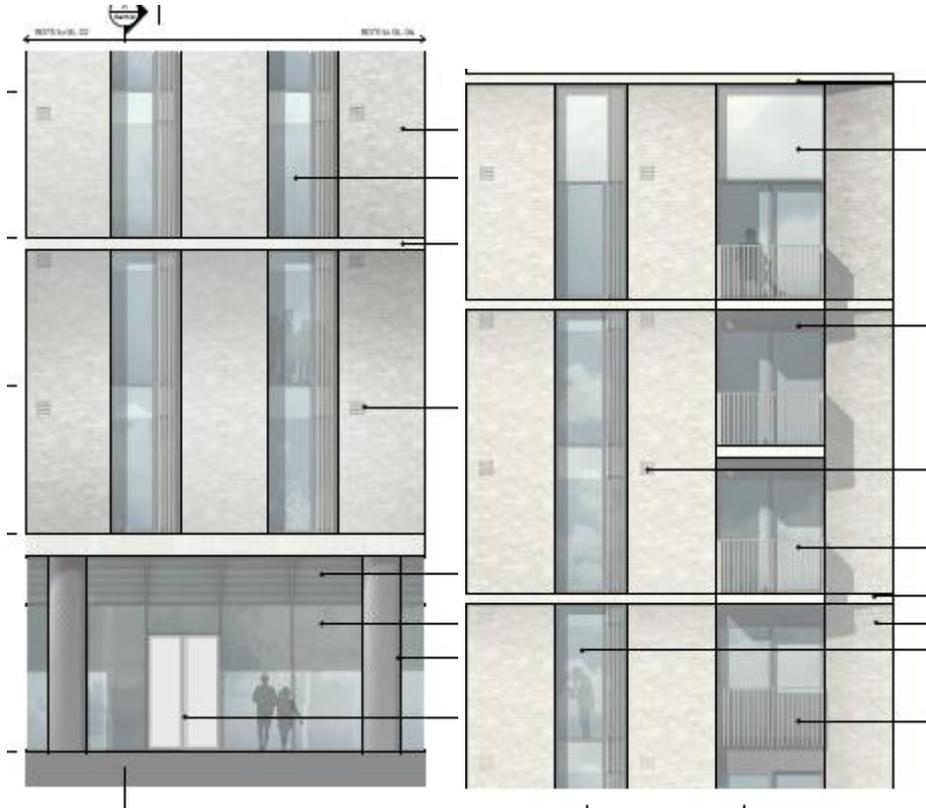


Back St George Street duplex building

The façade of the apartment building would be set out on a regular grid with the two wings expressed differently to provide a unique identity. The wing to Rochdale Road has a double window order and the wing to the rear a single order. Windows would be slim profile aluminium frames which would be recessed in a deep reveal to provide depth to the façade. There would be glazed spandrel panels on Rochdale Road to accentuate the double order appearance. Inset balconies would be provided to the top three floors and will be finished in a deep brick reveal and metallic balustrade.

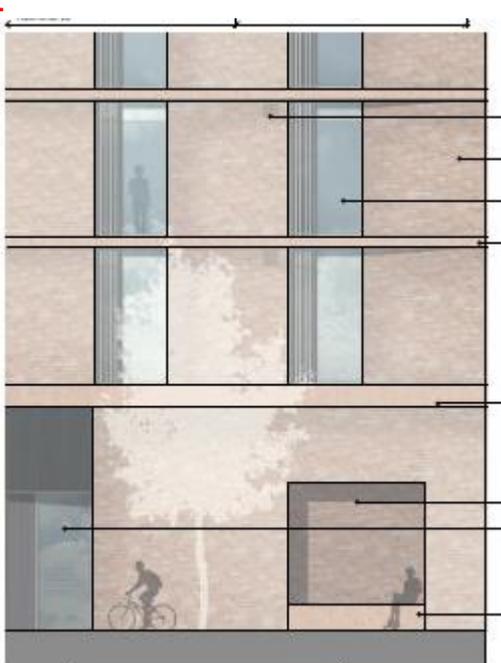
Each wing of the apartment building would have a different brick colour. The brick would have a 'bag rubbed' finish with matching mortar to provide a consistent and uniform finish to the façade. A Pre-cast concrete banding, flush with the brick work,

provides a horizontal detail at each floor. This would accentuate the double order of the Rochdale Road element due to its inclusion at every other floor. The rear element would have the banding detail at every floor. Exposed columns would be use at the ground floor and cast in a decorative moulds.



Bay study for the Rochdale Road element of the apartment building

The same palette of materials would be used for the duplex buildings.



Bay study for the Rear element of the apartment building

This would be an early development in the SRF and could act as a catalyst for further regeneration. As other developments come forward, the development would become part of a more established street scape. The design is considered to be of a high standard and conditions would ensure that it is delivered to the required quality.

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

The landscaping strategy aims to provide a high quality setting for the development with public realm and links through to adjacent sites. It comprises: the creation of a community space/garden area, courtyard space, private gardens, pocket park and enhanced street scape to Rochdale Road and Clive Street. 54 new trees would be planted, including street trees along Rochdale Road and Clive Street.

Natural stone paving, street trees and rain garden panting would provide a high quality and improved street scape to Rochdale Road and Clive Street. A pocket square would provide a link with the development of the Gas Works site and become a focal point and strengthen the links to other sites in the SRF area.

The central garden space is at the heart of the landscaping proposals and would allow for recreation, play and relaxation. Street furniture would be provided in this space for sitting. There is also a growing space for residents. Low walls, pillars and green screens provide informal zoning of the spaces.



Images of the central garden space

The duplex buildings would have rear private gardens. Planting and screens would provide separation from the wider public realm works.

The material palette would include Yorkstone, granite and clay paving which complement the landscaping scheme for the adjacent development site to provide a seamless finish across the public realm.

The trees, soft planting and rain gardens which enable the site to manage its surface water, provides an opportunity to improve the ecology and biodiversity. A landscape management plan should be agreed by condition.

Impact on Ecology

An ecological appraisal concludes that the development would not cause significant or unduly harmful impacts to local ecology given the limited ecological value of the car park. No bats were recorded, or roost found at the site and activity low. Greater Manchester Ecology Unit (GMEU) concur with its findings. The planting, trees and street trees would enhance green infrastructure, biodiversity and the ecological value of the site. A condition would agree final details in order to comply with policy EN9 of the Core Strategy and ensure a biodiversity net gain at the site.

Effects on the Local Environment/ Amenity

(a) Sunlight, daylight, overshadowing and overlooking

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

The following homes were assessed:

- The Citadel Apartments, Ludgate Hill;
- 6 Ludgate Hill Apartments;
- The Marble Arch Public House, 73 Rochdale Road;
- 85 Rochdale Road; and
- 18-20 Rochdale Road.

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

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

guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. They also suggest that distribution of daylight within rooms is reviewed although bedrooms are considered to be less important.

The BRE guidelines also sets out a more detailed tests that assesses the daylight conditions in rooms. These include the calculation of the Average Daylight Factors (ADF) which determines the level of illumination.

Where a VSC result show that a room would be adversely impacted, an ADF and/or DD analysis should be prepared to enable a more informed view to be taken as to the overall impact on daylight levels.

For sunlight, there is a requirement to assess main windows which face within 90 degrees due south. Windows which do not face within 90 degrees due south do not get direct sunlight.

A summary of the daylight impacts are detailed below:

The Citadel Apartments, Ludgate Hill

The Citadel apartments is a 6-7 storey residential building, located to the west of the site, separated from it by Gould Street. Its windows do not overlook the site directly, however, the proposal would be seen once constructed. The rooms overlook the site are a mixture of habitable uses – living / kitchen / dining rooms and bedrooms.

120 windows were assessed for daylight to 84 rooms. In the baseline condition 103 windows (86%) achieve the 27% VSC target and 17 windows (14%) did not. The majority of these windows are in a recess, which limits daylight amenity. The remainder directly overlook 6 Ludgate Hill apartment building. With the development in place 116 windows (97%) would continue to either achieve the 27% VSC target or achieve VSC values that are at least 0.8x the baseline values, which is acceptable under the BRE guidance on the grounds that it would not be noticed by the room occupants. The remaining 4 windows (3%), none of which achieve the BRE target in the baseline condition, are all recessed, and each serves a room which has a main window which does achieve the BRE target. The room would therefore remain well lit. All 84 rooms (100%) appraised would pass the BRE's NSL test, either experiencing no reduction in NSL, or very minor reductions in NSL that would not be noticeable to the room occupants.

There are 12 rooms which require consideration for sunlight and all achieve both the Annual and Winter sunlight targets in the baseline scenario. As a result of the development, 11 rooms would continue to achieve both Annual and Winter sunlight targets, or experience reductions that would not be noticeable to the room occupants.

6 Ludgate Hill

The building is located to the south west of the site on the opposite side of Gould Street. The rooms which overlook the site comprise a mixture of habitable uses – living rooms, kitchens and bedrooms.

98 windows were assessed for daylight to 88 rooms. In the baseline condition, a majority of windows (94%, 92 windows) achieve the 27% VSC target and 6 windows do not, as a result of their direct outlook towards the two storey, pitched roofed of The Marble Arch pub or, at the end of the building, towards The Citadel.

84 windows (86%) would continue to either achieve the 27% VSC target or achieve VSC values that are at least 0.8x the baseline values, which are accepted by the BRE on the grounds that it would not be noticed by the room occupants. The other 14 windows (14%) would achieve a VSC value of at least 23%, which is within an acceptable tolerance of the BRE's daylight targets given the urban locale of the site.

59 rooms (67%) would pass the BRE's NSL test. 29 (33%) would not pass the test, experiencing a reduction that could be noticeable to the room occupants. 23 of these rooms would continue to receive direct daylight to the majority of their area. The 6 remaining rooms that do not pass the NSL test are all located at ground and first floor levels and are served by other windows which are complaint

There are 5 rooms, one per floor at the corner of Rochdale Road and Gould Street, served by a window within 90 degrees of due south have been assessed for sunlight impacts. In the baseline condition, all achieve both Annual and Winter sunlight targets which would continue to be the case when the development is complete.

The Marble Arch Public House, 73 Rochdale Road

The Marble Arch is located to the south west of the and has windows in its north west and north east facing elevations that overlook the site. The upper floors are understood to be of habitable use.

3 windows have been assessed for daylight, to 3 assumed habitable rooms. In the baseline condition, all 3 windows achieve the BRE's 27% VSC target. As a result of the development, 2 windows (66%) would continue to either achieve the 27% VSC target or continue to achieve VSC values of at least 0.8x baseline values, accepted by the BRE on the grounds that it would not be noticed by the room occupants. The remaining window would achieve a VSC value of at least 26%, which is considered to be within an acceptable tolerance of the BRE's 27% target given the urban locale of the application site.

All 3 rooms (100%) appraised would pass the BRE's NSL test, experiencing either no reduction in NSL or, where a measurable reduction is experienced, it would not be noticeable to the room occupants.

The windows / rooms are not required to be sunlight amenity impact assessed as they are not oriented within 90 degrees of due south.

To the rear / north of this neighbouring building, it has two external amenity spaces. The first a garden upon the flat roof of part of the building. The second an external "beer garden" at a lower level.

In the baseline condition, these external amenity areas receive 2 hours of sunlight to a combined 40.4% of their area. In the proposed condition, this will see a small / marginal increase to 40.51%.

85 Rochdale Road

85 Rochdale Road is to the south of the site with windows overlooking the site. There is understood to be rooms of residential use to the 1st floor.

7 windows have been assessed for daylight, serving an assumed 6 habitable rooms at 1st floor level. In the baseline condition all achieve the BRE's 27% VSC target 3 (43%) would continue to achieve the 27% VSC target and the rooms would pass the BRE's NSL test, experiencing no noticeable movement in the NSL and receiving internal daylight distribution to the significant majority of their area.

One window would achieve a VSC value of at least 21.6%, which is considered to be within an acceptable tolerance of the BRE's 27% target given the context of the site.

Of the remaining 3 windows, one serves the room that is also served by the acceptable tolerance window noted above. Given the urban location of the application site, the daylight amenity of this room is not materially prejudiced on the basis that at least one of the windows achieve a VSC within an acceptable tolerance of the BRE target, and the room would also comfortably pass the BRE's NSL test.

The remaining 2 windows (29%) do not achieve the BRE's VSC target and would experience a VSC reduction that would be noticeable to the room occupants. The rooms served by these windows would not pass the NSL test.

On balance, it is considered that the impact on 85 Rochdale Road is acceptable given the urban location and would not result in any unduly harmful impacts on residential amenity that would warrant refusal of the application.

3 rooms have been assessed for sunlight with all of the rooms achieving 25% annual and 5% winter APSH targets in the baseline condition and will continue to achieve these targets in the proposed condition.

18-20 Rochdale Road

18-20 Rochdale Road is to the east of the site and separated from it by Rochdale Road. The building has been converted into apartments.

22 windows were assessed, to 8 rooms and all currently achieve the BRE's 27% VSC target., 21 (95%) would continue to achieve the 27% target. The remaining window would achieve a VSC of 26%, which would be within an acceptable tolerance. 7 of the 8 rooms would pass the BRE's NSL test, experiencing either no reduction in NSL, or movement in the NSL that would not be noticeable. The remaining room – a first floor bedroom – would experience a reduction in daylight distribution to 0.79x baseline values which, in qualitative terms, is not materially different from the 0.8x permitted by the BRE on the basis it would not be noticeable.

In terms of sunlight, all four rooms (100%) assessed achieve both the 25% annual and 5% winter APSH targets in the baseline condition. Despite minor reductions in the annual APSH, all four rooms will continue to achieve the above annual and winter sunlight targets in the proposed condition.

Overall it is considered that the windows assessed for sunlight would retain a good summer sunlight potential for an urban location.

The proposal would not give rise to any unduly harmful effects in respect of overlooking. The development would be separated from the surrounding developments by the road network. The layout and orientation of both schemes maximises the privacy distances to prevent any undue loss of privacy.

(b) TV reception

A TV reception survey has concluded that there is likely to be minimal impact on digital television services or digital satellite television services. This would be closely monitored during the works and a condition would require of a post completion survey to be undertaken to verify that this is the case and that no additional mitigation is required.

(c) Air Quality

An air quality assessment has considered air quality impacts during construction and when the development is complete/occupied, and whether mitigation is required.

The construction phase assesses effects of dust and particulate emissions from site activities and materials movement based on a qualitative risk assessment method based on the Institute of Air Quality Management's (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction' document, published in 2014.

The assessment of the potential air quality impacts when the development is complete/occupied has focused on the predicted impact of changes in ambient nitrogen dioxide (NO₂) and particulate matter with an aerodynamic diameter of less than 10 µm (PM₁₀) and less than 2.5 µm (PM_{2.5}) at key local receptor locations. The magnitude and significance of the changes have been referenced to non-statutory guidance issued by the IAQM and Environmental Protection UK (EPUK).

The Greater Manchester Air Quality Management Area (AQMA), where air quality conditions are known to be poor from emissions from the road network, is adjacent to the site on Rochdale Road. The site is therefore partially located in the AQMA. The air quality assessment has considered the impact of the development on the AQMA.

There are sensitive receptors on routes predicted to experience significant changes in traffic flow. No ecological receptors were identified at the site. The main emissions during construction are from dust and particulate matter from earthworks, particularly during the dry months, from construction materials and/or vehicle emissions for construction waggons.

The construction activities are likely to give rise to short term but predictable impacts on dust and particulate matter concentrations on the surrounding area. The likely source of this is vehicle emissions, dirt on the highway, demolition and wind effects on stockpiling of material.

Good on site practices would mitigate dust and air quality impacts and ensure they do not have a significant on nearby residents and local air quality conditions. This should remain in place for the duration of the construction period and should be a condition of the planning approval.

The impact on air quality when the development is occupied is likely to be from vehicle emissions and the associated impact on nitrogen oxide and particulate matter. The proposal would reduce on site parking from 115 to 35 spaces.

The impact of vehicle emissions and the effects of changes in traffic flow in relation to nitrogen oxide and particulate matter would be negligible. Exceedances of nitrogen oxide and particulate matter are not predicted at the site or on the adjacent AQMA.

The development would support sustainable travel. All parking spaces would be fitted with an electric vehicle charging point and there would be 232 cycle spaces. A travel plan would promote sustainable travel and exploit nearby walking and cycling routes and close proximity to the city centre and retail/commercial core.

A mechanical ventilation system would ensure that air intake to the apartments would be fresh and free from pollutants. Environmental Health concur with the conclusions and recommendations of the air quality report. The mitigation measures would be secured by planning condition and the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that the development would have no detrimental impact on existing air quality conditions.

(d) Wind environment

A wind assessment has examined potential effects on the wind environment and in particular, wind flows that would be experienced by pedestrians and the influence on their activities. A study area of 500 metre radius around the site was established. The assessment also considered necessary mitigation measures to minimise the impact on the wind microclimate.

A Computational Fluid Dynamics (CFD) analysis assessed the effects of the proposal on existing wind conditions, the conditions with the development in place and the cumulative scenario with other committed developments.

There are no known wind conditions at the site. Once the development is complete the conditions in and around the site would remain suitable for use. Consideration has also been given to the wind conditions once other developments in the area are complete and the report demonstrates that the wind conditions remain suitable.

Noise and vibration

A noise assessment identifies the main sources of noise during construction as plant, equipment and construction activities including breaking of ground and servicing. These noise levels would be acceptable provided that operating and delivery hours are adhered to along with the provision of an acoustic site hoarding, equipment silencers and regular communication with nearby residents. This should be secured by a condition.

A mechanical ventilation system and appropriate glazing would ensure that noise levels within the apartments are acceptable, particularly from nearby roads and noise transfer from ground floor commercial accommodation. This would also be the subject of verification prior to occupation.

Provided that construction activities are carefully controlled and the plant equipment and residential and commercial accommodation are appropriately insulated the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Waste management

Each apartment would have separate storage areas for refuse, recyclable and compostable materials. Residents would be responsible for taking waste to the ground floor bin store of each apartment building.

The apartment building would have two bin stores of 70.7m² and 53.2m² which would be serviced from a loading bay on Clive Street. The bin stores would comprise: Rochdale Road element - 7 general waste 1100s, 4 pulpable waste 1100s, 4 co-mingled 1100s, 1 240 for organic;. Rear element - 9 general waste 1100s, 5 pulpable waste 1100s, 4 co-mingled 1100s, 2 240 for organic

There would also be internal space for the commercial unit with separate external space for the duplex accommodation.

All refuse stores would be mechanically ventilated. Management would move the bins to the kerb side on Clive Street or Gould Street and promptly move them back to the store when they have been emptied.

The refuse arrangements are acceptable in principle to Environmental Health subject to further details in order to satisfy policies EN19 and DM1.

Accessibility

The residential entrances would be level and void pinch points. The reception desk would be low level with other measures to help wheel chair users. All upper floors are accessible by lifts and internal corridors would be a minimum of 1500mm. All apartments have been designed to space standards and allow adequate circulation space. There would be dedicated parking space for disabled people.

Flood Risk/surface drainage

The site is in flood zone 1 '*low probability of flooding*' and a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. These areas are particularly sensitive to an increase in surface water run off rate and/or volume from developments which may exasperate local flooding problems. As such, policy EN14 states that developments should seek to minimise the impact on surface water run off in a critical drainage area.

A drainage statement has been considered by the City Council's flood risk management team. The drainage strategy for the site includes the measures to minimise surface water run off. Further details are required to complete the drainage strategy in order to satisfy the provision of policy EN14 of the Core Strategy which should form part of the conditions of the planning approval.

Impact on the highway network/car/cycle parking and servicing

A transport statement notes that all sustainable transport modes are nearby. A transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

There would be limited on site parking, with 29 in the basement and 6 spaces at the duplex buildings. All spaces would be fitted with a fast electric car charging point. There would be 232 cycle spaces in dedicated secure cycle stores, split across each building. A travel plan would support the residents travel needs including offsite parking needs. A condition should ensure that the travel plan is monitored and that residents parking needs are met.

The main servicing route would be from Clive Street and Back St George's Road with a new loading bay on Clive Street. The servicing arrangements are satisfactory.

A review of the Traffic Regulation Orders and a car club bay would be provided on the surrounding streets together with reinstatement of footways. A construction management plan is also required to be agreed.

The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Designing out crime

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition of the planning approval is that the CIS is implemented in full as part of the development in order to achieve Secured by Design Accreditation.

Ground conditions

A ground conditions report details that the site is contaminated from previous uses and requires remediation. The ground conditions are not complex so as to prevent

development provided a strategy is prepared, implemented and the works verified. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Construction management

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

Construction vehicles are likely to use Gould Street, Rochdale Road and Clive Street which should minimise disruption on the local network. There is a large amount of activity in the local area but the proximity of the strategic road network should help to minimise disruption on the surrounding area.

Specific comments have been raised about the impact of construction traffic on the Marble Arch. Careful consideration will need to be given to the use of Gould Street for construction traffic to ensure that impacts on the public house are minimised. The final details would be agreed through a condition.

Provided the initiatives outlined above are adhered to, 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 requires the final construction management plan to be agreed to ensure the process has the minimal impact on surrounding residents and the highway network.

Fire Safety

It is a mandatory planning requirement to consider fire safety for high rise buildings in relation to land use planning issues. A fire statement must be provided, and the Health and Safety Executive (HSE) must be consulted. Government advice is very clear that the review of fire safety at gateway one through the planning process should not duplicate matters that should be considered through building control.

A number of queries raised by the HSE have been addressed. There are outstanding matters but these are issues that should be addressed through building control and are not land use planning issues that can be dealt with through the planning process. The applicant has responded to these comments and therefore the issues are being considered early in the design process as a result of the consultation at Gateway one.

Fire Safety measures in relation to site layout, water supplies for firefighting purposes and access for fire appliances is addressed in the Fire Safety Report and supplementary information will be a specified in the approved plans and supporting information condition of any consent granted. On this basis it is considered that that there are no outstanding concerns which relate to the remit of planning as set out in the Fire safety and high-rise residential buildings guidance August 2021.

It is recommended that an informative of the planning approval highlights the need for further dialogue with relevant experts as part of the approval of Building Regulations in order to ensure that all matters relating to fire safety meet the relevant Regulations.

Permitted Development

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

It is recommended that the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c) be restricted and that a condition be attached to this effect. This is important given the emphasis and need for family housing in the city. There should also be restrictions to prevent paid accommodation such as serviced apartments for the same reason.

It is also considered appropriate to remove the right to extend the apartment building upwards and remove boundary treatments without express planning permission as these would, it is envisaged, could undermine the design quality of the scheme and in respect of boundary treatment, remove important and high quality features from the street scene.

Legal Agreement

The proposal would be subject to a legal agreement under section 106 of the Planning Act to secure the provision of onsite affordable housing as explained in the paragraph with heading "Affordable housing".

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 would have a positive impact on the regeneration of this part of the City Centre and would contribute to the supply of high quality housing including on site affordable housing. Active frontages and high quality façades would make a positive contribution to the city scape. The building would be of a high level of sustainability and high quality materials thereby reducing CO2 emissions.

There would be a modest impacts on the setting of adjacent listed buildings and non-designated heritage assets. These are low level impacts that are outweighed by the public benefits that the scheme would deliver in terms of removing this low quality site and providing new homes.

There would be minimal impact on the surrounding buildings in terms of daylight and overlooking distances are reasonable and will not result in a loss of privacy.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Minded to Approve subject to the signing of a section 106 agreement in relation to affordable housing

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development and impact on the listed building. Further work and discussion have taken place with the applicant through the course of the application. The proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) to be attached to decision for approval

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

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

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

Drawings

136-JMA-B3-00-P-A-022300, 136-JMA-B3-N-E-A-042230, 136-JMA-B4-00-P-A-022240, 136-JMA-MP-01-P-A-022201, 136-JMA-MP-07-P-A-022207, 136-JMA-MP-09-P-A-022209, 136-JMA-MP-10-P-A-022210, 136-JMA-MP-11-P-A-022211, 136-

JMA-MP-12-P-A-022212, 136-JMA-MP-13-P-A-022213 and 136-JMA-MP-LG-P-A-022199 stamped as received by the City Council, as Local Planning Authority 20 September 2021.

136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021

136-JMA-B1-00-E-A-104200 Rev B, 136-JMA-B2-00-E-A-104202 Rev B, 136-JMA-B2-10-E-A-104201 Rev C, 136-JMA-MP-AA-S-A-052200 Rev A, 136-JMA-MP-E-E-A-042201 Rev B, 136-JMA-MP-N-E-A-042202 Rev B, 136-JMA-MP-N-E-A-042205 Rev B, 136-JMA-MP-S-E-A-042200 Rev C, 136-JMA-MP-S-E-A-042204 Rev B and 136-JMA-MP-W-E-A-042203 Rev B stamped as received by the City Council, as Local Planning Authority 3 December 2021

2624-PLA-XX-XX-DR-L-0002 REV P06, 2624-PLA-XX-XX-DR-L-1001 REV P03, 2624-PLA-XX-XX-DR-L-1002 REV P04, 2624-PLA-XX-XX-DR-L-2000 REV P04 and 2624-PLA-XX-XX-DR-L-3000 REV P06 stamped as received by the City Council, as Local Planning Authority 6 December 2021

Supporting Information

Affordable Housing Assessment (WSP), Air Quality Impact Assessment (Miller Goodall); Archaeology and Heritage Desk Based Assessment (Salford University); Architectural Drawings including architectural drawings register (Jon Matthews Architects); Bat Survey (E3P); Blue and Green Infrastructure Statement (Planit-IE); Broadband Connectivity Assessment (Gtech Surveys), Construction Management Plan (Portwood Developments), Crime Impact Assessment (GMP); Daylight and Sunlight Assessment (Grey Scanlan Hill); Design and Access Statement including residential standards (Jon Matthews Architects with Planit_IE); Energy Strategy (Ridge) – in lieu of validation checklist requirement ‘environmental standards’; Fire Statement (Design Fire Consultants); Flood Risk Assessment and Drainage Strategy Report (Ridge); Heritage Statement (University of Salford), Lighting Layout (Ridge), Local Labour Agreement (WSP); Management Strategy (Portwood Developments Limited); Noise Assessment (DBX Acoustics); Phase 1 Geo-technical Assessment (E3P); Planning Statement (WSP); Statement of Community Involvement (WSP); Tall Buildings Assessment (WSP); Townscape and Visual Impact Assessment (Planit-IE); Transport Assessment and Travel Plan (SK Transport), TV, Reception Assessment (Gtech Surveys); Viability Appraisal (Savills) and Wind Assessment (Architectural Aero) stamped as received by the City Council, as Local Planning Authority 20 September 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 the commencement of the development, details of the method for piling, or any other foundation design using penetrative methods, for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

4) 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).

5) Notwithstanding the Flood Risk Assessment and Drainage Strategy Report (Ridge) stamped as received by the City Council, as Local Planning Authority, on the 20 September 2021, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of 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. Where sites have existing drainage, efforts should be made to model the existing network to calculate the existing flow rates - proposed discharge rates should be then be based on these existing flow rates (including at least a 50% betterment).
- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- 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 40% 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.

- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice. Confirmation that connection via the 225mm diameter public combined sewer is suitable.

- Hydraulic calculation of the proposed drainage system;

- Construction details of flow control and SuDS elements.

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

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

6) No development works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

- a historic building investigation (Level 2) of any historic buildings or structures that are to be removed;

- archaeological evaluation trenching;

- pending the results of the above, a targeted open-area excavation.

2. A programme for post-investigation assessment to include:

- production of a final report on the results of the investigations and their significance.

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, including the installation of a heritage interpretation 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), saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and NPPF.

7) a) Notwithstanding the Phase 1, Geo-Environmental Site Assessment, Ep3, Reference: 12-922-R1, dated December 2018 and the preliminary risk assessment, prior to the commencement of the development the following information should be submitted for approval in writing by the City Council, as Local Planning Authority:

- Intrusive investigation assessment;
- Updated final risk assessment;
- Remediation Strategy.

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 prior to the first occupation of the residential element of the scheme.

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.

8) The development shall not commence until a detailed construction management plan outlining working practices during construction have be submitted for approval in writing by the Local Planning Authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Consultation with local residents/local businesses;
- 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 plan.

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).

9) Prior to the commencement of the development, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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

10) The window reveals, soffits and vents for the development shall be carried out in accordance with drawings 136-JMA-B1-00-E-A-104200 B, 136-JMA-B2-00-E-A-104202 B and 136-JMA-B2-10-E-A-104201 C stamped as received by the City Council, as Local Planning Authority, on the 3 December 2021

Reason – In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

11) 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 associated with the development being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

12) Prior to any above ground works, details of the boundary treatment shall for the development be submitted for approval in writing by the Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the development.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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

13) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

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

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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

14) The development hereby approved shall be carried out in accordance with the Energy Strategy (Ridge) – in lieu of validation checklist requirement ‘environmental standards’ stamped as received by the City Council, as Local Planning Authority, on the 20 September 2021. 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) Notwithstanding drawings 2624-PLA-XX-XX-DR-L-0002 REV P06, 2624-PLA-XX-XX-DR-L-1001 REV P03, 2624-PLA-XX-XX-DR-L-1002 REV P04, 2624-PLA-XX-XX-DR-L-2000 REV P04 and 2624-PLA-XX-XX-DR-L-3000 REV P06 stamped as received by the City Council, as Local Planning Authority, on the 6 December 2021, (a) prior to any works commencing on the hard and soft landscaping scheme (including appropriate materials, specifications) details 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 residential element of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

16) Prior to the first use of the development hereby approved, a detailed landscaped management plan 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 details of how the hard and soft landscaping areas will be maintained including maintenance schedules and repairs. The management plan shall then be implemented as part of the development and remain in place for as long as the development remains in use.

Reason - To ensure that the satisfactory landscaping scheme for the development is maintained in the interest of the character and visual amenity of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

17) (a) Prior to the first occupation of the development, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) 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. Any measures shall 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) Notwithstanding the Noise Assessment (DBX Acoustics) stamped as received by the City Council, as Local Planning Authority, on the 20 September 2021, prior to the first use of the commercial unit as indicated on drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, a scheme of acoustic insulation for the commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) Prior to the first use of the commercial unit, 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 - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

19) Notwithstanding the Noise Assessment (DBX Acoustics) stamped as received by the City Council, as Local Planning Authority, on the 20 September 2021, prior to the first occupation of the development a scheme for acoustically insulating the proposed residential accommodation against noise from the local traffic network shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the development.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)
 Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq
 Gardens and terraces (daytime) 55 dB L Aeq

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

20) Prior to any above ground works, details of an appropriately sized refuse store and waste management strategy for the residential element of the scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The details of the approved scheme shall be implemented prior to the first occupation of the residential element and shall remain in situ whilst the 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 use of the commercial unit, as indicated drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, details of an appropriately sized refuse store and waste management strategy for the commercial element of the scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The details of the approved scheme shall be implemented prior to the first use of the commercial unit and shall remain in situ whilst the development is in operation.

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

22) Prior to the first use of the commercial unit, as indicated drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, should fume extraction be required, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the commercial units and thereafter retained and maintained in situ.

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

23) Prior to the first use of the commercial unit as drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial units and thereafter retained and maintained in situ.

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

24) 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 for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of 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 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.

25) 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.

26) 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).

27) The commercial unit hereby approved, as indicated on drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, shall not be open outside the following hours:-

Monday to Saturday 08:00 to 23:30
Sundays (and Bank Holidays): 10:00 to 22:00

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

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.

28) The commercial unit as shown on drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary

Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

29) The commercial unit, as indicated on drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, can be occupied as Use Class E (excluding convenience retail and a gymnasium) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification). The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester .

30) 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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

31) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

32) 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 11 May 2020. 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 acknowledge in writing that it has received written confirmation of a Secured by Design accreditation.

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

33) 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 20 September 2021.

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

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

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

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

34) Prior to the first occupation of the residential element, the 237 space cycle stores shall be implemented in accordance with drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021 and thereafter retained and maintained in situ.

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

35) Prior to the first occupation of the residential element of the development hereby approved, the car parking spaces, as indicated on drawing 136-JMA-MP-LG-P-A-022199 stamped as received by the City Council, as Local Planning Authority, on the

20 September 2021 shall then be implemented, made available and remain in situ for as long as the development remains in use.

Reason - To ensure sufficient disabled car parking is available for disabled occupants of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

36) Prior to the first occupation of the residential element of the development, 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.

This shall include the following:

- Introduction of tactile paving to the car park access at the junction of Rochdale Road and Clive Street;
- Amendments to existing Traffic Regulations Orders for the installation of double yellow lines and a loading bay along Clive Street, Back St George Road and Gould Street; and
- Provision of an on site car parking bay.

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

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

37) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 20 September 2021, 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 for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before the development is first occupied or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.

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

38) Prior to the first occupation of the residential element, the installation 7kw fast charging electric car charging points all the car parking spaces, as shown on drawing 136-JMA-MP-LG-P-A-022199 stamped as received by the City Council, as Local Planning Authority, on the 20 September 2021 and drawings 136-JMA-MP-XX-P-A-001005 Rev A and 136-JMA-MP-XX-P-A-022200 Rev A stamped as received by the City Council, as Local Planning Authority 6 November 2021, shall be implemented and remain available for as long as the development is in.

Reason – In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

39) Prior to the first occupation of the development hereby approved, details of bird and bat boxes to be provided (including location and specification) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason – To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

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

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

41) Prior to the first occupation of the development, a signage strategy for the entire buildings shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development 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).

42) All windows at ground level with the exception of the WC and, unless shown otherwise on the approved drawings detailed in condition 2, shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

43) The development hereby approved shall include for full disabled access to be provided to the internal courtyard and communal walkways and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

44) No doors (other than those designated as fire exits) shall open outwards onto adjacent pedestrian routes.

Reason – In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

45) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof shall be submitted to the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

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

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

47) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps (including appropriate acoustic details in line with condition 17) shall be submitted to the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

Informatives

- It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and

Network Resilience Teams post planning approval and prior to construction taking place

- Regarding S278 agreements a deposit is required to begin an application, additional costs will be payable and are to be agreed with S278 team. A S278 is required for works to the adopted highway, minimum standard S278 technical approval timescale is between 4-6 months, TRO's can take 10-12 months. An independent 'Stage 2' Road Safety Audit will be required and the design may require changes if any issues are raised with all costs attributable to the Developer. A 'Stage 1' Road Safety Audit should be completed during the planning stage and a copy of the report (with Designer's Response) is to be made available to the Statutory Approvals Team upon request.

- 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.

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: 131708/FO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Health & Safety Executive (Fire Safety)
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Environment Agency
National Amenity Societies
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Work & Skills Team
Health & Safety Executive (Land Use)

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



This page is intentionally left blank

Application Number	Date of Appln	Committee Date	Ward
131314/FO/2021	11 th Aug 2021	20 th Jan 2022	Deansgate Ward

Proposal Erection of a 17 storey building comprising office use (Use Class E(g)(i)) and flexible ground floor commercial units (Use Classes E(a), (b), (c) and sui generis 'drinking establishment'), new electricity sub-station, basement cycle parking and rooftop plant enclosure, together with access, servicing and associated works following demolition of the existing building

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

Applicant Kames Property Income Fund, C/o Agent ,

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

EXECUTIVE SUMMARY

A previous application (126328/FO/2020) for the erection of a 17 storey office building with active ground floor uses was refused by the Planning and Highways Committee on the 21st January 2021.

The proposal is for a 17-storey office building with ground floor commercial units, plus roof terrace/garden, following demolition of the existing building.

There have been 6 objections and 1 group objection from a company representing 43 out of 84 apartments in No. 1 Deansgate. The group objection is made as an addendum, carrying forward the group objection made on the application that was refused at Planning and Highways Committee on 21 January 2021. There were 3 comments in support

Key Issues

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

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

Public benefits: The proposal would generate 227 gross direct construction jobs and around 1000 FTE operational jobs. The business rates contribution would be approximately £8.5 million over 10 years. The employment would result in a potential uplift in employee spending of approximately £1.9 million – £1.92 million annually based on a 220-day working year. A local labour agreement would be included.

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

Wind: 2 studies have shown the proposal would not have an adverse impact on wind effects in the local area and would not cause an issue with regard to the functioning of the ventilation louvres in No. 1 Deansgate

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

Viability An appraisal that has been independently assessed on behalf of the Council has demonstrated that only a scheme of this scale would be viable. A full report is attached below for Members consideration.

Background

A previous application (126328/FO/2020) for the erection of a 17 storey office building with active ground floor uses was refused by the Planning and Highways Committee on the 21st January 2021, following a site visit, for the following reasons:

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

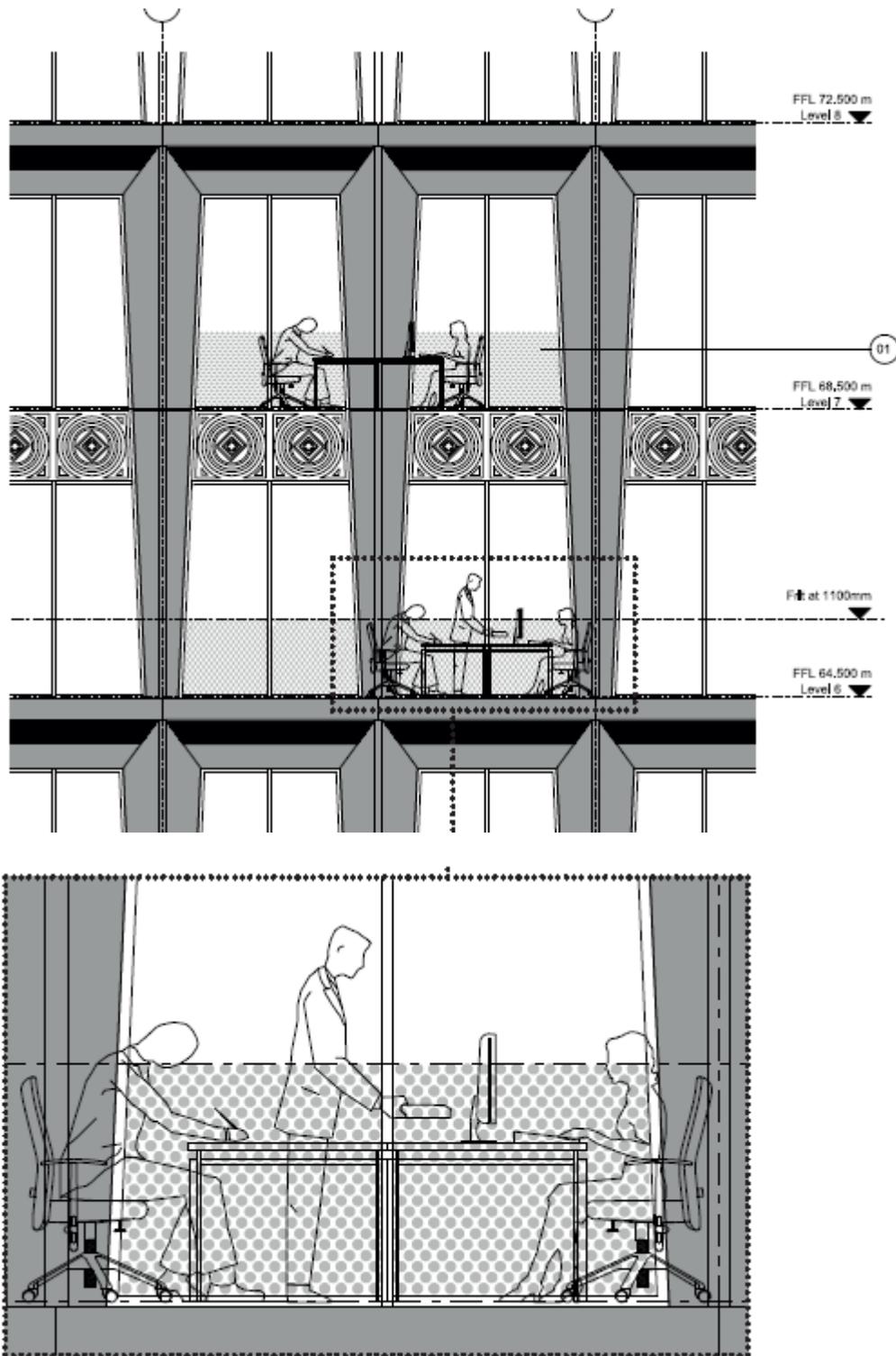
The applicant subsequently engaged with residents at No.1 Deansgate and local members in an effort to address their concerns. It is understood that at a meeting held on 21 October 2021 residents were presented with seven options. These were reviewed and assessed from a viability, marketing and technical perspective with the aim of also working collaboratively with neighbours.

The preferred option introduces fritted glazing, obscure/minimise some views in and out of a building. This would not significantly reduce natural light into the offices and reduce the overlooking potential into apartments at No.1 Deansgate by diffusing the direct visible connection between the offices and apartments.



Typical Upper Floor Plan

The plan above illustrates the zone (shown pink) suitable for a design solution to address the concerns of residents of No.1 Deansgate.



Viability Assessment

The applicant has prepared a Viability Assessment, assessing this and potential alternative schemes., including: Refurbishment of existing building; a 16-Storey office building; and this current proposal at 17-Storeys

Description

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

No. 1 Deansgate, a 17-storey residential building is opposite. To the east are retail units and offices on St Mary's Gate and Exchange Square. To the south is the Grade II* listed Barton Arcade which houses retail units, offices and an apartment. To the west is offices and retail units and a car park. The site is in the St. Ann's Square Conservation Area and opposite the Parsonage Gardens Conservation Area. Nearby listed building includes the Grade II Royal Exchange, the Grade I listed Church of St. Ann, the Grade II listed Hayward Buildings and the Grade I Listed Cathedral Church of St Mary. Diagonally opposite is the 15 storeys Renaissance Hotel. There are no statutory or non-statutory nature conservation designations and there are no trees on or adjacent to the site. The site is in Flood Zone 1.

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

Planning permission is sought for the erection of a 17-storey office building with flexible ground floor commercial units (Class E(a), (b), (c) and sui generis 'drinking establishments), an electricity sub-station, basement cycle parking and a rooftop plant enclosure following demolition of the existing building. The new building would provide around 197,000 sq. ft (gross)/136,000 sq. ft (net) of 'Grade A' office space and approximately 5,000 sq. ft (net) of flexible ground floor retail space.

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

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



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



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

actively managed, and access would be controlled. It is anticipated that the retail units would be operational during typical trading hours.

There would be a 96-space cycle hub in the basement with facilities for runners and cyclists. There would be no on-site parking. Servicing and deliveries would be from a rear service yard via an existing access off Exchange Street. Access is restricted by automatic bollards which operate from 7am to 11am.

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

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

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

Consultations

Neighbour notification The application has been advertised in the press as: a major development; affecting the setting of listed buildings; affecting a conservation area; and in the public interest. Site notices have been displayed and the occupiers of nearby properties have been notified. 6 individual representations were received, along with a group objection from No. 1 Deansgate Right to Manage Company Limited representing 43 of the 84 households. There have been three letters of support. The main issues raised are summarised below:

Height and design of the proposed building

- There is nothing over 10 storeys within 100 metres of 39 Deansgate so the proposal would dramatically change the character of the northern end of Deansgate and loom over surrounding buildings, including the Royal Exchange building and the other historic buildings that surround St. Ann's Square.
- The scheme is not compliant with local planning policy which seeks to direct tall buildings to non-conservation areas.
- The scale and massing are completely inappropriate and out of all proportion to other buildings in the conservation area and south along Deansgate.
- The proposal would destroy the symmetry and 2 existing 'bookends' of Deansgate formed by Beetham Tower and No. 1 Deansgate. The proposed development will not 'bookend' anything - it will destroy the current symmetry and mean the north end of Deansgate has 2 tall buildings, one of which would be a new blocky mass which dominates and distracts from the glazed lines and sleek look of the other.
- A significantly smaller scheme should be considered, with any taller elements located to the northern part of the site and set back at an appropriate distance from Barton Arcade.
- The tower is set forward from the existing building and flush to Deansgate which would lead to unacceptable townscape and visual impacts.
- 39 Deansgate is within the boundary of the Ramada Complex Strategic Regeneration Framework (SRF) Area which proposes 2 'landmark buildings' but not on this site. There is no justified need for a further tower here.
- The tallest nearby building is No.1 Deansgate. Speakers House provides a harmonious transition between this taller building and the lower height of Barton Arcade and buildings further southwards on Deansgate. The current proposals will destroy this rhythm and the prominence of No.1 Deansgate.
- The existing building was set back to respect the prominence of the grandiose Barton Arcade as an important heritage asset. The proposal will result in a continuous flush façade from the ground floor upwards and the footway on Deansgate will be reduced from 6.3m to 4.4m, severely narrowing the pavement and hindering the pedestrian experience. The current commercial units provide outdoor seating which the new footway could not accommodate.
- The proposed development does not enhance the current poor pedestrian environment. Further, given that the Classes allowed may include eateries which may require pavement space, the loss of pavement on a busy corner will impact the pedestrian experience adversely.
- The proposal will obscure the landmark No. 1 Deansgate, a signature building built as a symbol of Manchester's rebirth and regeneration after the IRA bomb.

- There are no other buildings in the city with the unique design of No. 1 Deansgate and that to build a monolithic development so close would destroy the unique character of No. 1 Deansgate and adversely affect the north corner of St Mary's Parsonage
- It is perverse to apply the guidelines for the Ramada complex to a building in a conservation area. Permitting such a large building would set a precedent for development in other conservation areas.
- The scale and mass is inappropriate and unsympathetic to the setting within the wider city block and the more immediate surrounding built environment. The proposal compromises the cityscape and adjacent uses, rising significantly higher than adjacent built form and very close to existing sensitive uses.
- The predominant line of Deansgate between St Mary's Gate and Great Bridgewater Street is characterised by low to mid roof levels. The proposed development will destroy that.

Impacts on heritage assets

(i) Barton Arcade

- The application has not appropriately assessed the impact on the Grade II* listed Barton Arcade and fails to preserve or enhance its setting and significance. The proposals will result in the loss of key views of the arcade and will completely dominate, detract attention away from it and lead to substantial harm with no public benefits to outweigh such harm.
- Whilst the existing Speakers House is subservient and not a valuable contributing factor to the significance of Barton Arcade, this does not lead to the conclusion that its removal and replacement with something of a much larger scale would not have a detrimental impact on the significance of the Grade II* listed building.
- The assessment methodology uses the significance of the existing building as the baseline from which to assess the scale and effect of change, rather than the significance of Barton Arcade itself. This gives a false "minor beneficial" outcome, due to the "low" attribution assigned to the existing site. In reality, this should reflect the "high" significance of Barton Arcade as the baseline, with the "major change" scale of heritage impact, which would result in "large/very large" adverse outcome. The Heritage Assessment should be amended to thoroughly assess the applicant's baseline position and the significance of Barton Arcade as an important Grade II* heritage asset.
- Current views along Deansgate offer significant attention to Barton Arcade. The existing Speakers House building is stepped back from the principal building line at ground floor level and again at third floor level, respecting the setting and significance of Barton Arcade and allowing views of its dome from the north. The development proposals will completely dominate and dwarf

Barton Arcade due to it being flush along Deansgate and disrespect it as a designated heritage asset.

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

(ii) Royal Exchange

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

(iii) St Ann's Square Conservation Area

- The proposal fails to preserve or enhance the character and appearance of the conservation area and its listed buildings.
- The Heritage Statement confirms the development will erode the heritage values of the conservation area, and hugely impact the spatial character of St Ann's Square, including its group of Grade II listed townhouses. The Statement concludes that the development would have a "moderate adverse impact" on the listed townhouses and St Ann's Square Conservation Area and we agree with this judgement. The Statement then contradicts this by saying that "the proposals will not result in any harm as defined within the NPPF on the listed buildings, but does not give an equivalent summary for the conservation area. It is clear that the proposals would cause harm to the significance of the 4 no. Grade II listed townhouses to the western side of St Ann's Square and St Ann's Square Conservation Area.
- The applicant has acknowledged and clarified that the scheme causes harm to the St Ann's Square Conservation Area and the three Grade II Listed townhouses (No's 16-22 St Ann's Square). Paragraph 194 of the NPPF outlines that any harm to the significance of a designated heritage asset should require clear and convincing justification. There does not appear to be any clear or convincing justification for the extent of harm caused nor does there appear to be any attempt to reduce it.

Public Benefits

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

designated heritage assets. Therefore, the scheme does not meet the tests outlined within the relevant legislation.

-

Alternative proposal

- As there is harm to designated heritage assets the Council is required to consider whether or not there are alternatives which are less harmful. The harm is exacerbated by the materials and appearance of the building. The site could be developed in a more sensitive manner.
- The applicant has not analysed alternative proposals in terms of scale and massing and does not address a material consideration. The Council cannot determine this application without considering alternatives and will have ignored a material consideration and its decision will be open to challenge. A more contextually responsive design would cause less harm to the heritage assets and even enhance them.
- It is evident that the site is capable of being developed in a more sensitive manner than that which is being proposed from a scale and massing perspective. Such alternative development would also result in the same public benefits identified by the applicant. The Applicant must therefore be required to produce alternatives to the development in order that those alternatives can be assessed in the context of the planning balance, including harm to the setting and appearance of the listed buildings and conservation areas, and amenity of neighbouring residential properties (e.g. No. 1 Deansgate).
- Whilst a Viability Assessment may not strictly be a policy requirement when considered against Manchester City Council's latest Validation Checklist, we argue that it forms a central part of the design justification and that one should, as a matter of best practice, be requested by Manchester City Council as part of their formal design review as part of the application determination. Without this evidence it remains unclear what has led to the specific building height that is being promoted by the applicant. There is no commentary which sets out the requirement for a specific minimum quantum of office floorspace to be achieved on the site to make the scheme viable, and what may therefore be seen to drive the need for a building of a certain height.
- No evidence has been put forward to justify why the building must be 17 storeys, and why it cannot be - for example - a building of 9, 10 or 11 storeys; something that is more proportionate and acceptable.
- Reference is made to the 'Client Brief' and the 'Applicant Brief' which appears to comprise the delivery of more than 130,000 sq. ft of 'Grade A' office space and 5,000 sq. ft of flexible retail space at Ground Floor. There is no further justification however for this quantum of development and one can only assume that it is no more than a private landowner seeking to maximise their financial return from the site - based on the price paid for the land and

property - with limited attention paid to the scheme design and relationship with the surrounding cityscape.

- It is essential that Manchester City Council interrogate the proposals to ascertain why a lower building - which would be more acceptable across a number of material planning considerations - cannot be brought forward. In the absence of this robust appraisal we argue that the scheme fails when tested against local and national planning policy.

Loss of privacy and overlooking

- Major loss of privacy for some residents of No. 1 Deansgate. The proposed new building will be very close for its total height. All floors which overhang on to St Mary's Gate will be directly overlooked from level 6 to 17. The balconies of No. 1 Deansgate do not have blinds and cannot be fitted with them. The office space would face directly onto bedrooms and the balconies of No. 1 Deansgate are clear glazed,
- There is commentary regarding the new building being used in normal office hours, but if the office is used 24/7, residents will be overlooked at all hours of the day and night. The applicant can provide no assurance that their tenants will utilise the solar blinds proposed.
- The separation distance between No. 1 Deansgate development and the proposal is between 16 and 18 metres. The application site does not lend itself to the proposed separation distance. No.1 Deansgate is a distinctive building which formed a key part of the rebuilding programme following the 1996 IRA bombing. The proposal at 39 Deansgate is an inappropriate neighbouring proposal which will lead to conflict between the uses.
- The assumption that the enclosed balconies of No. 1 Deansgate are somehow not used as living areas is wrong. Because the balconies do not have blinds it is also possible to see into the living areas. There are blinds on the living areas, but the whole point of living in a glass building is to be able to maximise light and be able to see out.
- The design of No. 1 Deansgate is such that the level of privacy could only be protected against this development in such close proximity by having blinds/curtains drawn for the full day and night. The balconies are unable to be protected by this due to their nature and as such residents will be unable to use a key aspect of the home they have purchased without a severe impact on their daily lives and personal space.
- Overlooking into Barton Arcade and onto the private outdoor terrace for the penthouse. The proposal should be adequately set back from the site boundary in order to mitigate such amenity issues.
- There appears to have been no consideration of the possible future uses of Barton Arcade and its roof space, which will be directly overlooked. The proposal is to build 'hard up' to Barton Arcade with proposals for windows at

all levels looking directly over the roofscape. The office 24-hour use will impact adversely on the amenity, privacy and quiet enjoyment of the Barton Arcade roof space, limiting possible future uses. Any windows within the first 5 storeys above the Arcade roof should be obscured for privacy and the Barton Arcade owners should have the opportunity to consent to the materials and specifications to achieve a high level of privacy.

- There is a lightwell for part of the boundary between the proposal and Barton Arcade. The proposal has windows into this lightwell which is owned by Barton Arcade but makes no contribution to it. These windows should be removed/obscured unless a corresponding 'set back' is provided to Speakers House.

Overshadowing and loss of light

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

Amenity Issues

- Barton Arcade comprises some retail shops with kitchens and extract systems which discharge at roof level. No air should be taken from any grilles above Barton Arcade so that fumes do not enter the new development.

Wind Impact

- No assessment appears to have been made of the impact of new wind effects on No. 1 Deansgate which has a louvre system for light and ventilation. Louvres are automatically closed if it rains or is too windy. The wind sensor is on the roof of No. 1 Deansgate. If the wind effects are greater than now, the louvres will close more, reducing the ventilation to the flats. If the wind effects are too strong or result in unexpected gusts, open louvres may become unstable and dangerous.
- The wind sensors in No. 1 Deansgate will continue to trigger according to wind level. They may trigger (close) more frequently which will adversely impact the ventilation of all apartments in No. 1 Deansgate, not just the ones facing the proposed development, because the sensors are controlled centrally.
- The applicant has stated that the proposed scheme may result in a beneficial effect by sheltering No.1 Deansgate from the prevailing wind angle. Please provide the evidence for this.
- The impact of wind caused by the tall building should be assessed about the fragile nature of the Barton Arcade roof.

The letters of support are as follows

- 'Reinvigorate' and enhance the physical environment
- Increase footfall to the benefit of existing surrounding businesses
- Regeneration of the area will encourage new businesses to open and contribute to reduction of vacancy rates along Deansgate
- Is a high quality development and help regenerate the corner of Deansgate and St. Mary's Gate
- Synergies between proposed development and other nearby development/s underway
- Continued regeneration will increase investment and job creation.

EIA (Environmental Impact Assessment)

- The original Townscape and Visual Impact Assessment concluded the 'moderately significant' effects trip the threshold for EIA. Whilst the replacement Townscape and Visual Impact Assessment removes the reference to the EIA regulations, the proposed development has not been amended and as such there is nothing which would warrant a departure from the previous conclusions within the revised assessment. Given that we are dealing with important heritage assets, both listed buildings and conservation areas, and that European Law takes a precautionary approach, the assessment of moderate significance of itself is enough to give doubt about the impact and therefore requires the need for an Environmental Impact Assessment ("EIA").
- The Council fails to comply with Regulation 5(5) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 because

having issued a screening opinion it does not specify the features or measures that will avoid or reduce significant environmental effects.

- It is evident from the submitted assessments that the development will result in significant environmental impacts, in EIA terms, and consequently an Environmental Impact Assessment should have been submitted with the application submission.

Consultee Comments

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

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

Corporate Property No representations received

City Centre Regeneration No representations received

Central Neighbourhood No representations received

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

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

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

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

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

Paragraph 199 of the NPPF states "When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

Paragraph 201 states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199 and 201 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Environment Agency No representations received

Transport for Greater Manchester Have no comments from a Metrolink perspective

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

The DBA draws together and synthesises a range of historic sources of information including HER data, published books and historic mapping to outline what is known of the site's developmental history. Following a discussion of the available evidence on a period-by-period basis it offers a map-based regression and assesses the likelihood of physical remains of past activity to survive and their likely significance. It

assesses the impact of the proposals upon the significance of these heritage assets and offers a clear conclusion concerning further archaeological work. The DBA meets the basic requirements for such a study as set-out in the NPPF and GMAAS accepts the report.

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

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

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

Greater Manchester Pedestrians Society No representations received

Manchester Airport Safeguarding Officer Have no aerodrome safeguarding objections to this proposal

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

Sustainable Travel No representations received

Strategic Development Team No representations received

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

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

Civil Aviation Authority No representations received

ISSUES

Relevant National Policy

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

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

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

Local Planning Policy

Local Development Framework

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy EN9 Green Infrastructure – The development includes rooftop planting.

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

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

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

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

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

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

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

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

Policy DM1 - Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal

:

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

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

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

Saved UDP Policies

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

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

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

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

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

Policy Analysis

NPPF Section 6 (Building a Strong, Competitive Economy) and Core Strategy policies SP1 (Spatial Principles), EC1 (Land for Employment and Economic Development), EC3 (The Regional Centre), CC1 (Primary Economic Development

Focus), CC7 (Mixed Use Development) and CC8 (Change and Renewal) – The proposal would deliver economic development and support economic performance within a part of the City Centre identified in policies EC1 and CC1 as a focus for primary economic development. The site is well connected to transport infrastructure. It would create jobs during the construction and operational phases. The development would use the site efficiently, redevelop brownfield land, enhance the sense of place within the area, provide users and employees with access to a range of transport modes and reduce opportunities for crime.

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

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

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

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

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

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

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

NPPF Section 15 (Conserving and enhancing the natural environment), Manchester Green and Blue Infrastructure Strategy 2015, Core Strategy policies EN9 (Green Infrastructure), EN15 (Biodiversity and Geological Conservation), EN16 (Air Quality), Policy EN17 (Water Quality), EN18 (Contaminated Land and Ground Stability) and EN19 (Waste) - There would be no adverse impacts from risk of pollution from ground conditions, air and water quality, noise, vibration, waste and biodiversity. Surface water run-off and ground water contamination would be minimised.

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

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

NPPF Section 8 (Promoting Healthy Communities) - The creation of active frontages would help to integrate the site into the locality and increase natural surveillance. Core Strategy Policies CC7 (Mixed Use Development) and CC10 (A Place for Everyone) – The proposal would be an efficient, high-density, mixed-use development in a sustainable location. As the City's economy continues to grow, investment is required in locations that would support and sustain this growth. The City Centre is the biggest source of jobs in the region and this proposal would provide high quality office accommodation to support the growing economy and contribute to the creation of a sustainable, inclusive, mixed and vibrant community. Users of the office accommodation could use local shops, restaurants and bars.

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

Other Relevant City Council Documents

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

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

Through its objective of being a progressive and equitable city, from a development and regeneration point of view, this not only means creating and enabling jobs and growth, it also demands a smart and thoughtful approach to how development is executed. This should ensure that residents living in nearby areas and circumstances of disadvantage are connected to employment, skills and training opportunities, and given the support and empowerment necessary to make the most of them.

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

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

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

Manchester’s science-based target includes a commitment to releasing a maximum of 15 million tonnes of 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 to be taken to become energy-efficient, and investment in our natural environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester’s air quality. These have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposal would be consistent with these principles and standards.

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

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

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

Manchester City Centre Strategic Plan - The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over the period of the plan, updates the vision for the City

Centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the City Centre neighbourhoods, and describes the partnerships in place to deliver those priorities.

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

Stronger Together: Greater Manchester Strategy 2016-2025 - This is the sustainable community strategy for the Greater Manchester City Region. The Manchester Strategy 2016-25 also identifies a clear vision for Manchester's future, where all residents can access and benefit from the opportunities created by economic growth. Over a thirty year programme of transformation, Manchester has become recognised as one of Europe's most exciting and dynamic cities. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region and a high quality of life. All its residents are able to contribute to and benefit from sustained prosperity.

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

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

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

The Ramada Complex Strategic Regeneration Framework (SRF)

In May 2018, the Council Executive endorsed an updated SRF for the Ramada Complex which serves to guide the future comprehensive regeneration of land at the northern end of Deansgate around the Deansgate/Blackfriars Street junction and along the River Irwell in Manchester City Centre, as well as the site at 39 Deansgate diagonally opposite the Ramada site to which this application relates. The SRF land is currently occupied by the Renaissance Hotel (as well as the application site) and has been a longstanding strategic regeneration priority for Manchester City Council.

It is a significant component of the last remaining area within the 1999 City Centre Renewal Area Masterplan which has not been redeveloped, following two decades of substantial investment by the public and private sector. Whilst the site currently has an economic function as a hotel and car park, it visually and physically represents a significant blight on this part of the City Centre. The scale of the problem is emphasised by the length of the Ramada site's frontage onto Deansgate at 123 metres. During the last 20 years, various attempts have been made to bring forward redevelopment on the site. Most recently, this was in the form of a mixed use scheme, granted planning permission in 2009, comprising 4 new buildings, the tallest at 35 storeys. This permission lapsed in 2014. The SRF will act as planning guidance and form a material consideration to be considered by the Local Planning Authority in the determination of future planning applications.

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

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

Conservation Area Declarations

St Ann's Square Conservation Area

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

St. Ann's Square was laid out in the Georgian period, early in the 18th century, and is one of the main public spaces in the city centre. The church, which dominates the southern end of the Square is the only surviving building of that time in the area, the remainder being later replacements which continue to enclose the Square in a satisfactory and coherent manner. As these buildings were constructed in various styles over a long period, they create a rich tapestry of built form. Each new building has been designed with due regard and respect for the others that were already there and together they create an imposing street wall and St. Ann's Church is one of

only fifteen buildings in the City listed as Grade I. Because of its position at the south end of the Square it is the most prominent building in the conservation area. The Church is constructed in red sandstone, has two tiers of round-headed windows, a semi-circular apse to the east and a square tower to the west. Originally the tower was surmounted by a three-tier cupola, replaced by a spire in 1777 that was removed in its turn, around 1800.

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

The former bank on King Street (nos.35-37) is a three-storey brick building formerly with two-storey brick wings, now replaced by glazed facades. The windows are framed by moulded stone architraves with key blocks. There are steps up to the typical pedimented Georgian entrance, which is flanked by dwarf stone walls with iron railings, found nowhere else in the City.

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

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

Parsonage Gardens Conservation Area

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

It contains several Grade II listed buildings, including Blackfriars Bridge, but also contains a number of more recent buildings such as Alexandra House and Century Buildings (modern element). At the centre of the Conservation Area is Parsonage Gardens which is bordered by large and impressive buildings. Most are in orange-red brick or terracotta, although one modern-style steel and glass structure merges well

into its surroundings. The square of Parsonage Gardens itself is surrounded by a rich mixture of buildings of various ages and styles which are relatively harmonious in their relationships with one another.

The Grade II listed Arkwright House, designed by the same architect as Blackfriars House, and similarly dressed in Portland Stone, is a significant 7 storey office block in the conservation area.

Parsonage Gardens Conservation Area embraces a length of river frontage to the Irwell and this also includes part of the Grade II listed bridge on Blackfriars Street, half of which is in Salford. This heavy stone bridge was built around 1820 to replace a light timber footbridge of 1761. One of the three semi-circular arches is partly embedded in the river bank on the Manchester side. Despite this parallel stretch to the River Irwell, the buildings do not provide much scope for the development of a riverside walk.

The architectural emphasis of corners is a characteristic of Manchester buildings which contributes to the urban design character of the city centre. It is evident in the Parsonage Gardens area and its use in new developments will therefore be encouraged

Cathedral Conservation Area

The Grade I listed Manchester Cathedral and the part Grade I, part Grade II listed Chetham's Hospital school form the focal point of the Conservation Area. The area was designated as a Conservation Area in April 1972 in order to preserve and enhance the quality of the setting of these buildings.

To the south and east of these two buildings is the confined solemnity of the Cathedral Yard, and they are effectively separated from the rest of the city centre by a partial ring of Victorian Commercial buildings, including the impressive Corn and Produce Exchange (Grade II listed). These all cluster around the medieval street pattern and are bounded on the outside by the curving line of the Cateaton Street, Hanging Ditch, Todd Street, Victoria Station and Hunts Bank approach.

To the north and west the Cathedral overlooks the broad width of the busy Victoria Street and the deep cut of the River Irwell, both of which traverse the area, and beyond, into Salford, to the extensive cobbled forecourt of the disused Exchange Station which forms the western boundary of the area.

The Corn Exchange also lies within the Area boundaries. The existing building, designed by architects Ball and Else, is noted for its glass and steel roofed internal market hall.

For some years, consideration has been given to improving and enhancing the setting of the Cathedral and Chetham's School and to retaining the essential Victorian character of the remainder of the area. The intention is to restrict traffic movement through the area and to establish a series of landscaped pedestrian walkways.

Legislative Requirements

Section 66 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

S72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

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

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

Environmental Impact Assessment - The proposal does not fall within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2015 and an Environmental Impact Assessment is therefore not required for this proposal. A screening opinion was issued by Manchester City Council prior to the application being submitted and an addendum has since been issued.

Principle of the Proposed Uses and the Scheme's Contribution to Regeneration

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the City Region and is crucial to its economic success. There is an important link between economic growth and regeneration and further office space is required to deliver growth. The proposal would develop a strategic site in one of the City's key regeneration areas.

The Ramada SRF promotes development at the northern end of Deansgate and includes this site. It would deliver Grade A office floorspace and support the process of economic recovery in the City. It would create 18,283 sq. m (approx. 197,000 sq. ft) of high quality floor space in a core location.

The proposal would generate circa 227 gross direct construction jobs and around 1000 FTE operational jobs with 970 FTE jobs for the office space and 30 jobs in the retail units. The existing building has been vacant for some time. The jobs would generate GVA worth over £78.5m per year, with wages totalling £36.2m, a

considerable proportion of which would be spent locally. Business rates of £8.5m would be generated every decade.

The existing building has reached its useful economic life and has poor quality space. The proposal would revitalise this gateway site. In view of the above, the development would be in keeping with the objectives of the City Centre Strategic Plan, the Greater Manchester Strategy, and would complement and build upon Manchester City Council's current and planned regeneration initiatives. As such, it would be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies SP1, EC1, CC1, CC7, CC8, CC10, EN1 and DM1.

Viability

In light of the previous reasons for refusal, the application was supported by a viability appraisal, which has been made publicly available. This has been reviewed externally on behalf of the City Council and the findings were generally accepted. However, some of the calculations may result in Option 2 ie a 16-Storey building, being less unviable, but the margin for error is very narrow.

The key determinant in terms of viability is the size and configuration of the site. The appraisal has established the minimum amount of floorspace required. The footprint of the site has dictated that 17 floors is required with ground floor active uses. An Alternative Development Assessment demonstrates that a lower number of floors would not be viable.

This scheme would deliver significant public benefits. It would redevelopment an obsolete office building and transform the environment at this important junction. It would deliver much needed grade A office space in a high quality building and deliver a significant number of jobs during construction and in operation. A local labour agreement would ensure that these are targeted at Manchester residents.

Tall Buildings Assessment

One of the main issues is whether this is an appropriate site for a tall building. The proposal has been assessed against City Council policies on tall buildings (including EN2), the NPPF and the following criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABE in July 2007, as updated by the Historic England Advice Note 4 publication in 2015.

Design Issues, Relationship to Context and Impact on Historic Context

The effect of the proposal on key views, listed buildings, conservation areas, scheduled Ancient Monuments, archaeology and open spaces has been considered.

Section 16 of the NPPF establishes the criteria by which planning applications involving heritage assets should be assessed and determined. It identifies that Local Planning Authorities should require applications to describe the significance of any heritage assets in a level of detail that is proportionate to the asset's importance, sufficient to understand the potential impact of the proposals on their significance. In determining applications, the following considerations should be taken into account:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

The focus of the Government's planning policy guidance is to ensure that the desirability of sustaining and enhancing the significance of heritage assets is taken into account and that they are put to viable use, consistent with their conservation (NPPF paragraph 190). Development within or adjacent to heritage assets could have some impact on their fabric or setting, and this could be either beneficial or harmful. The fundamental design objective is to ensure that the impact on heritage assets is demonstrably beneficial, minimising any negative impact on significance. Consequently, development must be justified by clear and convincing evidence of the impact. Paragraph 199 of the NPPF advises local planning authorities that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

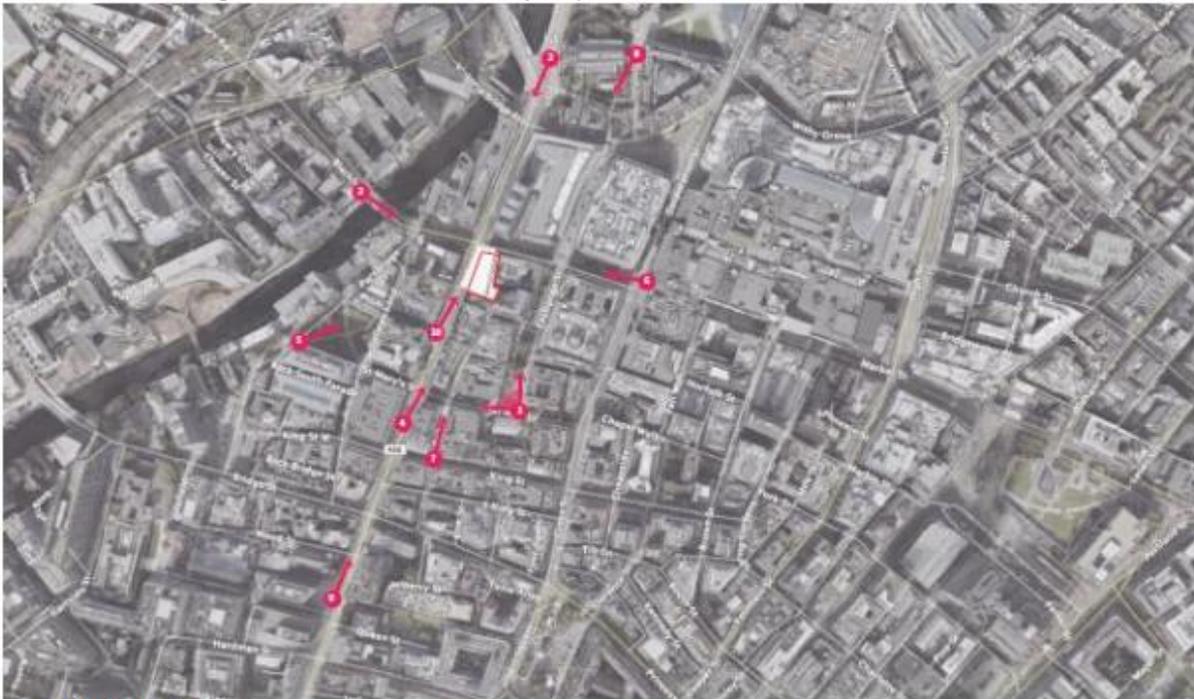
A Heritage Assessment and a Townscape and Visual Assessment (TVIA) has assessed the historic environment and the visual impact on heritage assets. The site is in the St. Ann's Square Conservation Area and is opposite the Parsonage Gardens Conservation Area. The Cathedral Conservation Area is further north. The following listed buildings are nearby: Church of St. Ann and Cathedral Church of St Mary Grade I; Barton Arcade grade II*; and Royal Exchange, Hayward Buildings at 60-66 Deansgate, and Blackfriars Bridge all Grade II.

A Townscape and Visual Impact Assessment (TVIA) has assessed the baseline position of the site's location and its impact on the heritage assets. The existing building is appropriate to the dense urban grain of the city centre and addresses this key corner. However, it does not respond positively to its location in the St. Ann's Conservation Area and does not respond to any of the key characteristics that define the area and give it its special character. The setback of 39 Deansgate detracts from the clearly defined building line along Deansgate. The overall sensitivity of Barton Arcade is considered to be medium as the existing building does not contribute positively to its character, materials, quality and proportions. There is the potential to accommodate the proposal without unduly harming the building. The site could be used more efficiently through increasing density. No. 1 Deansgate is 17 storeys. The proposal would respond positively to the building line, materials, rhythm, detailing and proportions of Barton Arcade and the development would have a minor beneficial impact on it.

The ground floor retail uses and active frontages would have a positive effect on townscape character. And a building line consistent with Barton Arcade would enhance the urban grain.

There would be a minor adverse impact during construction as the new building would be higher but would be of a higher quality. The proposal would positively define the key junction, address the corner and aid legibility. .

The TVIA assesses the impact of the development on 10 key views, paying particular attention to the relationship to listed buildings. The Heritage Statement takes the same views and assesses the impact on the setting of heritage assets. Heritage is an intrinsic part of the townscape assessment so direct and indirect effects on heritage assets have been considered. In the TVIA, heritage is considered as part of the townscape character only, as the setting of heritage assets is covered in the Heritage Assessment. The listed buildings that would be most affected are Barton Arcade and the listed townhouses on the western side of St. Ann's Square. The Grade 1 listed St. Ann's church and Manchester Cathedral are a distance away and have buildings in between the site so would be indirectly affected. The Grade II listed Haywards building is opposite the site and the Grade II listed Blackfriars Bridge is approx. 100m away. Views 1 and 8 from the Grade 1 listed St. Ann's Church and Cathedral buildings were considered to be of the highest sensitivity. All other views were classed as being of medium sensitivity, apart from View 3 which was classed as low.



The 10 viewpoints

From View 1, the proposal would be highly visible above the enclosed space of the former townhouses to the west side of St. Ann's Square. The development would create a new backdrop to the Square and a notable contrast to the historically horizontal form of the group of Grade II listed buildings which broadly retain their 18th century domestic scale. The proposal would not contend with the Grade I listed Church of St. Ann, to the south end of the Square. The proposal would be a dominant modern vertical element which is otherwise largely 18th century in

character, although the sense of enclosure would be retained. The proposal would be read as being in the background, behind the collection of listed townhouses and part of the contemporary skyline. Its height, form and massing would be intrusive and have a moderate adverse impact from this perspective on the setting of the group of Grade II townhouses and the ability to understand and appreciate the architectural form and massing of the enclosed setting in the St. Ann's Square Conservation Area.



View 1 Existing



View 1 Proposed

In View 2, the proposal would largely be obscured by No.1 Deansgate, which is a similar height. The heritage values of the Grade I listed Cathedral would continue to be understood and fully appreciable and the proposal would be read as a contemporary development in keeping with the urban skyline in the distance. The impact would be neutral.



View 2 Existing



View 2 Proposed

From View 3, the proposal would terminate the view, creating a new landmark within the central shopping district and would be read as a complementary addition to the wider townscape. It would be taller than the existing building but would frame views towards the Grade II listed Royal Exchange in the distance and would enhance kinetic views between the Parsonage Gardens Conservation Area and into the St. Ann's Square Conservation Area. The proposal would enhance the Deansgate and St. Mary's Gate junction and would not diminish the intrinsic values of the heritage assets in this view or the ability to appreciate them. The impact on heritage would be negligible adverse.



View 3 Existing



View 3 Proposed

In View 4, the proposal would be read as a new, landmark on the skyline forming a contemporary backdrop. It would be highly visible above the existing roofline, however any adverse impact would in part be reduced by the detailed design which reflects the architectural rhythm of the streetscape and adjacent Grade II* listed Barton Arcade. The proposal would re-establish the historic street line and thereby enhance the character and appearance of the St. Ann's Square Conservation Area and the setting of the Grade II* Barton Arcade Building. The Grade I listed Cathedral remains the central focal point of the view to the far distance. The building would alter, but not

diminish, the intrinsic values of the heritage assets and the experience and appreciation of the buildings to any appreciable degree and the impact would be negligible adverse.



View 4 Existing



View 4 Proposed

In View 5 the proposal would be viewed in conjunction with the buildings that frame Parsonage Gardens. The proposal would be viewed as a contemporary addition to the skyline beyond and would not intrude on the ability to understand or appreciate the character and appearance of the Parsonage Gardens Conservation Area. It is considered that the impact of the proposal within this view would be negligible adverse.



View 5 Existing



View 5 Proposed

For View 6, the proposal would appear as a strong vertical form but would appear lower than the Royal Exchange which would allow it to retain prominence in the view. The form and architectural style of the proposal is distinctly different, with significant areas of glazing which would allow the form of the Royal Exchange Tower to remain distinct and the proposal to function as a backdrop. The impact on this view is considered to be negligible adverse.



View 6 Existing



View 6 Proposed

In View 7, the proposal would be read as a landmark terminating the view in the far distance. It would be highly visible, but not impede on the ability to understand or appreciate the heritage values of the heritage assets including the Grade II* listed Barton Arcade and the Grade II listed building at 15-17 King Street. The proposal would contribute to the mix of architectural styles creating a contemporary backdrop to the view. The proposal would have no adverse impact upon the settings of any heritage assets in the view, so would have a neutral heritage impact.



View 7 Existing



View 7 Proposed

In View 8 the proposal would terminate the view in the far distance. The development would correspond with the height and contemporary nature of No.1 Deansgate and both would be subservient to the Grade I listed Cathedral, which would continue to dominate the view. The proposal would not intrude on the way in which the Grade I listed Cathedral and Grade II listed Corn Exchange are understood and appreciated, and the impact would be neutral.



View 8 Existing



View 8 Proposed

View 9 is to the right of Spinningfields Square, with the Grade I listed John Rylands Library to the left and the Grade II listed building at 105-113 Deansgate dominating the middle ground. No.1 Deansgate is visible in the far distance. The proposal would be highly visible, creating a distinctive landmark in the distance. The development would alter, but not diminish, the intrinsic values of the heritage assets, or the experience and appreciation of the buildings or the designated area to any

appreciable degree. The impact would be negligible adverse.



View 9 Existing



View 9 Proposed

View 10 is at the north end of Deansgate, with the Grade II* listed Barton Arcade to the right and the Grade II listed Hayward Buildings to the left. The Grade I listed Cathedral terminates the view in the far distance. The proposal would re-establish the historic street wall and has been designed to respond to the architectural qualities of the adjacent Grade II* Barton Arcade. The double height arch detail to the street frontage emulates that of the Barton Arcade, enhanced by the inclusion of decorative metal banding. The recessed corner follows the character and appearance of other buildings within the St. Ann's Square Conservation Area. The development would improve the public realm at street level and would have a minor beneficial impact.



View 10 Existing



View 10 Proposed

Of the 10 Views assessed, the proposal would result in 1 instance of minor beneficial; 3 of neutral; 5 of negligible adverse; and 1 of moderate adverse. Consequently, it is considered that the proposal would not result in any “harm” as defined within the NPPF. Despite having an adverse effect on the setting of the group of Grade II townhouses fronting onto the west side of St. Ann’s Square, the proposal would have a beneficial effect on the setting of the Grade II* listed Barton Arcade and Grade II Haywards Building by improving the pedestrian environment and

permeability across the site. Any instances of adverse impact would be outweighed by the public benefits of the scheme.

It should be noted that no views were available from Albert Square at the time of the TVIA assessment as The Square was in use for the Christmas Markets and therefore photography was not possible. However, analysis indicated that there would be no likely significant visual effects from in the Square. The selection process and testing allowed views from Piccadilly Gardens to be scoped out.

The setting of heritage assets has also been assessed. In determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. The Visual Impact Assessment demonstrates that the proposal would not impact on the ability to appreciate the Grade II* listed Barton Arcade as it would remain a key focal point in the streetscene. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed'. This would result in a minor beneficial impact.

The existing building would be a 'neutral' contributor to the setting of Barton Arcade and the St Ann's Square Conservation Area. There it would be possible to enhance the setting of this building and introduce a positive contributor to the character and appearance of the conservation Area. Minor beneficial impact could "enhance the heritage values of the heritage assets, or the ability to appreciate those values to a minor extent." The proposal would reinstate a sense of place to this prominent corner in the Conservation Area, and would cause no demonstrable harm to the setting of the Grade II* listed building. The view of the dome when looking southwards along Deansgate is incidental and was never intended to be seen. The proposal would reintroduce the historic building line which characterised Deansgate during the late-19th century and reintroduce a sense of place and cohesion to the streetscape. The proposal has been designed to respond positively to the building line, materials, rhythm, detailing and proportions of Barton Arcade. The townscape context of Barton Arcade is mainly characterised by low quality development such as the Renaissance Hotel complex. The busy junction to the north of Barton Arcade creates a poor pedestrian environment and there is an opportunity to enhance the experience, appreciation and setting of the Grade II* listed building.

The proposal would not adversely affect views towards the Royal Exchange and it would be appreciated as a contemporary development which mirrors No.1 Deansgate in height. Both buildings have minimal visual impact upon the ability to appreciate the significance of the Royal Exchange and the development would not have an undue impact on its setting. The Royal Exchange building is primarily experienced from St. Ann's Square, St. Mary's Gate and Cross Street. With regard to the impact of the development on views from Blackfriars Bridge, View 3 of the TVIA, shows that the Grade II listed Royal Exchange building would still be partially appreciated from Blackfriars Bridge. The proposal would introduce a viewing corridor which would promote key views towards the listed building and would enhance kinetic views towards the gateway between the Parsonage Gardens Conservation Area and into the St. Ann's Square Conservation Area.

The proposal would be visible from St. Ann's Square. It would have a moderate adverse impact on the setting of the cluster of Grade II listed townhouses to the western side of St. Ann's Square and to the sense of enclosure to St. Ann's Square, which forms the central focus of the Conservation Area. This would be the only instance of moderate adverse impact. It would not define the character of the conservation area or diminish the key focus of the Square, which is orientated southwards towards the Grade I listed Church. The impact upon the Conservation Area must be considered in its entirety and the development would result in numerous instances of minor or negligible impact from other viewpoints looking towards the Conservation Area. The extant building has no architectural or historic interest and the proposal is for a building of a much higher quality. New buildings should enhance the quality of the built environment and the proposal would provide a contemporary landmark in a currently dilapidated and underutilised corner of the Conservation Area.

The setting of the Grade I listed Cathedral is largely enclosed, characterised by wide open paths and areas of greenery and semi-mature trees. The landscaped, open setting of the Cathedral makes a positive contribution to the way in which it is experienced, allowing for the Grade I building to be the focal point of the Cathedral Conservation Area. 39 Deansgate is situated in the far distance to the Cathedral and has a neutral impact upon its setting. Although the development would be partially visible from the Cathedral it would not have an adverse impact, especially as No. 1 Deansgate is visible adjacent to the proposal in the same view and would partially obscure the proposal.

Core Strategy policy EN2 'Tall Buildings' states that suitable locations will include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport. This policy encourages tall buildings to be outside of Conservations Areas but does not preclude them subject to meeting other policy considerations. The proposal would re-introduce the historic building line and bring the front of the building forward to coincide with Barton Arcade, create a more engaging frontage at the pedestrian level, and retain pedestrian flows. The proposal would have beneficial townscape and visual impacts on certain views and improve site character. The scale would respond to the site's context when considering the height of No. 1 Deansgate directly opposite, but also its emerging context to the northern end of Deansgate around the Ramada SRF and the taller buildings in Salford. The proposal would be taller than other buildings in the St. Ann's Conservation Area. No. 1 Deansgate has remained the tallest building in the area since 2002 and no special status or protection in planning terms. A new sense of place is required that incorporates old and new buildings but careful consideration must be given to the impact of a proposal on the setting of heritage assets. Any potential negative impact must be demonstrably outweighed by public benefits, as defined by the NPPF (Para 196).

Public Benefits

Despite the moderate adverse impact from View 1 within St. Ann's Square, the Heritage Statement considers the cumulative heritage impact to evaluate the overall

heritage impact. In mitigation the development would deliver substantial public benefits, including:

- The proposal would provide sustained economic growth and generate 227 gross direct construction jobs. In addition, it would generate 36 net indirect construction jobs over the 30-month build period.
- Based on the standard employment densities, the proposal would create an estimated 993 – 1,001 FTE operational jobs (Office – 970 FTE jobs and Retail - 23-31 FTE jobs)
- Utilisation of Local Supply Chains - The project would prioritise local suppliers and where possible those who procure raw materials from local sources. Through this, the scheme would contribute to the expansion of the regional economy rooted in sustainable practices, products, and services.
- Increased Local Expenditure - The proposal would generate additional economic benefits of the local economy through indirect local expenditure. The 723-731 FTE direct uplift of employment opportunities created during the operation of the proposed development would result in a potential uplift in employee spending of approximately £1.9 million – £1.92 million annually based on a 220-day working year with an inflation rate of 10.1% applied.
- Business Rate Contributions – Based on the proposed development’s non-residential floorspace and the potential rental rates, the gross business rates contribution to the Council would be approximately £850k per annum.
- The proposal would create 18,283 sq. m of office space that would meet an identified need for high quality space in the City Centre. The proposal would boost the office supply pipeline post 2023 and attract occupiers from key sectors for Manchester including software developers, fintech, banking, media and leisure.
- The applicant would work with the Work and Skills Team to ensure that employment opportunities are made available to Manchester residents. .
- A ‘Be Lean, Be Clean, Be Green’ design hierarchy would minimise energy demand and associated CO2 emissions. This would be achieved through the adoption of passive measures including enhanced building fabric to meet Building Regulation ADL2A (2016);
- A blue/green roof which would provide a ‘stepping stone’ for biodiversity, targeting species reasonably possible to benefit i.e. birds, bats, bees and other insects. Planters on the roof terrace and bat/bird boxes and bug hotels would provide resources for species likely to use the River Irwell, enhancing biodiversity at the site and creating an attractive environmental for occupiers. Opportunities for the planting of street trees would be explored within the public realm surrounding the building where feasible.

- The existing building has reached its useful economic life and provides poor-quality accommodation that does not respond positively to the surrounding context. The proposed building is of exemplary design quality and would revitalise this important gateway corner plot, aiding regeneration in this part of the City Centre.
- Establishing a strong sense of place, enhancing the quality and permeability of the streetscape and the architectural fabric of the city centre. It would respond to the architectural rhythms of the adjacent Grade II* listed Barton Arcade
- Optimising the potential of the site to accommodate and sustain an appropriate mix of uses, providing the quality and specification of accommodation required by modern businesses and residents.
- Positively responding to the local character and historical development of the city centre, delivering an innovative and contemporary design which reflects the transformation of the local context while retaining its significant components.
- Creating a safe and accessible environment with clearly defined areas and active public frontages to enhance the local quality of life.
- At present, the building at 39 Deansgate (and other buildings surrounding the junction) create a poor pedestrian environment and therefore have a negative effect on the townscape value. The proposal would regenerate the site with a major contemporary, high quality building in line with the Ramada SRF.
- The proposed development would establish a strong sense of place, enhancing the quality and permeability of the streetscape and the architectural fabric of the city centre. Notably, the development would reinstate the historic build line and improve the legibility of this prominent corner in the City Centre and create a sense of place.

Any harm to the significance of a heritage asset must be weighed against the potential public benefits. In this instance there would be an adverse effect on the Grade II townhouses in St. Ann's Square but the proposal would have a beneficial effect on the streetscape of Barton Arcade and Haywards building, by improving the pedestrian environment and permeability. The cumulative heritage impact has been balanced against the positive contribution to local character and distinctiveness. Whilst the proposal would have some adverse heritage impact, this would be mitigated by the public benefits. The scale of the development has an adverse impact on identified views, but it would not physically harm or substantially diminish the experience and appreciation of any heritage assets.

In light of the above, it is considered that the proposal would respond to the scale and massing of No. 1 Deansgate and the Ramada Complex SRF area. The proposal would preserve the character and appearance of the Conservation Area and the setting of nearby listed buildings. It would lead to less than substantial harm to heritage assets and when weighed against the public benefits it is considered to be acceptable. The proposal would not have a significant adverse impact on views of

importance. It would provide a high-quality architectural statement and enhance the City's skyline and have a positive effect on the townscape. The development would therefore be in accordance with the requirements of paragraph 192 (NPPF, 2019). There would be a degree of less than substantial harm but the proposals represent sustainable development and would deliver significant social, economic and environmental benefits. It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the adjacent listed buildings and the character of the conservation area as required by virtue of S66 and S72 of the Listed Buildings Act within the context of the above, the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 196 and 197 of the NPPF and that the harm is outweighed by the benefits of the development.

Alternative scheme

The Planning and Tall Building Statement and Design and Access Statement includes options that were considered to break up the buildings massing. There has been dialogue with the local community.

A range of alternative scenarios were tested and floorplates for residential and hotel uses have previously been appraised. The residential configuration could provide 10 units across a double banked central corridor. A similar arrangement occurs to the hotel option with the two wings of 3* accommodation providing 20 rooms per floor. Initial massing was worked up based on a 20-storey tower with a rational double banked floorplate which angled away from Deansgate. Ultimately, residential and hotel uses were not considered to be suitable. Based on the site's context, a business case, viability evidence and agency advice, taken together with the preferences articulated by the Council in the Ramada Complex SRF, it was agreed that a Grade A Office building would respond best to the location.

The evolution of the design has taken into consideration the local context, in particular the Grade II* Listed Barton Arcade, St Ann's Square Conservation Area and surrounding listed buildings. A number of massing tests were carried out early in the process and shared with the City Council and Historic England. There are buildings of scale in the vicinity including No.1 Deansgate and the Renaissance hotel. A previous approval granted a 35-storey tower as part of the Ramada redevelopment in 2009.

Architectural Quality

The key factors to evaluate are the building's scale, form, massing, proportion and silhouette, facing materials and relationship to other structures. The Core Strategy policy on tall buildings seeks to ensure that tall buildings complement the City's existing buildings and make a positive contribution to the creation of a unique, attractive and distinctive City. It identifies sites within and immediately adjacent to the City Centre as being suitable for tall buildings.

The design is consistent with the existing and emerging context, including No. 1 Deansgate and the Ramada. It provides a high-quality building and creates a landmark at a prominent location. The ground floor layout and chamfered corner would encourage pedestrian movement and improve the street level environment.

The design and materials would relate to the surrounding context and be sustainable, cost effective and durable. The modern design responds to its context including Barton Arcade. The proposal would be a contemporary addition to the skyline and create modern office floorspace within a Conservation Area. The architecture would strengthen the heritage setting and within its surroundings.

The materials would respond to surrounding heritage assets including Barton Arcade, in a contemporary way. The tonal aluminium would provide contrast in light and shade across the folded profiled piers and banding. Anodised aluminium was not considered appropriate owing to the angles and folds. The decentralised ventilation strategy has 'look-a-like' spandrel panels with concealed vents at intermediate floor junctions, overlaid with decorative metal screens. They are intended to reflect the layering effect of the delicate ironwork throughout Barton Arcade. The decorative metal screens would be matched to the colour of window framing. A perforated metal vent panel would also be incorporated in the profiled metal banding.

A condition is recommended requiring the submission of full specifications and samples of all materials to be used for the external envelope of the building.

Sustainable Design and Construction

An Energy and Sustainability Statement and a BREEAM pre-assessment report outline the sustainability measures proposed, including energy efficiency and environmental design. Sustainability and measures to reduce energy consumption have been considered from the initial phases and for each stage of the build process. The proposal has been developed with sustainable design and innovation as a priority, from controlling solar gain through passive measures to incorporating low and zero carbon technologies to reduce day to day emissions.

A 'Be Lean, Be Clean, Be Green' design hierarchy was adopted during design development to minimise energy demand and CO₂ emissions. This is achieved through: passive measures including enhanced building fabric to meet Building Regulation ADL2A (2016); enhanced air tightness and thermal bridging; heating and cooling by a VRF heat pump system; hot water provided by localised electric water heaters; ventilation provided by mechanical ventilation and heat recovery (MVHR) units; and lighting to be provided to all areas by high-efficacy LED-type fittings.

There is a commitment to a BREEAM 'Excellent' rating with a "Fabric First" approach to sustainability which reduces the energy required to heat and cool the building and negates the need for Photovoltaics to generate energy. Target U-Values for the building envelope are a 28.9% improvement over Part L2A building regulations.

The development has no parking provision and would provide enhanced cycle parking over and above the levels prescribed by both MCC and BREEAM.

The site is highly sustainable and accessible via all sustainable transport modes including walking, cycling, bus, Metrolink and train. The proposal would remove the existing on site parking provision and provide 96 secure cycle spaces in the basement. The basement would incorporate a cycle maintenance area; shower and changing cubicles, with vanity area; heated drying area for equipment; lockers for

personal storage; accessible WC and shower; and direct access to the main reception lobby via the main core, offering a 'cycle in / cycle out' facility. The proposal would accord with the energy efficiency requirements and carbon dioxide emission reduction targets in Core Strategy policies EN4 and EN6 and the Manchester Guide to Development Supplementary Planning Document. The development would be designed and specified in accordance with the principles of the energy hierarchy in line with Policy EN4 and the building fabric would be highly insulated with high specification energy efficiency measures. Given the above, it is considered that the design and construction would be sustainable.

Credibility of the Design

The design team has recognised the high profile nature of the application site and the requirement for design quality and architectural excellence. A significant amount of time has been spent developing the proposals to ensure that it can be delivered.

Tall buildings are expensive to build so the standard of architectural quality must be maintained through the process of procurement, detailed design and construction. The materials proposed are considered to be appropriate for the building's context and are consistent to ensure that the proposals are achievable and deliverable. The final proposals have been costed and fully tested for viability.

Contribution to Public Spaces and Facilities

The proposal would be located on a prominent site and the commercial units would lead to activity at street level. The footways would be improved and opportunities for street trees have been explored.

Effect on the Local Environment

This examines, amongst other things, the impact the scheme would have on nearby and adjoining residents and includes the consideration of issues such as impact on privacy, daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements, air quality and the environment and amenity of those in the vicinity of the building.

a) Privacy and overlooking

Within the City Centre there are no prescribed separation distances between buildings, and City Centre developments are, by their very nature, more dense and closer together than in suburban locations. The site layout has been considered carefully in relation to adjacent residential properties.

At the narrowest point, from the face of the angled upper floors of the residential block at No. 1 Deansgate to the north east corner of the proposal, the distance would be 16.3m. At its widest, it would be 18.75m. A taller building would change the outlook for residents in the upper half floors of No. 1 Deansgate. However, the offices would predominantly be in use during weekday working hours (but it is acknowledged that they could be used during evenings and weekends if desired) and would not be facing directly onto bedrooms. Views into living areas would be obscured to some

extent by the balconies' external glazing. The proposal would face on to the fully enclosed balconies and not directly into living areas. The office building would be fitted with solar blinds to further limit any potential issues associated with privacy. An office should create less privacy issues than other forms of development such as residential or hotel uses.

Smaller separation distances between buildings are characteristic of dense urban environments and No. 1 Deansgate has benefitted from conditions which are relatively unusual in a City Centre. The smallest distance between the proposal and the nearest apartments at No. 1 Deansgate is over 16m, and as the proposal is for offices and is in the City Centre where developments are located closer together, the impact on privacy is on balance acceptable.

The upper floors of Speakers House overlook the roof terrace and roofscape of Barton Arcade. The proposed offices would predominately be used during working hours Monday to Friday. The office building would be fitted with solar blinds to further limit any potential issues associated with privacy. The applicant has also agreed to obscurely glaze the 3 floors of windows that would directly face into the lightwell that lies between Barton Arcade the application site boundary. This has been conditioned.

b) Sunlight, Daylight and Overshadowing

The application is supported by a Daylight and Sunlight Assessment using the methodologies set out within the Building Research Establishment (BRE) Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'. No. 1 Deansgate, which is situated to the north of the site was considered.

The BRE Guide provides three methodologies for daylight assessment, namely:

- The Vertical Sky Component (VSC);
- The No Sky Line (NSL); and
- The Average Daylight Factor (ADF).

There is also one methodology for sunlight assessment, denoted as Annual Probable Sunlight Hours (APSH).

The assessment concludes that No.1 Deansgate would be fully compliant with both No Sky Line (NSL) daylight and Annual Probable Sunlight Hours (ASPH) sunlight with the proposal.

When assessed against Vertical Sky Component (VSC), 34 out of 39 (87%) rooms in No. 1 Deansgate were compliant. Of the 5 rooms which would not meet the criteria, all 5 would be marginally short of the target reduction of 20%, and none would be reduced by more than 25% (so are only slightly deficient). Detailed floor plans of No.1 Deansgate have revealed that the 5 affected rooms are dual aspect living kitchen dining rooms on each floor between the fourth and eighth floor. Whilst these rooms would fall marginally short of the 20% target (i.e. between 21.4% and 24.8%), they would still achieve a good VSC level for a City Centre location.

For Average Daylight Factor (ADF), tests revealed that the 5 living kitchen dining areas that would fall short of the VSC targets would achieve ADF levels of between

7.2% and 8.4%. These are all well in excess of the 2% ADF target so all rooms within No.1 Deansgate would comply with the ADF targets.

The results show that all rooms would continue to receive good (high) levels of daylight, in a city centre context. All would receive nearly four times the ADF daylight targets. The living rooms would receive approximately five times the winter sunlight hours target and twice to three times the annual sunlight hours. It would therefore remain a well-lit building with the proposal in place.

Given the above, it is considered that the proposal would not have an unacceptable impact in terms loss of sunlight and daylight with regard to No. 1 Deansgate. The BRE Guide does not require the assessment of commercial properties and Barton Arcade was excluded from the original assessment. Retail properties rely on artificial light, specific to their layout and displays. It is normal that retail units do not have natural light at the rear. However, the applicant carried out a further assessment in response to concerns raised from neighbours. As the development would be to the north of the listed building, it would have no impact upon the light coming through the Arcade at any time of day. In maintaining views of the sky and light, the architectural character and expression of the glazed roof would remain fully appreciable, forming an integral part of how the heritage asset is experienced and appreciated as a Victorian Shopping Arcade. The existing lightwell which divides the north elevation of the Barton Arcade Buildings from the south elevation of the development would be retained.

There is an apartment at the top of Barton Arcade however the main windows face east/west, and not towards the development. The roof top amenity area associated with the flat is also located to the south and could not be overshadowed.

(c) Wind

A Wind Microclimate Assessment Report examines pedestrian wind comfort and safety in both existing and cumulative surrounds. The assessment was performed using the LDDC variant of the Lawson Comfort Criteria, well established in the UK for quantifying wind conditions in relation to build developments. Although not a UK 'standard', the criteria are recognised by local authorities as a suitable benchmark for wind assessments.

The proposal would make conditions a category windier around the corner of Deansgate and St Mary's Gate, but still suitable for the area's intended use by pedestrians, cyclists and vehicles, and would not require any wind mitigation. Without mitigation there would be: substantial adverse wind effects in the service courtyard to the east of the development; moderate adverse wind effects by the service entrance to the east of the development; and moderate adverse wind effects by the north west entrance, if the recess at this entrance was not accounted for.

Measures to mitigate these adverse effects have been included in the scheme and the wind conditions would be suitable. Residual effects in the service courtyard were considered to be negligible, with residual effects by the building entrances deemed to be moderate beneficial. It is considered therefore that the proposal would not have a detrimental effect on the wind environment in and around the site.

In response to neighbour comments received, the applicant has undertaken a wind study focused solely on the impact of the development on the unique ventilation system at No. 1 Deansgate. Surface pressure coefficients on No. 1 Deansgate were measured in computational fluid dynamics (CFD) simulations to assess whether more extreme peak positive or negative pressures would be expected due to the development relative to the existing conditions. More extreme peak positive or negative pressures would result in the wind sensors in No. 1 Deansgate reading higher wind speeds and increase the risk of the louvres in the building being forced to close.

Pressures were measured from a southerly sector (the dominant wind direction) and from a westerly sector (the second dominant wind direction). The pressures were assessed on the south, east and west façades of No. 1 Deansgate. The north façade was not assessed as it was far enough away from the development site to be reasonably expected to not be impacted. Surface pressures for 170deg, 260deg and 280deg were consistent between the existing conditions and the conditions with the proposal. Surface pressures for 190deg and 210deg were less extreme with the proposal than for the existing conditions. This should allow the No. 1 Deansgate louvres, which are controlled centrally, to be open for a greater percentage of the year.

In conclusion, the additional wind study found no adverse impacts as a result of the proposal on the operation of the No. 1 Deansgate louvres and found that the proposal should have a beneficial impact on the operation of the louvres from key wind angles.

(d) Air Quality

The site is in the Greater Manchester Air Quality Management Area where the annual mean nitrogen dioxide (NO₂) air quality objective could be exceeded. An Air Quality Assessment has been provided.

A qualitative construction phase dust assessment recommended measures for inclusion in a Dust Management Plan to minimise emissions during construction. These measures would mean that the impact of dust during construction would not be significant and accord with the Institute of Air Quality Management guidance.

The trip generation was screened using the Institute of Air Quality Management and Environmental Protection UK two stage screening process, to determine whether a detailed road traffic emissions impact assessment was required. The trip generation did not exceed the relevant screening criteria and therefore detailed dispersion modelling of development-generated road traffic was not undertaken.

Dust and increased emissions during construction is likely to be temporary, short term and of a minor impact, and could be mitigated by the use of good practice control measures. The traffic generated would have a minimal effect on local pollution concentrations. The site is in a highly sustainable location suitable for travel by non-car modes such as walking, cycling and public transport. The proposal incorporates 96 cycle spaces but no car parking. Overall, the proposal would be

acceptable in air quality terms and would comply with Core Strategy policy EN16 and the relevant provisions of national guidance.

(e) Noise and vibration impact

Whilst the principle of the uses is acceptable, the use of the commercial units could impact upon amenity through noise generated in the premises and plant and equipment could generate noise. A roof terrace is proposed. Conditions could deal with acoustic insulation, fume extraction and hours of use for the roof terrace. The main office use would not generate noise. An acoustic report outlines how the premises and any external plant would be acoustically insulated to prevent unacceptable levels of noise breakout within the building as a whole and ensure adequate levels of acoustic insulation in the accommodation. The offices would operate 24 hours a day but the commercial units would have to agree their hours prior to first operation. Conditions relating to delivery and servicing hours and hours for the use of the roof terrace are recommended.

(f) TV Reception

A survey has determined the potential effects on television and radio broadcast services. Impacts to the reception of VHF (FM) radio, digital terrestrial television (Freeview) and digital satellite television services (such as Freesat and Sky), have been assessed. The proposal is not expected to cause any interference to the reception of either television or radio services and mitigation is not needed. However, a condition requiring a post-construction survey would check for any adverse impact from the development and ensure that any mitigation is completed.

Provision of a well-designed inclusive environment

The access off Deansgate would be level and inclusive access has been integrated into all aspects of the design. The site as a whole is relatively flat, rising approximately 100mm from Barton Arcade to the junction between Deansgate and St Mary's Gate, resulting in a good opportunity for level access across the planned development without the need for any step changes between the office and retail entrances.

Contribution to permeability

The development would not adversely affect permeability and the chamfered corner would enhance pedestrian movement. Whilst a small area of footpath on Deansgate would be lost, it would provide an opportunity to improve the public realm immediately surrounding the building. The proposal would enhance the streetscene and public realm and would enhance the legibility of this prominent corner site, creating a sense of place and rebalancing this end of Deansgate.

Relationship to Transport Infrastructure

The site is within walking distance of bus routes and rail and Metrolink stations and would encourage the use of sustainable modes of transport. A Transport Assessment and Interim Travel Plan detail the traffic and transport impacts, examines highway

considerations and promotes suitable measures to ensure that all highways impacts have been minimised.

The proposal would be 'car-free' and would remove 13 spaces. There are public car parks nearby. A secure 96 space 'cycle hub' includes facilities to encourage cycling.

Flood Risk

The site is in Flood Zone 1. A Flood Risk Assessment and Drainage Strategy shows there would be no change in hard surfaced area. Surface water would be discharged to the adopted combined sewer system at locations along the diverted sewer line in the new building envelope.

All feasible SuDS methods have been assessed but given the nature and location of the site, none are considered feasible other than the blue roof system which would retain the flow of water into the sewer system.

Foul water would be discharged to the adopted combined sewer system. With careful design of the drainage elements, there would be no residual flood related risks remaining after the development has been completed. Overall, the proposal would fully accord with Core Strategy Policy EN14 and provisions of the NPPF.

Waste management and servicing

The refuse store would be to the rear of the back of house area. Bin capacity has been calculated using MCC standards, for weekly collections, which requires 44 bins, including 1,100l Eurobin and 660l and 240l wheeled bins. Refuse collection would mainly be via the service yard but one retail unit would be from an existing loading bay on St. Mary's Gate.

Servicing and deliveries would be from the service yard accessed off Exchange Street. Access would be limited by droppable bollards as existing, from 7am to 11am.. There are temporary loading areas on St. Mary's Gate. The Waste Management Strategy concludes that the delivery, waste management and refuse collection would be appropriate.

Given the use of the building, most of the stored waste is anticipated to be recycled paper waste. Each of the retail units would be required to provide their own refuse and recycling storage within their demise.

Crime and Security

A Crime Impact Statement has been produced by Greater Manchester Police Design for Security. Several recommendations were made which have been incorporated into the design. A condition has been imposed on the approval requiring the development to achieve full Secured by Design accreditation.

Biodiversity, ecological enhancements and blue and green infrastructure

The site does not currently incorporate planting or features to enhance biodiversity. The proposed green/blue roof would provide a 'stepping stone' for biodiversity, targeting species that could be reasonably expected to benefit such as birds, bats, bees and other insects. The planters on the roof terrace would offer an additional opportunity to enhance biodiversity, and create an attractive environment. Bat and bird boxes would provide resources for species likely to use the River Irwell. A roof level wild-flower bed is proposed. As part of the sustainable drainage strategy, the development would have a 'blue roof' for rainwater attenuation to reduce the impact of urban runoff. The landscaping, including the green/blue roof, would be actively managed through a Landscape and Ecological Management Plan. The applicant has reviewed the feasibility of incorporating street trees and there is potential to include a street on the corner of Deansgate and St Mary's Gate. However, this would necessitate the diversion of services in order to deliver an embedded solution and would prove costly. As part of the s278 agreement, the applicant has offered to secure either a tree on the corner of the application site or provide finance for the provision of three street trees in a different public realm location as determined by the City Council.

Archaeology

An Archaeological Desk-Based Assessment establishes that there are no recorded archaeological remains from the prehistoric, Roman, Saxon, Early Medieval and Medieval periods within the site, and limited evidence in its surroundings. It concludes that no further archaeological investigations is required. GMAAS concur with this view.

Local Labour

The applicant is committed to working with the Work and Skills Team at MCC in order to ensure that employment opportunities resulting from the development are made available to Manchester residents during the construction phase through to operational stage to allow hard to reach groups equal opportunity to be successful in applying.

Construction Management

Measures would be put in place to minimise the impact of the development on local residents such as dust suppression, minimising stock piling and use of screenings to cover materials. Plant would also be turned off when not needed and no waste or material would be burned on site. Provided appropriate management measures are put in place, the impacts of construction management on surrounding residents and the highway network could be mitigated to be minimal. A condition regarding submission of a construction management plan prior to development commencing has been attached to the approval.

Contaminated Land and Unexploded Ordnance

A Phase 1 site investigation into contaminated land has been submitted. The site is situated in an area that has been densely developed since the 1840s. The surrounding area has remained generally unchanged; however, the site appears to have been redeveloped three times since the 1840s with the re-building of a number of buildings, including the buildings on site following WWII and a shift toward primarily commercial land use.

The risk from onsite sources is considered low due to the lack of significantly contaminative processes and the removal of the majority of made ground through the development of the site. The risk from ground gas is considered low due to the inherent level of protection included within the proposed building design. The risk for offsite sources is considered low. The risk to controlled waters is considered to be low due to the lack of significantly contaminative processes, this site not being within 500m of an SPZ or within 2000m of a potable water abstraction, and the site being covered by hard standing.

To confirm the risks to the identified receptors and the ground conditions in respect to the identified geotechnical and geo-environmental risks, an appropriate intrusive investigation will need to be undertaken. An appropriate condition requiring this and any necessary remediation has been attached to the approval.

An initial risk assessment found that the site is in an area designated as 'Moderate Risk' from Unexploded Ordnance (UXO) and in close proximity to a 'High Risk' area and to the recorded location of a bomb strike. On this basis, a Detailed Risk Assessment Report was undertaken for the site in view of the proposed works; demolition of the existing building, intrusive site investigation and construction of a new high-rise development including deep piled foundations to bedrock.

The detailed risk assessment found that that UXO poses a moderate risk to the proposed works. This is due to an elevated likelihood of German UXO remaining present in undisturbed virgin WWII-era soils. On this basis, intrusive site investigation and foundation piling activities are potentially at risk due to the high force and the blind nature. Consequently, the following activities have been recommended:

1. Prior to any intrusive works, an appropriately experienced person must give a UXO Safety Awareness Briefing (toolbox talk) to all personnel conducting intrusive works.
2. For intrusive site investigation, an appropriately qualified EOD Engineer (banksperson) is required to provide a watching brief on all exploratory holes (trial pits, boreholes etc.). The EOD engineer is able to give the above recommended briefings, will identify UXO objects in open excavations and will clear exploratory hole locations using a portable magnetometer.
3. Prior to foundation piling, an Intrusive Magnetometer Probe Survey is recommended to clear all pile locations. This can be done using open-hole drilling techniques and an EOD engineer to use a portable magnetometer within each hole to clear to the maximum bomb penetration depth. One open hole per planned piled foundation location is usually required.

Additional responses to neighbour comments

A TVIA has comprehensively assessed the potential impacts of the proposals on the local townscape. A reference to the Visual Representation of Development Proposals Technical Guidance Note 06/19 published by the Landscape Institute in October 2019 has been added to the updated TVIA. The TVIA assessment has been carried out in accordance with the updated Guidance Note. The visualisations were produced by Virtual Planit, a specialist visualisation studio with over 20 years' experience in producing visualisations for the purposes of TVIAs. The TVIA is not part of an EIA. The Guidelines for Landscape and Visual Impact Assessment state that an assessment of significance is not required for non-EIA assessments but it does not state that to include an assessment of significance would be either confusing or misleading. Where reference is made to EIA guidance, this is purely to fully explain the methodology and criteria used of potential effects resulting from the proposal.

The process for selecting key views was carried out in accordance with the Guidelines with input from the planning consultant and heritage consultant, and the views were agreed with the Local Planning Authority prior to undertaking the assessment.

The TVIA does not form part of, or include a formal heritage assessment which would consider the historic significance of a heritage asset within the wider setting, but considers the effects on heritage purely as an intrinsic part of the townscape. The Landscape Institute Guidance states that the cumulative landscape and visual effects must be considered in an LVIA when it is carried out as part of EIA. As this assessment does not form part of an EIA, the cumulative effects were omitted. A cumulative assessment has however been undertaken for completeness. A large number of schemes have been scoped out of the cumulative assessment and the majority of the remaining schemes have been assessed as having no potential visual relationship with the site, and do not have the potential to impact on the townscape character around the site. 2 remaining schemes were considered:

- 17/70626/FUL Embankment West, Salford.
- 19/74205/FULEIA One Heritage.

Photomontages from the key viewpoints have demonstrated that there would be no visibility of either of the schemes from any of the key viewpoints and they are located outside the immediate townscape character area containing the proposal, so there would therefore be no cumulative visual effects or cumulative townscape effects. The proposal is in accordance with the vision outlined in the SRF, and therefore has the potential to result in positive cumulative townscape effects.

The current building is considered to make a neutral contribution to the setting of the Grade II* listed Barton Arcade and the wider streetscape setting of the designated heritage asset has been identified in the significance appraisal as being of low significance. The proposals are considered to enhance the setting of the listed building to a minor extent.

The harm to the character and appearance of St. Ann's Square has been acknowledged throughout, forming a key discussion point for design development. Historic England were consulted pre-application and noted no substantial issues with the proposed height (Deansgate elevation) but agreed that the proposal would result in an adverse impact upon the setting of the Grade II listed townhouses to the west side of St Ann's Square. However, the proposal would result in a beneficial impact on the setting of the Grade II* listed Barton Arcade and Grade II listed Haywards building. Historic England were satisfied with the VIA information and had no objection to the demolition of the existing building. They generally agreed with the 'moderate adverse impact' from Viewpoint 1.

The scale of the proposal has been developed in response to the site's existing context within the St. Ann's Square Conservation Area and adjacent to No.1 Deansgate, but also to its emerging context with the Ramada Complex SRF area and the cluster of taller buildings being established across the River Irwell in Salford. A further cluster of taller buildings is being created at the southern end of Deansgate. The character of Deansgate and the City Centre more widely is evolving and dynamic with the creation of height at key gateways into the City. As tall building clusters are established at the opposite end of Deansgate, this has already altered the previous symmetry of the street. Massing tests were carried out early on and shared with Manchester City Council and Historic England.

The Ramada SRF has been endorsed as a material consideration in the determination of planning applications. The lapsed planning application was referenced to indicate that a building of scale in the vicinity of No.1 Deansgate had previously been considered acceptable to the Council.

The existing building does not form part of the designated listed building at Barton Arcade, nor is it within its curtilage. Its redevelopment would not result in physical change or alteration to the adjoining listed building and all works would be carried out within the boundaries of the site. Listed Building Consent is therefore not required. The red line boundary does not encroach on Barton Arcade but is subject to a Party Wall Agreement which will seek to rationalise and resolve the gable wall build-up following demolition of the existing building. No Certificate B notice is required to be served.

The proposal would reinstate the historic building line and rationalise the footway in line with the remainder of Deansgate. 4.4m is considered to be an acceptable width for maintaining pedestrian flow. Outdoor seating is in place on other parts of Deansgate where the pavement is already narrower.

Policy CC1 gives encouragement to development in certain locations within the City but doesn't preclude development in locations not listed. There is overall support for high density development in the City and for the redevelopment of previously developed sites.

The country is facing challenging times as a result of Covid-19. However, in Manchester, there is a significant demand/supply imbalance for prime office stock and it is anticipated that occupiers will continue to favour high-quality buildings in the City Centre. Grade A office space in Manchester is becoming increasingly

constrained and the City continues to attract significant interest from existing and new businesses. The proposal would help meet this identified demand. Despite there now being a downgraded growth forecast due to Covid-19, small growth is still expected, including from 'north shoring', where large occupiers are looking at Manchester as a viable location to relocate their London staff.

The proposal has been subject to rigorous viability/technical feasibility testing to ensure it meets the applicant's brief and is deliverable. However, viability is just one element of design feasibility alongside other matters including Area; buildability/complexity; plannable as office space, and contextual/ technical considerations. The proposals have been designed to make maximum efficient use of a prominent brownfield site, to secure the highest quality design and materiality, and to generate the widest possible range of public benefits.

The pre-application comments received from various parties resulted in a series of alterations to the emerging scheme, including:

- Reduction in height from 20 storeys to 15 storeys over ground and mezzanine (17 storeys in total);
- Removal of car parking spaces from the basement and addition of cycle storage facilities accessed via a dedicated ramp;
- Choice of a tonal aluminium façade treatment instead of stone cladding;
- Creation of a blue/green roof to enhance biodiversity and manage surface water drainage;
- Enhancements to the surrounding public realm (to be agreed by s278 Agreement); and
- Restriction of hours of use of the roof terrace to limit potential impacts on surrounding residential amenity.

The applicant is aware of the location of the fume extraction points from the Barton Arcade commercial units and the proposal would not impact on their ability to continue discharging fumes from them as existing.

The other comments made by neighbours have been covered elsewhere in this report.

CONCLUSION

The proposal would have a positive impact on the regeneration of this part of the City Centre, contribute to the supply of Grade A office accommodation, provide significant investment in the City Centre supporting the economy, and create both direct and indirect employment. The proposal is in accordance with relevant National and Local Planning Policies. In addition, a convincing, well considered approach to the design, scale, architecture and appearance of the building has resulted in a high quality development that would make a positive contribution to the streetscene. Any harm to

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

Accordingly, this application is recommended for approval, subject to conditions.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved 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 Direction

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions to be attached to the decision

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

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

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

- Application Forms, Certificates, Notices and Covering Letter prepared by CBRE (August 2021)
- EIA Screening Letter prepared by CBRE (August 2021)
- Planning & Tall Buildings Statement prepared by CBRE (August 2021)
- Economic Statement prepared by CBRE (August 2021)
- Economic Impact Assessment prepared by Ekosgen (July 2021)

- Design & Access Statement (6145-SRA-XX-XX-RP-A-02003 P04 S2) prepared by Sheppard Robson Architects (July 2021)
- Alternatives and Design Evolution Statement prepared by Sheppard Robson Architects (July 2021)
- Alternative Development Assessment Executive Summary prepared by CBRE (October 2021)
- Residential Screening Study prepared by Sheppard Robson Architects (October 2021)
- Heritage Statement: Significance and Impact prepared by Stephen Levrant Heritage Architecture (January 2020)
- Heritage Assessment Addendum prepared by Montagu Evans (August 2021)
- Daylight and Sunlight Assessment prepared by GIA Chartered Surveyors (November 2019)
- Letter from GIA Chartered Surveyors regarding Daylight and Sunlight Assessment (July 2021)
- Wind Microclimate Assessment Report prepared by GIA Chartered Surveyors (December 2019)
- Crime Impact Statement prepared by Greater Manchester Police Version C (August 2021)
- Transport Statement prepared by Curtins (August 2021)
- Interim Travel Plan prepared by Curtins (August 2021)
- Waste Management and Servicing Strategy prepared by Curtins (August 2021)
- Phase 1 Geo-Environmental Site Investigation Report prepared by Renaissance Civil Engineering (July 2021)
- Unexploded Ordnance Risk Assessment prepared by IGE Consulting (January 2020)
- Letter from IGE Consulting regarding UXO Risk Assessment (July 2021)
- Flood Risk Assessment & Drainage Strategy Report prepared by IGE Consulting (July 2021)
- Archaeological Assessment prepared by Orion Heritage (July 2021)
- Air Quality Assessment prepared by BWB Consulting (August 2021)
- Noise Impact Assessment prepared by BWB Consulting (August 2021)
- Preliminary Bat Roost Assessment prepared by Tyler Grange (January 2020)
- Energy, Sustainability and Waste Management Statement prepared by Energy Council (August 2021)
- Ventilation Strategy prepared by EDPI Limited (July 2021)
- Operational Management Strategy prepared by CBRE (August 2021)
- Television and Radio Reception Impact Assessment prepared by G-Tech Surveys (August 2021)
- Construction Management Plan prepared by CBRE (August 2021)
- Acoustic Technical Note prepared by BWB Consulting (March 2020)
- Summary of Public Benefits Statement prepared by CBRE (August 2021)
- Townscape and Visual Impact Assessment prepared by Planit-IE (August 2021)
- Townscape and Visual Impact Assessment Appendix 1 – Townscape Assessment prepared by Planit-IE (August 2021)

- Townscape and Visual Impact Assessment Appendix 2 – Visual Assessment prepared by Planit-IE (August 2021)
- Townscape and Visual Impact Assessment Appendix 3 – Townscape Figures prepared by Planit-IE (August 2021)
- Townscape and Visual Impact Assessment Appendix 4 – Views prepared by Planit-IE (August 2021)
- Townscape and Visual Impact Assessment Appendix 5 – AVR Methodology prepared by Planit-IE (August 2021)
- Analysis of Impact on No.1 Deansgate Louvres prepared by GIA Chartered Surveyors (September 2020)
- BREAAAM Pre-Assessment Report prepared by Mainer Associates (August 2021)
- Statement of Community Involvement prepared by CBRE (August 2021)

- Location Plan (6145-SRA-XX-XX-DR-A-02101 Revision P02 dated August 2019)
- Site Plan (6145-SRA-XX-XX-DR-A-02001 Revision P02 dated December 2019)
- Existing Ground Floor Plan (6145-SRA-XX-00-DR-A-02901 Revision P02 dated December 2019)
- Existing First Floor Plan (6145-SRA-XX-01-DR-A-02902 Revision P02 dated December 2019)
- Existing Typical Floor Plan (6145-SRA-XX-XX-DR-A-02903 Revision P02 dated December 2019)
- Existing Roof Plan (6145-SRA-XX-RF-DR-A-02904 Revision P02 dated December 2019)
- Proposed Basement Plan (6145-SRA-XX-B1-DR-A-02199 Revision P02 dated December 2019)
- Proposed Ground Floor Plan (6145-SRA-XX-00-DR-A-02110 Revision P02 dated December 2019)
- Proposed Mezzanine Floor Plan (6145-SRA-XX-01-DR-A-02111 Revision P02 dated December 2019)
- Proposed Typical Lower Floor Plan (Levels 1-2) (6145-SRA-XX-ZZ-DR-A-02112 Revision P02 dated December 2019)
- Proposed Level 3 Floor Plan (6145-SRA-XX-03-DR-A-02113 Revision P02 dated December 2019)
- Proposed Typical Lower Floor Plan (Levels 4-6) (6145-SRA-XX-ZZ-DR-A-02114 Revision P02 dated December 2019)
- Proposed Level 7 Floor Plan (6145-SRA-XX-07-DR-A-02115 Revision P02 dated December 2019)
- Proposed Typical Upper Floor Plan (Levels 9-14) (6145-SRA-XX-ZZ-DR-A-02116 Revision P02 dated December 2019)
- Proposed Level 15 Floor Plan (6145-SRA-XX-15-DR-A-02117 Revision P02 dated December 2019)
- Proposed Roof Plan (6145-SRA-XX-RF-DR-A-02119 Revision P02 dated December 2019)
- Existing North Elevation – City Context (6145-SRA-XX-XX-DR-A-02851 dated December 2019)

- Existing East Elevation – City Context (6145-SRA-XX-XX-DR-A-02852 dated December 2019)
- Existing South Elevation – City Context (6145-SRA-XX-XX-DR-A-02853 dated December 2019)
- Existing West Elevation – City Context (6145-SRA-XX-DR-A-02854 dated December 2019)
- Proposed North Elevation – City Context and Street Scene (6145-SRA-XX-XX-DR-A-02051 Revision P02 dated December 2019)
- Proposed East Elevation – City Context and Street Scene (6145-SRA-XX-XX-DR-A-02052 Revision P02 dated December 2019)
- Proposed South Elevation – City Context and Street Scene (6145-SRA-XX-XX-DR-A-02053 Revision P02 dated December 2019)
- Proposed West Elevation – City Context and Street Scene (6145-SRA-XX-XX-DR-A-02054 Revision P02 dated December 2019)
- Proposed North & East Elevations (6145-SRA-XX-XX-DR-A-02151 Revision P02 dated December 2019)
- Proposed South & West Elevations (6145-SRA-XX-XX-DR-A-02152 Revision P02 dated December 2019)
- Proposed Sections A-A & B-B (6145-SRA-XX-XX-DR-A-02161 Revision P02 dated December 2019)
- Proposed Typical Façade Bay Study (6145-SRA-XX-XX-DR-A-02501 Revision P02 dated December 2019)
- Proposed Retail Façade Bay Study (6145-SRA-XX-XX-DR-A-02502 Revision P02 dated December 2019)
- Proposed Demolition Plan (6145-SRA-XX-ZZ-DR-A-02905 Revision P02 dated December 2019)
- Topographical and Utility Survey (SSL:19457:100:1:1:TOPO-UTIL dated June 2019)
- Tree Pit Feasibility Note (DN-REN-00-00-SK-C-01001 dated June 2019)

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

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development and drawings to illustrate details of the full sized sample panels that will be produced. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining, details of the glazing and a strategy for quality control management.

(b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition.

The development shall be carried out in accordance with the approved materials.

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

4) No demolition shall occur until a detailed bird nest survey, undertaken by a suitably experienced ecologist, has been carried out immediately prior to the demolition and written confirmation has been provided that no active bird nests are present, unless the species present is feral pigeon, in which case a general license issued by Natural England authorising destruction of feral nests could be provided. All of the required information/evidence as above shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the demolition of the existing building commencing.

Reason - To ensure wildlife habitats are not adversely affected and to be consistent with policies EN15 and DM1 of the Manchester Core Strategy.

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

07:30 to 20:00, Monday to Saturday
10.00 to 18.00 on Sundays and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

6) Before any unit within the development requiring fume extraction is first brought into use, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. An odour impact assessment is required together with suitable mitigation measures, information regarding the proposed cleaning/maintenance regime for the fume extraction equipment, and details in relation to replacement air. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eaves level and/or any openable windows/ventilation intakes of nearby properties. Any scheme should make reference to risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems', dated September 2018. The scheme shall be implemented in accordance with the approved details prior to first occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) Prior to the commencement of the development, a detailed construction/fit-out management plan outlining working practices during development shall be submitted

to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt this should include;

- Hours of site opening/operation
- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions during the enabling and build phases;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (site waste management plan);
- Phasing and quantification/classification of vehicular activity
- Types and frequency of vehicular demands
- Routing strategy and swept path analysis;
- Parking for construction vehicles and staff;
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;
- Construction and demolition methods to be used, including the use of cranes (and their location);
- The erection and maintenance of security hoardings;
- Details on the timing of construction of scaffolding;
- Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times
- Community consultation strategy, including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure.

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

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Core Strategy.

8) (a) No commercial unit within the ground floor shall become operational until the opening hours for each unit have been submitted to and approved in writing by the City Council as Local Planning Authority. Each commercial unit shall operate in accordance with the approved hours

b) The proposed office floors are permitted to be used 00.00 to 00.00 (24 hours a day)

c) The external roof terrace shall not be used outside of the hours of:

07:00 and 23:00 Monday to Friday

10:00 and 22:00 on Saturdays, Sundays and Bank Holidays

The roof terrace shall be used solely in association with the office use within the building only and for no other purpose, and shall have no sound or amplified sound played within it and shall not contain any external speakers.

Reason - In order that the local planning authority can achieve the objectives both of protecting the amenity of local residents and ensuring a variety of uses at street level in the redeveloped area in accordance with saved policy DC 26 in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy

9) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority before the development commences. The scheme shall be implemented in full before the use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Where any Class E(a), (b), (c) or Sui Generis (Drinking Establishment) use is proposed, before development commences on this use, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme proposed shall normally include measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels. Any scheme approved in discharge of this condition shall be implemented in full before the use commences.

b) Upon completion of the development and before the development becomes operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the above criteria is met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the new use becomes operational.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policy DM1 of the Core Strategy.

10) a) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Before development commences on this element of the scheme, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

b) Upon completion of the development and before any of the external plant is first operational, a verification report will be required to validate that the work undertaken confirms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the plant and any mitigation measures have been installed. Any instances of nonconformity with the above criteria shall be detailed along with any measures required to ensure compliance. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the plant is first brought into use.

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

11) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse for the different parts of the development (i.e. both the commercial and office space) has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. The scheme shall include:

- Estimated volumes and types of waste produced by the development,
- Details of internal and external stores for both waste and recycling, including any plans and designs,
- Location of the proposed collection point and details of the route the collection vehicle will take,
- Details of how waste will be transferred between stores and to the collection location,
- Details of number and capacity of bins proposed and collection frequency.

Reason - To ensure an acceptable development and to protect amenity, pursuant to policy DM1 of the Manchester Core Strategy.

12) In terms of air quality, the development shall be carried out in accordance with the following report:

Air Quality Assessment prepared by BWB (ref. MCA2017, dated August 2021)

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

13) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council

as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

14) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, the hierarchy of drainage options in the National Planning Practice Guidance, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the City Council as Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

In the event of the surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s. Foul and surface water shall be drained on separate systems. The drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

Manchester Core Strategy.

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

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

Reason - To manage flooding and pollution, to ensure that a managing body is in place for the sustainable drainage system and to ensure there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Core Strategy

16) (a) Prior to the commencement of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for both the construction and operational elements of the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases of the development.

(b) Within six months of the first occupation of the development, details of the results of the scheme shall be submitted to the Local Planning Authority for consideration.

Reason - To safeguard local employment opportunities, pursuant to policy EC1 of the Core Strategy for Manchester.

17) a) Before development commences, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the City Council as Local Planning Authority.

b) When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.

Reason - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

18) a) Before first occupation of any part of the development, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The Travel Plan shall also include details of the cycle hire scheme at the hotel and how that will be monitored as part of the Travel Plan process.

b) Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered under part a) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

19) The cycle parking areas shown on the approved plans shall be made available at all times whilst the site is occupied.

Reason - To ensure that there is adequate cycle parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

20) Within 3 months of first occupation of the building, written evidence shall be provided to the City Council as local planning authority that the development has been built in accordance with the recommendations contained within the submitted Crime Impact Statement, ref. 2019/0797/CIS/01, Version C, dated 06/08/21, and that a secured by design accreditation has been awarded for the development.

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

21) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'Excellent'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of Practical Completion of the building hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy.

22) No externally mounted telecommunications equipment, except that relating to the servicing of the building hereby approved, shall be mounted on any part of the building, including the roof.

Reason - In the interests of visual amenity, pursuant to Core Strategy Policies DM1 and SP1.

23) Within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area, a new television signal survey shall be submitted to the City Council as Local Planning Authority that shall identify any measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the Television and Radio Reception Impact Assessment by GTech Surveys Limited, received by the Local Planning Authority on 11 August 2021. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To assess the extent to which the development during construction and once built will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception, in the interests of residential amenity, as specified in policy DM1 of Core Strategy.

24) a) Prior to the commencement of development, a programme for the submission of final details of the landscaping, ecological enhancements and public realm works shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details:

- (i) The proposed hard landscape materials, including the materials to be used for the footpaths surrounding the site and for the areas between the pavement and the line of the proposed building;
- (ii) Any external lighting;
- (iii) The ecological enhancements to be installed at the building to enhance and create new biodiversity within the development;
- (iv) The landscaping proposed for the roof terrace
- (v) A strategy for the planting of street trees within the pavement adjacent to the site, or a mechanism for funding the provision of off-site street trees, including details of overall numbers, size, species and planting specification, constraints to further planting and details of ongoing maintenance.

The approved scheme for part (v) shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

b) The above details shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for

part a) of this condition. The development shall be carried out in accordance with the approved details.

Reason - To ensure that a satisfactory landscaping scheme and ecological enhancements for the development are carried out, in accordance with saved policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

25) Prior to any part of the building first being brought into use, a servicing management strategy that details the scheme proposed for the servicing of the office floors and commercial units shall be submitted to and approved in writing by the City Council as Local Planning Authority. The strategy shall give details including the duration, time and frequency of servicing, size of vehicles required and the proposal for parking and manoeuvring of vehicles around the site. The development shall be carried out in accordance with the approved details.

Reason - To ensure an acceptable development and in the interests of amenity and highway safety, pursuant to policy DM1 of the Core Strategy.

26) The lowest 3 floors of windows on the southern elevation of the building hereby approved that directly face into the lightwell that lies between Barton Arcade and the application site boundary shall be obscurely glazed in accordance with the agent's email of 11 January 2022, and shall remain so in perpetuity.

Reason - In the interests of amenity and privacy, pursuant to policy DM1 of the Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 126328/FO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services

Environmental Health

Corporate Property

City Centre Regeneration

Central Neighbourhood Team

Work & Skills Team

Greater Manchester Police

Historic England (North West)

Environment Agency

Transport For Greater Manchester

Greater Manchester Archaeological Advisory Service

Greater Manchester Ecology Unit

Greater Manchester Pedestrians Society
Manchester Airport Safeguarding Officer
National Air Traffic Safety (NATS)
Oliver West (Sustainable Travel)
Strategic Development Team
United Utilities Water PLC
MCC Flood Risk Management
Civil Aviation Authority

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

Representations were received from the following third parties:

Highway Services
Environmental Health
Work & Skills Team
Greater Manchester Police
Historic England (North West)
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Manchester Airport Safeguarding Officer
National Air Traffic Safety (NATS)
United Utilities Water PLC
MCC Flood Risk Management

Relevant Contact Officer : James Hughes
Telephone number : 0161 234 4022
Email : james.hughes@manchester.gov.uk



This page is intentionally left blank

Application Number	Date of Appln	Committee Date	Ward
132069/FO/2021	29 Oct 2021	20 Jan 2022	Didsbury West Ward

Proposal Temporary change of use of car parking area to form builders compound (installation of welfare unit, WCs, car parking spaces and storage area) for a period of 12 months to be used in connection with the redevelopment of the former Didsbury Police Station

Location Former Police Station Car Parking Area, Davenfield Grove, Manchester, M20 6UA

Applicant Mr Wasil Hussain , HUS Property Developments Limited, 11 Warwick Road, Manchester, M16 0QQ,

Agent Mr Derek Watmough, 4mation architecture ltd, 27 Blythe Avenue, Stockport, SK7 1EU

Executive Summary

The applicant is proposing to use the former police station car park as a temporary site compound for 12 months in connection with the redevelopment of the former Didsbury police station on Wilmslow Road.

Objections have been received from six local residents and Councillor Hilal. Objections have been raised in respect of the impact on residential amenity, resulting from noise and general disturbance; the impact in visual amenity; insufficient parking; and the impact on pedestrian and highway safety due to the comings and goings of contractors' vehicles and delivery wagons.

Description

This application relates to a rectangular plot of land located at the southern end of Davenfield Grove. To the south of the site lies a terrace of dwellings, namely nos. 12 to 26 Whitechapel Street, while to the north there are further residential properties, namely no. 2 Davenfield Grove and nos. 10 to 16 Davenfield Road. To the east there is a car park and servicing area associated with several commercial properties on Wilmslow Road. To the west there are a number of terraced dwellings on Crossway.

The site was formerly used as car park associated with the police station on Wilmslow Road but is it currently being used as a temporary site compound in connection with the conversion of the former police station into six apartments (approved under ref: 128136/FO/2020). The location of the application site is shown edged in red below with the former police station annotated with a star.

The applicant is applying retrospectively to use the site as a temporary compound for a period of 12 months. The compound would consist of two steel containers (a welfare unit and storage container), two portable WCs and a site generator. In addition, the applicant has indicated that it would provide parking for at least four vehicles and an area designated for the storage of materials. It is believed that the use of the site as a temporary site compound commenced mid-November 2021.

The layout of the compound, in relation to the neighbouring properties, is shown below:



- Site storage area
- Car Parking
- Steel Container
- Welfare Unit
- WCs and Generator



Consultations

Local Residents – Six letters of objection have been received from local residents, the comments are summarised below:

- Davenfield Grove is a cul-de-sac that already suffers significantly from parking issues due to its proximity to Didsbury Village high street and lack of resident parking permits. Demolition works have already commenced within the Old Didsbury Police Station for which this planning application is linked and that work has resulted in significant blockages of the cul-de-sac by works vehicles for the loading of waste.
- The pandemic has changed working habits for many, with 'working from home' now much more common. The cul-de-sac is usually a quiet area, however, since the demolition works have started on the old police station, the workmen have caused significant noise disruption. This includes leaving their generator on all night to the detriment of residents' sleep. In addition, the use of plant equipment in the middle of the street to break up materials for waste transfer has caused significant noise disruption. The loading of waste in the middle of the street on to lorries has also caused significant noise disruption.

- The contractors have already moved on to the site that this planning application refers to; however, they have shown great disregard to the neighbours whom they are disrupting almost daily. Despite having access to the car park, they are blocking the cul-de-sac to commence loading/unloading, completing what is considered to be unsafe working practices regarding the cutting up of materials within the street in an area not protected from the public. They have refused on several occasions to use/load/work from the car-park for reason of laziness and it is not considered that granting this application will result in any meaningful reduction in the disruption.
- The entrance to the compound itself is at the end of a sharp, single lane, T junction and is incredibly narrow and due to the number of parked cars has limited visibility splays. This has already created access issues for the compound's vehicles on more than one occasion, creating disruption for residents who cannot access Davenfield Grove whilst the vehicles navigate the narrow entrance, or who have been asked to move their vehicles to ease access for the compound's vehicles. Access for emergency vehicles is also severely impacted by this.
- It is an inappropriate use for a residential area and the activities are detrimental to residential amenity. It is having an impact on the residents' health and wellbeing.
- The nature of the proposed development is not in keeping with the character or appearance of the area, and there are no details within the application to reduce the visual impact the compound will have on the area.
- The height of the proposed steel container will cause an unacceptable loss of light for houses on both Davenfield Road, Davenfield Grove and Whitechapel Road. There is also not sufficient space between the proposed compound structures and existing dwellings to avoid problems of overshadowing or the over-dominant appearance affecting existing dwellings.
- Residents have already been disturbed by the additional activity generated by the land being used as a builder's compound. This includes but is not limited to: noise from a generator being left on overnight (the one in the proposed plans), loading and unloading of building materials, use of power tools and excessive noise from builders early in the morning (before 7.30am).
- The roads that will be used as access to the compound are already incredibly congested with parking and traffic. Crossway has been identified within Manchester City Council's Extant Unitary Development Policies (Area 15 - Didsbury, DB7) as a road that is 'currently suffering with severe parking congestion'. And as such the Council will be implementing traffic management measures. Parking on adjacent roads including Davenfield Road and Davenfield Grove is just as bad. These are the main roads the compound will rely on for access, both for contractors and construction deliveries. Due to parking congestion Davenfield Road and Grove are both single track roads, and at the best of times deliveries, bin collections and traffic can cause congestion and delays for residents trying to access their streets. The parking/congestion can also cause bin collections to be missed for residents due to access issues caused by awkwardly parked cars. Additional traffic caused by the compound will magnify these issues further.
- The additional heavy goods vehicles and construction vehicles will also contribute to an unnecessary increase in vehicle emissions that could lead to adverse health effects for residents.

- Due to the nature of the roads the majority of cars park on the pavements on Davenfield Road and Crossway. This makes the pavements around Davenfield Road and Crossway inaccessible, most of the time, to pedestrians. An increase in construction traffic would cause safety concerns for pedestrians who, the majority of the time, must use the road, as well as cyclists who have little room to manoeuvre on the narrow roads.
- The owner of the land to be used in the proposed conversion had a fence erected around the property in August and had workmen dig up tree stumps and other debris on the site. The work was disturbing for residents both in terms of noise and traffic/parking. In addition, the owner of the land has moved the boundaries of the car park land to incorporate the communal alleyway between this land and a number of the dwellings on Whitechapel Street, Crossway and Davenfield Road. This has sealed off a number of gateways and prevents access to and from the rear gardens.

Ward Councillors – A letter of objection has been received from Councillor Hilal, the comments are summarised below:

- The current work has been taking place for over 6 months after 6 pm causing a considerable amount of noise including traffic/parking issues. The site has not been cleared of rubbish which is unsightly and may lead to problems with vermin.
- There are already considerable parking issues on Davenfield Road and surrounding streets as they are so close to Didsbury Village. Taking into consideration the size of the vehicles, and the narrow turning of the road residents feel (despite parking provision being provided) drivers will still feel tempted to use the road for parking therefore, blocking residents' access and parking. The amount of contractors visiting the site who will be wanting to park their cars will further exacerbate the parking issue.
- The end of Davenfield Road adjoining Davenfield Grove is a narrow road with no off-street parking for residents and frequently used by visitors to Didsbury Village high street as free parking. The parking situation makes it a difficult road to drive on or park on owing to the narrowing of the lane caused by parked vehicles. Large commercial vehicles will add to this problem and are at risk of causing damage to residents' vehicles. There have been instances of workman asking residents to move their cars so the large vehicles can gain access to the site. Biffa also have experienced problems collecting the bins.
- Many residents are still working from home and appreciate how quiet their surroundings are. However, previous work has caused major disruption and residents are concerned that although the proposed site is to be used for storage and parking, activity will take place involving preparing materials for the main construction site and the noise from machinery for up to 12 months.

Didsbury Civic Society – No comments received.

Greater Manchester Police – No comments received.

Highway Services – The development (former police station site) is located within a district centre for which there are significant challenges in terms of access, storage and parking. On balance, it is considered that the temporary provision of a compound in this location would minimise the impact on the district centre during construction. Accordingly, the proposal is supported.

Environmental Health – Suggests the imposition of conditions designed to protect residential amenity, acoustic insulation of external plant and hours of operation to match the construction management plan approved in connection with application 128136/FO/2020.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework 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 National Planning Policy Framework 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 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.

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

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

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of issues, in this instance the most relevant are considered as follows:-

- 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.
- Flood risk and drainage.

Saved UDP Policy DC26, “Development and Noise” – Policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

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

Policy DC26.2 states that new noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

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

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

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

Issues

Principle of the Proposal – Given the former use of the site as a car park, planning permission would not be required to use it solely for contractor parking. However, given the requirement to store equipment, materials and vehicles on the site it would clearly constitute a site compound. Planning permission is not usually required for a temporary site compound if it is located next to or within a development site, i.e. it constitutes permitted development. In this case, as this application site is located approximately 40 metres to the south of the former police station, planning permission is required to use it as a temporary site compound and this, if approved, would allow the Council to control its use and subsequent impact via the imposition of planning conditions.

Given the difficulties of undertaking development within the Didsbury District Centre, due to restricted parking and loading facilities on Wilmslow Road, the principle of using this former car park as a temporary site compound is considered acceptable. Notwithstanding this, the impact of the temporary use on the existing levels of visual and residential amenity enjoyed within the vicinity of the site, as well as upon existing levels of pedestrian and highway safety on Davenfield Grove, must be assessed.

Previous Activity on the Site – A number of the objections received from members of the public and the Ward Member make reference to previous work undertaken on the site, particularly site clearance and the blocking up of alleyways. It should be noted that this work has been undertaken by the owner of the site prior to it being leased to the developer of the former police station. The applicant is not using the disputed area as part of the compound.

The image below shows where the fence has been erected and it clearly shows that those properties which had access to the alleyway no longer do so. Unfortunately, as the alleyway is not an adopted highway or in Council ownership, the Council is unable to intervene. As a result, the local residents who raised this matter have been informed that they would potentially need to initiate private legal proceedings to rectify the matter.



Residential Amenity – It is recognised that compounds such as that proposed have the potential to cause disamenity if not properly controlled. This compound would be used primarily as a place to store materials, contractors' vehicles and equipment, as well as a base for welfare facilities such as the WCs and the mess unit. While small scale construction work might take place within the compound, such as the cutting up of materials, it is more than likely that such work would take place within the former police station site given the distance between the two.

While it is considered that the majority of the activities within the compound would not produce excessive noise, it is considered prudent to attach a condition limiting when the compound could be used to limit any potential disamenity. The proposed hours of use are the same as those stated in the Construction Method Statement that was approved under application CDN/21/0601, namely:

- Monday to Friday - 0730hrs to 1800hrs,

- Saturday - 0830hrs to 1400hrs

A number of residents have raised concerns about the use of the generator, particularly that it has been run throughout the night on a number of occasions. In order to prevent this happening in the future a condition is suggested (condition no. 5) which would limit its use to the hours referred to above. In addition, condition no. 4 would require any such plant or machinery to be selected and/or acoustically insulated to ensure that it operates 5dB below the typical background noise levels measured at the nearest noise sensitive location.

It is understood that there have been instances where contractors have undertaken work on Davenfield Grove. While the powers available to the Planning Service to prevent this from happening are limited Neighbourhoods have been contacted to see if they could intervene. Any response will be reported to the Committee.

Finally, concerns have been raised about the noise and disturbance associated with comings and goings of contractors to the site. However, given the relatively small scale of the development and the number of contractors that would be employed on site, it is not considered that the traffic movements to and from the site compound would be of such a level so as to prove detrimental to existing levels of residential amenity. The lawful use of the application site is for a car park which was used in connection with the former police station and there were no controls over comings and goings associated with that car park.

It is also the case that the compound would only be in place for a temporary period so any impacts would be short term. The proposed compound allows a secure area to be used during the construction period which can be controlled through the suggested conditions. If the former car park was not used for this purpose then activity associated with the conversion of the former police station would be likely to cause greater disruption as it could not be contained within the application site.

Visual Amenity – This site is not highly visible from the public highway and the steel containers (storage and welfare units) themselves cannot be seen from Davenfield Grove, as demonstrated by the photograph below.



The steel containers have been sited in the south-eastern corner of the site (as can be seen below), in a part of the site that is directly overlooked by only a small number of dwellings.



It is recognised that the steel containers and to some degree the portable WCs, can be seen from the upper floor windows of these dwellings and that this would have some impact upon outlook and existing levels of visual amenity. However, given the temporary nature of the proposal, the limited number of dwellings that directly face the containers and the fact the individual units are only single storey in height, it is not considered that this impact is so severe as to warrant refusal on the grounds loss of visual amenity.

Pedestrian and Highway Safety – As can be seen below, Davenfield Grove is a relatively narrow street and could not accommodate parked cars on both sides of it. For this reason, the use of part of the compound for contractor car parking is welcomed. There would be nothing to prevent contractors' vehicles from parking on street if the compound was not available for use.



While it is acknowledged that deliveries to the compound would occur and that this might necessitate some local residents having to temporarily relocate their cars when larger delivery vehicles are used, the applicant has confirmed that large scale deliveries of building products would likely take place via Wilmslow Road, using the loading bay to the front of the former police station site.

Furthermore, as the redevelopment of the former police station site is of a relatively small scale, it is considered that the number of contractors coming to and from the site would be small and unlikely to add to the congestion levels already experienced in the neighbourhood.

Given the above and the comments of Highway Services, it is not considered that the proposal would have an unduly detrimental impact upon the levels of pedestrian and highway safety enjoyed on Davenfield Grove or the adjoining highway network.

Waste Management – The storage and recycling of waste material within the compound was approved as part of the discharge of the *Construction Method Statement* condition (ref. CDN/21/0601) attached to the planning permission for the redevelopment of the former police station.

Conclusion

Given the size of the compound and the limited time it would be in place, it is not considered that the proposal would have an undue impact upon existing levels of residential and visual amenity, or upon existing levels of pedestrian and highway safety. Notwithstanding this, the concerns of local residents are recognised and it is considered prudent to attach a number of conditions designed to limit when the compound could be used and the noise levels generated by any on-site plant or machinery.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation TEMPORARY APPROVAL

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

Conditions to be attached to the decision

1) This planning permission is granted for a limited period expiring on 31 January 2023 and all buildings, works, uses of land or other development hereby permitted shall be removed or discontinued and the land reinstated in accordance with a scheme previously approved within one month of the compound being vacated or before the expiration of the period specified in this condition, whichever is sooner.

Reason - In the interests of residential and visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received on 29 October 2021 and 11 November 2021:

- a) Location Plan
- b) Drawing no. 1000c
- c) Supporting information on shipping container, welfare unit and w.c.

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

3) No work or other activity shall take place on the site on Sundays or Bank Holidays and all work and other activity on other days shall be confined to the following hours:-

Monday to Friday - 0730hrs to 1800hrs,
Saturday - 0830hrs to 1400hrs

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

4) a) 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. Prior to commencement of the use hereby approved 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 scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the 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 Policy DM1 in the Manchester Core Strategy and Saved UDP Policy DC26.

5) No generator, plant or similar machinery shall operate on Sundays or Bank Holidays and on all other days its use shall be confined to the following hours:-

Monday to Friday - 0730hrs to 1800hrs,
Saturday - 0830hrs to 1400hrs

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

6) a) Before the use hereby approved commences any external lighting to be used within the compound shall be designed and installed in accordance with a scheme approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties.

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

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy.

7) The details of an emergency telephone contact number for the developer and their agents shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document 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: 132069/FO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services
Environmental Health
Greater Manchester Police
Didsbury Civic Society

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

Representations were received from the following third parties:

Highway Services
Environmental Health

Relevant Contact Officer : David Lawless
Telephone number : 0161 234 4543
Email : david.lawless@manchester.gov.uk

